

20291



# State Water Resources Control Board



Linda S. Adams  
Secretary for

Environmental Protection

## Division of Financial Assistance

1001 I Street • Sacramento, California 95814

P.O. Box 944212 • Sacramento, California • 94244-2120

(916) 341-5831 • FAX (916) 341-5806 • [www.waterboards.ca.gov/water\\_issues/programs/ustcf/](http://www.waterboards.ca.gov/water_issues/programs/ustcf/)

Arnold Schwarzenegger  
Governor

December 8, 2008

Mr. John Kawahar  
Kawahara Nursery, Inc.  
698 Burnett Ave  
Morgan Hill, CA 95037

**REQUEST FOR PRE-APPROVAL OF CORRECTIVE ACTION COSTS,  
CLAIM NO. 009201, PRE-APPROVAL REQUEST NO. 3  
SITE ADDRESS: 16550 ASHLAND AVE, SAN LORENZO, CA 94580**

I have reviewed your request, received on November 13, 2008, for pre-approval of corrective action costs; I will place these documents in your file for future reference. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective action costs. Pursuant to Section 2811.4, subdivision (c), of the Cleanup Fund regulations and based upon the materials submitted, the Cleanup Fund must deny your request for pre-approval.

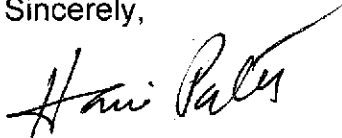
**Table 1**  
**REASONABLE COST BREAKDOWN**

#	Task*	Reasonable Cost, \$	Comments/Changes
1	Over Excavation Project	\$ 0	<p>The costs for the stated scope of work are here by denied for the following reasons;</p> <p>The corrective Action Plan is to determine the anomalies which may be potential USTs that were discovered during a Geophysical Survey conducted in 1999, however these costs are not eligible for Funding per Fund Regulation 2812.2(d)(3), Regulation 2904.</p> <p>Secondly, the once highest groundwater contamination in on-site GWMW MW-3 declined significantly (from a high of 120,000 ppb TPH(g) and 4,600 ppb benzene in 1993 to a low of 78 ppb TPH(g) and Non detect for Benzene in 2007, which are below the ESLs for Region 2, which shows that natural bio-degradation has occurred at the site and continues to occur.</p> <p>Thirdly the CAP is based on one soil sample high hit in SB-4 at 15' bgs, yet there has been no recent investigation to determined if it exists nine years later or there has been no investigation to define the extent of over excavation limits. At this time, this scope of work may be pre-mature, unreasonable and unnecessary.</p> <p>The Claimant may choose to continue with the proposed cost at own cost without any expectations for reimbursements per the approved scope of work.</p>
	<b>TOTAL Reasonable Cost</b>	<b>\$ 0</b>	

\* Task descriptions are the same as those identified in Blymyer Engineers, Inc.'s November 6, 2008 Cost Estimate

Should you have any questions, please don't hesitate to call me at (916) 341-5831.

Sincerely,



Hari Patel, Water Resources Control Engineer  
Technical Review Unit  
Underground Storage Tank Cleanup Fund

Enclosure

cc: Mr. Chuck Headley  
RWQCB, Region 2  
1515 Clay Street, Ste. 1400  
Oakland, CA 94612

Mr. Steven Plunkett  
Hazardous Materials Specialist  
Environmental Protection  
Alameda County Health Care Services  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

RECEIVED

DEC 10 2008

ENVIRONMENTAL HEALTH SERVICES