



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
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(510) 567-6700  
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## NOTICE OF VIOLATION

July 24, 2009

PRISCILLA F SHENK  
PRISCILLA F SHENK TRUST  
575 BROADMOOR BLVD  
SAN LEANDRO CA 94577

NICHOLAS E MOORE  
NA  
6159 ACACIA AVE  
OAKLAND CA 946181818

KAREN J PLESSINGER  
6159 ACACIA AVE  
OAKLAND CA 946181818

Subject: Fuel Leak Case No. RO0000152 and Geotracker Global ID T0600101570, SITE EARL SHENK RESIDENCE, 6159 ACACIA AVE, Oakland CA 94618– Groundwater Monitoring Requirements

Dear Responsible Parties:

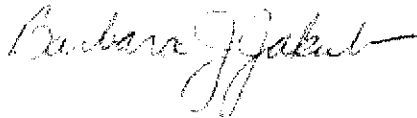
On July 3, 2008, Alameda County Environmental Health (ACEH) sent a correspondence to you identifying that your site, EARL SHENK RESIDENCE, located at 6159 ACACIA AVE, Oakland CA 94618 has not been claimed in the State Water Resources Control Board's (SWRCB) GeoTracker database. It was further stated that the site must be claimed by August 15, 2008 in order to remain in compliance. A review of the case file and the State's GeoTracker database indicate that the site still has not been "claimed," and your site is out of compliance with directives from this agency. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3893, 3894, and 3895, you are required to claim your site and subsequently electronically transmit reports and other site data, as required.

In order to regain compliance, please claim the site ([www.geotracker.waterboards.ca.gov](http://www.geotracker.waterboards.ca.gov)) and submit verification to ACEH by **August 10, 2009**. Failure to claim the site by the due date specified above may result in referral and possible enforcement action by the District Attorney and/or ineligibility for reimbursement of corrective action costs incurred at the site from the Underground Storage Tank Clean-up Fund. Pursuant to Chapter 6.7, California Health and Safety code, civil penalties up to \$10,000 for each UST for each day of violation may be imposed. Once removed from the Clean-up Fund, the costs associated with the subsurface investigation and/or cleanup work that may be required at your site will not be reimbursed. Please note that civil penalties for non-compliance are assessed from the original due date (August 15, 2008).

Responsible Parties  
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If you have any questions, please call me at (510) 639-1279 or send me an electronic mail message at [barbara.jakub@acgov.org](mailto:barbara.jakub@acgov.org).

Sincerely,

A handwritten signature in cursive script that reads "Barbara Jakub". The signature is written in black ink and is positioned above the typed name and title.

Caseworker  
Hazardous Materials Specialist

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (*Sent via E-mail to: [lgriffin@oaklandnet.com](mailto:lgriffin@oaklandnet.com)*)  
Donna Drogos, ACEH (*Sent via E-mail to: [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org)*)  
Barbara Jakub, ACEH  
Geotracker, File