

SCHARFF & GREBEN

ATTORNEYS AT LAW

WELLS FARGO CENTER

400 CAPITOL MALL, SUITE 1100
SACRAMENTO, CALIFORNIA 95814

November 18, 1993

ALCO
HAZMAT

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TELEPHONE
(916) 558-6192
FACSIMILE
(916) 447-2414

JAN ADAM GREBEN
JEFFORY J. SCHARFF

VIA HAND DELIVERY

Mr. Craig Wilson
State Water Resources Control Board
901 P Street
Sacramento, CA 95812

Re: Petition For Review of Site Cleanup Order No. 93-139
Steve Song, dba Mike's One Hour Cleaners

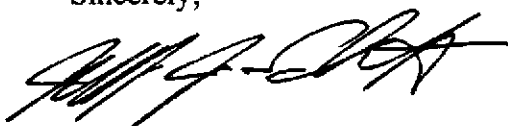
Dear Mr. Wilson:

I am writing to you on behalf of Steve Song, dba Mike's One Hour Cleaners in regard to the October 20, 1993, hearing and adoption of Site Cleanup Order for the Livermore Arcade Shopping Center ("LASC") and the Miller's Outpost Shopping Center ("MOSC"). By this correspondence, enclosed please find my client's Petition For Review.

Further, Mr. Song wishes to reserve his rights to supplement this Petition for Review should State Water Resources Control Board Staff or legal counsel determine that the Petition is in any way incomplete as set forth in applicable provisions of Title 23 of the California Code of Regulations.

Please direct all correspondence regarding this matter to the undersigned.

Sincerely,



Jeffory J. Scharff

JJS:kit

Enclosures

cc: Steve Song
Steve Ritchie
Interested parties (see attached list)

clients\song\wtrboard.ltr

PETITION FOR REVIEW

By
**THE STATE WATER RESOURCES CONTROL BOARD
OF CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

For

SITE CLEANUP ORDER

Number 93-139

**For Livermore Arcade Shopping Center ("LASC")
Miller's Outpost Shopping Center ("MOSC"), Livermore, California**

Pursuant to Title 23, California Code of Regulations §2050, the following is a Petition For Review by The State Water Resources Control Board of California Regional Water Quality Control Board, San Francisco Bay Region Site Cleanup Order for LASC and MOSC, Livermore, California.

1. **Petitioner's Name and Address**

Steven Song
Mike's One Hour Cleaners
1430 First Street
Livermore, CA 94550

2. **Specific Action Requested**

Petitioner requests review of Site Cleanup Order for LASC and MOSC, wherein the Regional Board failed to adequately consider available information and evidence previously before it, as well as failed to adequately protect or consider the due process rights of the Petitioner.

3. **Date of Regional Board Action**

The Regional Board acted at a regularly scheduled meeting held on October 20, 1993, in Oakland, California.

4. **Statement of Reasons for the Action**

Petitioner alleges that the action was inappropriate and improper, and reserves the right to submit information in support of this contention.

5. Manner in Which Petitioner is Aggrieved

Petitioner's due process rights were abrogated due to the truncated nature of the Water Board proceedings, thereby subjecting Petitioner to potential financial hardship as a result of enforcement proceedings culminating in the issuance of administrative civil liability. Further, relevant evidence regarding Petitioner's status as a discharger was ignored by the Board or improperly considered in the decision to issue Order No. 93-139.

6. Specific Action Requested

Petitioner requests a remand for further deliberation before the Regional Board or, in the alternative, a finding that Petitioner's determination of primary liability was, under the circumstances, improper, or, opening of the record for the receipt of further testimony regarding the activities of various parties presently named as primarily responsible.

7. Statement of Points and Authorities

Petitioner reserves the right to submit a statement of points and authorities in support of legal issues raised in the instant Petition.

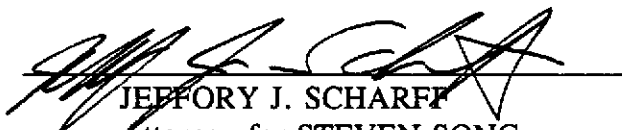
8. List of Persons

Petitioner reserves the right to submit as additional information a list of persons known to have an interest in the subject matter of the Petition.

A copy of this Petition has been sent to the Regional Water Quality Control Board according to relevant and applicable provisions of 23 California Code of Regulations §2050(a)(9).

PETITIONER HEREBY REQUESTS A HEARING for the purpose of presenting additional evidence to the State Water Board in support of this Petition.

