



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

## NOTICE OF VIOLATION

July 24, 2009

Mr. Peter Puckett  
Berkeley Farms  
P.O. Box 4616  
Hayward, CA 94540-4616

Mr. Mitch Fine  
Armstrong Premier Property LLC  
774 Hanson Street *new address*  
San Francisco, CA 94107-1235

Ms. Karen Bellini  
Harmon Management Co.  
199 First Street, Suite 212  
Los Altos, CA 94022

Subject: Fuel Leak Case No. RO0000245 and Geotracker Global ID T0600102075, Berkeley Farms, 4575 San Pablo Avenue, Emeryville, CA

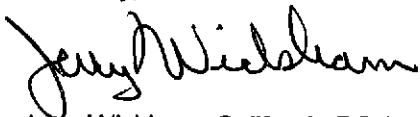
Dear Mr. Puckett, Ms. Bellini, and Mr. Fine:

On July 3, 2008, Alameda County Environmental Health (ACEH) sent a correspondence to you identifying that your site, Malibu Grand Prix, located at 8000 South Coliseum Way, Oakland, CA 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).

If you have any questions, please call me at 510-567-6791 or send me an electronic mail message at [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org).

Sincerely,

A handwritten signature in black ink that reads "Jerry Wickham". The signature is written in a cursive, slightly slanted style.

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297  
Senior 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))  
Jerry Wickham, ACEH

Geotracker, File