



State Water Resources Control Board



Division of Financial Assistance

1001 I Street • Sacramento, California 95811
P.O. Box 944212 • Sacramento, California • 94244-2120

(916) 341-5714 • FAX (916) 341-5806 • www.waterboards.ca.gov/water_issues/programs/assistance/

RECEIVED
JUL 17 2008
ENVIRONMENTAL HEALTH SERVICES

Arnold Schwarzenegger
Governor

Linda S. Adams
Secretary for
Environmental Protection

Sara Lee Bakery Group Inc.
Matt Gabris
3500 Lacey Rd
Downers Grove, IL 60515-5424

JUL 15 2008

UNDERGROUND STORAGE TANK CLEANUP FUND (FUND), STAFF DECISION TO REJECT CLAIM: CLAIM NO. 018948; FOR SITE ADDRESS: 955 KENNEDY ST, OAKLAND

Your claim has been found to be ineligible for placement on the Priority List for the following reason:

Claim Number 18948 is a duplicate of Claim Number 4424. In cases of duplicate claim applications for the same subject site, the Fund policy is to reject the claim with the higher claim number. Therefore, Claim Number 18948 is hereby rejected.

On May 21, 2007, you submitted a new claim application to the Fund for corrective action costs for the contamination at the subject site. After careful review, the Fund's Technical Unit determined that the contamination from the site is not a second occurrence. Therefore, it was not necessary to file a new claim application for the subject contamination.

Because you did not submit a reimbursement request, the Fund closed your existing claim number (4424). In order to re-open your claim, please submit your reimbursement request, along with a cover letter requesting that the Fund re-open your claim.

If you should have questions regarding the opening of your claim, please contact Ms. Debra Cockrell at 916.341.5648

NOTE: The sections cited are found in the Petroleum Underground Storage Tank Cleanup Fund Regulations, Title 23, Division 3, Chapter 18, of the California Code of Regulations, or Petroleum Underground Storage Tank Cleanup Fund Statutes, California Health and Safety Code (H&SC), Division 20, Chapter 6.75.

If you disagree with this Staff Decision, you may appeal to the Fund Manager pursuant to Section 2814 of the *Petroleum Underground Storage Tank Cleanup Fund Regulations*. If you would like review of the decision by the Fund Manager, please submit your request along with any additional documentation to:

Ronald M. Duff, Fund Manager, Claim #018948
Underground Storage Tank Cleanup Fund
State Water Resources Control Board
Division of Financial Assistance
P.O. Box 944212
Sacramento, CA 94244-2120

A request to the Fund Manager must include, at a minimum: (1) a statement describing how the claimant is damaged by the prior Staff Decision; (2) a description of the remedy or outcome desired; and (3) an explanation of why the claimant believes the Staff Decision is erroneous, inappropriate or improper.

If you do not request a review by the Fund Manager within thirty (30) calendar days from the date of this letter, the Staff Decision will then become final and conclusive.

If you have any questions, please call me at (916) 341-5714.

Sincerely,

ISI

Shari Knieriem
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