RESPECTFULLY SUBMITTED,



JEFFORY J. SCHARF
Attorney for STEVEN SONG
dba MIKE'S ONE HOUR CLEANERS

INTERESTED PERSONS LIST
Grubb & Ellis v. Catellus

Ms. Annina Antonio
California EPA
DTSC/Region 2
700 Heinz Avenue, Suite 200
Berkeley, CA 94710-2737

Mr. Jerry Killingstad
Alameda County Flood Control District, Zone 7
5997 Parkside Drive
Pleasanton, CA 94588

Ms. Carol Browner, Administrator
United States EPA
Mail Code A-100
401 M Street, S.W.
Washington, D.C. 20460

Ms. Eva Chu
Alameda County Department of Environmental Health
80 Swan Way, Suite 200
Oakland, CA 94621

City of Livermore
Public Works Office, City Hall
1052 S. Livermore Avenue
Livermore, CA 94550

California Water Service
P.O. Box 1150
San Jose, CA 95108

Bay Area Air Quality Management Dist.
939 Ellis Street
San Francisco, CA 94109

GRUBB & ELLIS v. CATELLUS DEVELOPMENT CORPORATION, et al.
United States District Court
Northern District of California
Case No. C 93 0383 SBA

**Attorney for Grubb & Ellis Realty Income Trust,
Liquidating Trust**
Alan Waltner, Esq.
Law Offices of Alan Waltner
1736 Franklin Street, 8th Floor
Oakland, CA 94612

Attorney for Catellus Development Corporation
Peter C. Turner, Esq.
Derrick K. Watson
Landels, Ripley & Diamond
350 Steuart Street
San Francisco, CA 94105-150

Attorney for Grubb & Ellis Realty Advisors, Inc.
Dennis Shaunagher, Esq.
Preuss, Walker & Shanagher
595 Market Street, Sixteenth Floor
San Francisco, CA 94105

**Attorneys for Charles Hartz, individually and dba
Paul's Sparkle Cleaners**
Robert C. Goodman, Esq.
Feldman, Waldman & Kline
235 Montgomery Street
San Francisco, CA 94104

Mr. Anthony J. Lukas
Murray & Byrne
4040 Civic Center Drive, Suite 2000
San Rafael, CA 94903

Attorneys for Hoyt Manufacturing Corporation
William A. Gould, Esq.
Paul A. Dorris, Esq.
Wilke, Fleury, Hoffelt, Gould & Birney
400 Capitol Mall, Suite 2200
Sacramento, CA 95814

Richard S. Baron, Esq.
Kitch, Saurbier, Drutchas, Wagner &
Kenney, P.C.
One Woodward Avenue, Tenth Floor
Detroit, MI 48226

Attorney for IMA Financial Corporation
James L. Jaffee, Esq.
Jaffee, Trutanich, Scatena & Blum
250 Montgomery Street, Suite 9000
San Francisco, CA 94104

**Attorney for John, Kathleen and Pamela
McCorduck and Sandra McCorduck Marona**
Bruce C. Paltenghi
Peter D. Langley, Esq.
Gordon, DeFraga, Watrous & Pezzaglia
P.O. Box 630
Martinez, CA 94553

Attorney for Multimatic, Inc.
Mark Shea, Esq.
Popelka Law Offices
160 W. Santa Clara Street, Suite 1300
San Jose, Ca 95113

**Attorney for Michael, Perry and Gary Neely,
individually and dba Mike's One Hour Cleaners**
Christine K. Noma, Esq.
Wendel, Rosen, Black, Dean & Levitan
1221 Broadway, Twentieth Floor
Oakland, CA 94612

**Attorneys for Stark Investment Company and
Fortney H. Stark, Jr.**
Kent R. Robison, Esq.
Robison, Belaustegvi, Robb & Sharp
71 Washington Street
Reno, NV 89503

Thomas E. Morton, Esq.
Jeremy Sugerman, Esq.
Morton & Lacy
Three Embarcadero Center, Suite 2280
San Francisco, CA 94111

Attorney for Western State Design, Inc.
Kenneth W. Pritikin, Esq.
Foley, McIntosh & Foley
3675 Mt. Diablo Boulevard, Suite 250
Lafayette, CA 94549

Attorneys for Transworld Consortium, Inc.

Eric R. Haas, Esq.

Christopher A. Viadro, Esq.

Larson & Burnham

P.O. Box 119

Oakland, CA 94604-9918

Rodney Burrows

Transworld Consortium, Inc.

1456 Cottonwood Drive

Broomfield, CO 80020

cliams@cong\service.net