



Cal/EPA

**State Water
Resources
Control Board**

**Division of
Clean Water
Programs**

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<http://www.swrcb.ca.gov/~cwphome/fundhome.htm>



Pete Wilson
Governor

JUN 25 1996

FRANK ZICHICHI
Z RENTAL PROPERTIES
548 1/2 CLEVELAND AVE
ALBANY, CA 94710

UNDERGROUND STORAGE TANK CLEANUP FUND, CLAIM NO. 010768, FOR
SITE ADDRESS: 711 CLEVELAND AVE, ALBANY

The State Water Resources Control Board (State Board) takes pleasure in issuing the attached Letter of Commitment (LOC) in an amount not to exceed **\$60,000**. This LOC is based upon our review of the corrective action costs incurred to date and your application received on September 05, 1995 and may be modified by the State Board by an amended LOC.

Read the terms and conditions listed in the LOC. The State Board will take steps to withdraw this LOC after 90 calendar days from the date of this transmittal letter unless you proceed with due diligence with your cleanup effort. This means that you must take positive, concrete steps to ensure that corrective action is proceeding with all due speed. For example, if you have not started your cleanup effort, you must obtain three bids and sign a contract with one of these bidders within 90 calendar days. If your cleanup effort has already started and was delayed, you must resume the expenditure of funds to ensure that your cleanup is proceeding in an expeditious manner. You are reminded that you must comply with all regulatory agency time schedules and requirements.

This package includes the following:

- "Reimbursement Request Instructions" package. **Retain this package for future reimbursement requests.** These instructions must be followed when seeking reimbursement for corrective action costs incurred after January 1, 1988. Included in the instruction package are samples of completed Reimbursement Request forms and Spreadsheets.
- "Bid Summary-Sheet to list information on bids received which **must be completed and returned.**
- "Certification of Non-Recovery From Other Sources" which **must be returned before any reimbursements can be made.**
- "Reimbursement Request" forms which you **must use to request reimbursement of costs incurred.**
- "Spreadsheet" forms which you **must use in conjunction with your Reimbursement**



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Our mission is to preserve and enhance the quality of California's water resources, and ensure their proper allocation and efficient use for the benefit of present and future generations.

LOP

STID 1565
Closed

Albany 94710

Z RENTAL PROPERTIES
Page 2

JUN 25 1996

Request.

- "Claimant Data Record" (Std. Form 204) which **must be completed and returned with your first Reimbursement Request.**

YOU MUST SUBMIT A REIMBURSEMENT REQUEST PACKAGE BY September 25, 1996, OR SEND A WRITTEN UPDATE EXPLAINING:

- 1. Status of cleanup to date.**
- 2. Reason(s) why a reimbursement request has not been submitted.**
- 3. Costs incurred to date for corrective action.**
- 4. Projected date for submitting a reimbursement request.**

We continuously review the status of all active claims. If you do not submit a reimbursement request or a written update by the date above, or fail to proceed with due diligence with the cleanup, we will take steps to withdraw your LOC.

If you have any questions regarding the enclosed package, please contact Cheryl Gordon at (916) 227-4539.

Sincerely,



Dave Deaner, Manager
UST Cleanup Fund Program

Enclosures

cc: Mr. Steve Morse
RWQCB, Region 2
2101 Webster St., Ste. 500
Oakland, CA 94612

Mr. Thomas Peacock
Alameda County EHD
1131 Harbor Bay Pkway, 2nd Fl.
Alameda, CA 94502-6577



LETTER OF COMMITMENT FOR REIMBURSEMENT OF COSTS

CLAIM NO: 010768

AMENDMENT NO: 0

CLAIMANT: Z RENTAL PROPERTIES

BALANCE FORWARD: \$0

CO-PAYEE: NONE

THIS AMOUNT: \$60,000

JOINT CLAIMANT: NONE

NEW BALANCE: \$60,000

ATTN: FRANK ZICHICHI
CLAIMANT ADDRESS: 548 1/2 CLEVELAND AVE
ALBANY, CA 94710

TAX ID/SSA NO: 94-2162495

Subject to availability of funds, the State Water Resources Control Board (SWRCB) agrees to reimburse Z RENTAL PROPERTIES (Claimant) for eligible corrective action costs at 711 CLEVELAND AVE, ALBANY, CA 94710 (Site). The commitment reflected by this Letter is subject to all of the following terms and conditions:

1. Reimbursement shall not exceed \$60,000 unless this amount is subsequently modified in writing by an amended Letter of Commitment.
2. The obligation to pay any sum under this Letter of Commitment is contingent upon availability of funds. In the event that sufficient funds are not available for reasons beyond the reasonable control of the SWRCB, the SWRCB shall not be obligated to make any disbursements hereunder. If any disbursements otherwise due under this Letter of Commitment are deferred because of unavailability of funds, such disbursements will promptly be made when sufficient funds do become available. Nothing herein shall be construed to provide the Claimant with a right of priority for disbursement over any other claimant who has a similar Letter of Commitment.
3. All costs for which reimbursement is sought must be eligible for reimbursement and the Claimant must be the person entitled to reimbursement thereof.
4. Claimant must at all times be in compliance with all applicable state laws, rules and regulations and with all terms, conditions, and commitments contained in the Claimant's Application and any supporting documents or in any payment requests submitted by the Claimant.
5. No disbursement under this Letter of Commitment will be made except upon receipt of acceptable Standard Form Payment Requests duly executed by or on behalf of the Claimant. All Payment Requests must be executed by the Claimant or a duly authorized representative who has been approved by the Division of Clean Water Programs.
6. Any and all disbursements payable under this Letter of Commitment may be withheld if the Claimant is not in compliance with the provisions of Paragraph 5 above.
7. Neither this Letter of Commitment nor any right thereunder is assignable by the Claimant without the written consent of the SWRCB. In the event of any such assignment, the rights of the assignee shall be subject to all terms and conditions set forth in this Letter of Commitment and the SWRCB's consent.
8. This Letter of Commitment may be withdrawn at any time by the SWRCB if completion of corrective action is not performed with reasonable diligence.

IN WITNESS WHEREOF, this Letter of Commitment has been issued by the SWRCB this 6th day of June, 1996.

STATE WATER RESOURCES CONTROL BOARD

BY *David Wilson*
for Manager, Underground Storage Tank Cleanup Fund Program

BY *Susan Horn*
for Chief, Division Administrative Services

STATE USE CALSTARS CODING: 0550 - 569 02 - 30530 \$ _____
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