

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**  
AGENCY  
DAVID J. KEARS, Agency Director



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

July 3, 2008

C/O TMG PARTNERS  
100 BUSH ST #2600  
SAN FRANCISCO, CA 941043928

C/O TMG PARTNERS  
6400 CHRISTIE AVE STE 500  
EMERYVILLE, CA 946081000

WALT KACZMAREK  
PO PARTNERS  
6475 CHRISTIE AVE STE #500  
EMERYVILLE, CA 94608-1010

KEVIN SHIELDS  
GRIFFIN CAPITAL INVESTOR  
2321 ROSECRANS STE 3290  
EL SEGUNDO, CA 902454989

SUBJECT: GEOTRACKER STATUS FOR THE LEAKING UNDERGROUND STORAGE TANK  
(UST) CASE FOR FUEL LEAK CASE #: RO0000440; Geotracker Global ID # T0600100511;  
EMERY BAY PLAZA, 1650 65TH ST, Emeryville, CA; 94608

Ladies and Gentlemen:

A review of the case file and the State Water Resources Control Board's (SWRCB) GeoTracker website indicate that the site has not been claimed in the database; therefore electronic copies of analytical and survey data have not been uploaded to the SWRCB GeoTracker database, thus rendering the site to non-compliance status. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the LUST program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. Additionally, all permanent monitoring points utilized to collect groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level relative to NGVD88 and latitude and longitude to sub-meter accuracy relative to NAD 83. A California licensed surveyor may be required to perform this work. Lastly, pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3893, 3894, and 3895, beginning July 1, 2005, the successful submittal of electronic information (i.e. report in PDF format) shall replace the requirement for the submittal of a paper copy.

In order to remain in compliance and maintain eligibility to receive reimbursement for investigation costs from the UST Clean-up Fund, please claim your site, upload all analytical data (EDF), beginning from September 1, 2001 to current, including monitoring well survey data (GEO\_XY and GEO\_Z), and PDF reports from July 1, 2005 to current to the SWRCB's GeoTracker database website in accordance with the above-cited regulations. Survey the monitoring well(s) (if applicable), perform the electronic submittals, and submit verification to this Agency by **AUGUST 15, 2008**. Failure to comply with this requirement will result in an issuance of a Notice of Violation and possible forfeiture of reimbursement monies.

Additional information regarding the SWRCB's GeoTracker website may be obtained online at [http://www.swrcb.ca.gov/ust/electronic\\_submittal/report\\_rqmts.shtml](http://www.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml)) or by contacting the GeoTracker Help Desk at [geotracker@waterboards.ca.gov](mailto:geotracker@waterboards.ca.gov) or (866) 480-1028.

Thank you for your cooperation. I can be reached at (510) 639-1287 to answer any questions you may have regarding this letter.

Sincerely,

A handwritten signature in black ink that reads "Barbara J. Jakub". The signature is written in a cursive style.

Barbara J. Jakub, PG  
Hazardous Materials Specialist



ALAMEDA COUNTY  
**HEALTH CARE SERVICES AGENCY**

Department Of Environmental Health  
Environmental Protection Division  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577



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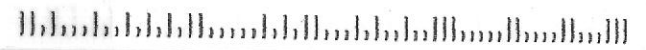
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WALT KACZMAREK  
PO PARTNERS  
ENVIRONMENTAL HEALTH SERVICES  
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**HEALTH CARE SERVICES AGENCY**

Department Of Environmental Health  
Environmental Protection Division  
1131 Harbor Bay Parkway  
Alameda, CA 94602-6527

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