



Alameda County

JUN 01 2012

Environmental Health



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

May 31, 2012

Deborah Pryor  
Equilon Enterprises, LLC  
Shell Oil Products US - HSE/S&E  
20945 Wilmington Ave S  
Carson, CA 90810

UNDERGROUND STORAGE TANK CLEANUP FUND (FUND), NOTICE OF ELIGIBILITY DETERMINATION: CLAIM NO. 019775; FOR SITE 4530 LAS POSITAS ROAD, LIVERMORE

The initial review of your claim is complete. It has been accepted for placement on the Priority List in Priority Class "D", with a deductible of \$10,000. You may view the claims on the annual Priority List on the Fund's website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/ustcf/prioritylist.shtml](http://www.waterboards.ca.gov/water_issues/programs/ustcf/prioritylist.shtml)

This completes the initial review. The next step in the claim review process is to conduct a compliance review once funding is available. The claim may also be reviewed by the Fund's Technical Review Unit and Settlement Review Unit. These reviews could impact the reimbursable costs associated with this claim.

**Compliance Review:** When funding is available for your claim, staff will conduct an extensive Compliance Review in coordination with the local regulatory agency or Regional Water Quality Control Board. If the claim is found to be in compliance with regulatory agency directives, an LOC will be issued. If staff determines that you have not complied with regulations governing site cleanup, the claim may be suspended. Your claim will be barred from further participation in the Fund, if the claim application contains a material error resulting from fraud or misrepresentation.

**Reimbursement:** You will be required to submit the following information in order to receive reimbursement of costs: (1) copies of detailed invoices for all corrective action activity performed (including subcontractor invoices), (2) copies of technical documents (bids, narrative work description, reports), and (3) evidence that the claimant paid for the work performed (not paid by another party). It is not necessary to submit these documents until an LOC has been issued. Failure to submit the required documents could impact the amount of reimbursement. **Do not wait until you receive your LOC to gather this**

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CHARLES R. HOPPIN, CHAIRMAN | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

**information.**

Record keeping: All cleanup projects are subject to audit at any time. Maintain an accurate record-keeping and financial management system that provides efficient accountability of all funds used to clean up the site. Records must be retained for at least three years after the final reimbursement, unless there is an ongoing audit. If there is an ongoing audit, the retention period shall be extended until the audit is complete.

Compliance with Corrective Action Requirements: In order to be reimbursed for your eligible costs of cleanup incurred after December 2, 1991, you must have complied with corrective action requirements of Article 11, Chapter 16, Division 3, Title 23, *California Code of Regulations*. Article 11 categorized the corrective action process into phases. In addition, Article 11 requires the responsible party to submit an investigative workplan/Corrective Action Plan (CAP) to the regulatory agency before performing any work.

Only corrective action costs required by the regulatory agency to protect human health, safety and the environment can be claimed for reimbursement. You are encouraged to take the necessary steps in obtaining the most reasonable, necessary, and cost effective method for your corrective action. Otherwise, reimbursement is not assured and costs may be rejected as ineligible.

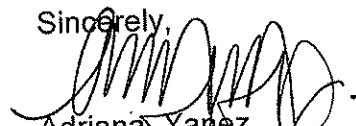
Please remember that you must continue to comply with your existing regulatory directives, regardless of whether the Fund can issue your LOC. The Fund recommends that you speak with your regulator about how to continue corrective action work, at a smaller-scale, or in a phased approach until funding is available.

Electronic Mailing: The Fund encourages all claimants and consultants to sign up for the Fund's electronic mailing list to receive updates as they become available:

[http://www.waterboards.ca.gov/resources/email\\_subscriptions/ust\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/ust_subscribe.shtml)

If you have any questions, please contact me at (916) 324-8508.

Sincerely,



Adriana Yanez  
Claims Review Unit

Underground Storage Tank Cleanup Fund

cc: Ms. Donna Drogos  
Alameda County EHD  
1131 Harbor Bay Pkway, 2nd Fl.  
Alameda, CA 94502-6577