

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
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NOTICE OF VIOLATION

July 28, 2009

BRUCE KAYE
SEARS ROEBUCK & CO
3333 BEVERLY RD DEP 824
HOFFMAN ESTATES IL 60179

JAMES VAN LOBEN SELS
WILLIAM T & M HARDING TRUST
PO BOX 435
ALAMO CA 94507

KEUN B & JAYON YOO
238 SHERIDAN RD
OAKLAND CA 94618-2718

Subject: Fuel Leak Case No. RO0000480 and Geotracker Global ID T06019793739, SEARS AUTO CENTER #1058, 2600 TELEGRAPH AVE, Oakland CA 94612

Dear Responsible Party(ies):

On July 3, 2008, Alameda County Environmental Health (ACEH) sent a correspondence to you identifying that your site, SEARS AUTO CENTER #1058, located at 2600 TELEGRAPH AVE, Oakland CA 94612 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) 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) 777-2478 or send me an electronic mail message at paresh.khatri@acgov.org.

Sincerely,

Paresh C. Khatri
Hazardous Materials Specialist

Responsible Party(ies)

RO0000480

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cc: Joseph R. Liles, URS Corporation, 2020 East First Street, Suite 400, Santa Ana, CA 92705
Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032

(Sent via E-mail to: lgriffin@oaklandnet.com)

Donna Drogos, ACEH *(Sent via E-mail to: donna.drogos@acgov.org)*

Paresh Khatri, ACEH *(Sent via E-mail to: paresh.khatri@acgov.org)*

Geotracker, File