

## Khatri, Paresh, Env. Health

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**From:** Khatri, Paresh, Env. Health  
**Sent:** Friday, June 03, 2011 2:52 PM  
**To:** 'magganas@prodigy.net'  
**Cc:** 'Elena Manzo'; Drogos, Donna, Env. Health  
**Subject:** RE: Ro0003066\_6501 Shattuck Ave Report Extension Request

Dear Mr. Magganas,

Your consultant sent us a request on your behalf to postpone subsurface investigation work for a few months until your claim can be accepted by the UST Cleanup Fund. As you are aware, you were named as a Responsible Party pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16, Article 11, Section 2720 for unauthorized releases related to underground storage tank(s) at the subject site. Pursuant to California Health and Safety Code, § 25296.10, the "responsible party shall take corrective action in response to an unauthorized release in compliance with this chapter and the regulations adopted pursuant to Section 25299.3." The approved "Addendum to Interim Remedial Excavation and Proposed Soil and Groundwater Investigation Workplan," dated December 13, 2010 is a form of corrective action as defined in the California Health and Safety Code.

Although the California Underground Storage Tank (UST) Cleanup Fund is taking more time to issue reimbursements, it does not relieve you (the responsible party) of your cleanup liability. Please note that corrective action required at the site is not contingent upon receiving reimbursement of monies from UST Cleanup Fund.

At this time, please implement the corrective action, as described in the "Addendum to Interim Remedial Excavation and Proposed Soil and Groundwater Investigation Workplan," dated December 13, 2010. Failure to implement the corrective action and submit a report by the due dates specified may result in an issuance of a Notice of Violation and possible referral and enforcement action by the District Attorney and/or ineligibility for reimbursement of corrective action costs incurred at the site from the UST 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 work that is required will not be reimbursed. Please note that civil penalties for non-compliance are assessed from the original due date (July 8, 2011).

Please contact me should you have any questions regarding this e-mail correspondence.

Sincerely,

Paresh C. Khatri  
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Alameda County Environmental Health  
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**From:** Elena Manzo [<mailto:emanzo@somaenv.com>]  
**Sent:** Wednesday, June 01, 2011 5:20 PM  
**To:** Khatri, Paresh, Env. Health  
**Subject:** Ro0003066\_6501 Shattuck Ave Report Extension Request

Dear Paresh,

As you know we are working on getting this case (6501 Shattuck) accepted into the UST Fund to aid the property owner with recouping some of his investigative and remedial costs. However, due to some data gaps, the application process is taking much longer than anticipated. While we are working on securing the Fund's acceptance, we were hoping to request a one to possibly two months extension on our Soil and Groundwater Investigation report submittal, which is currently due to your office on July 8, 2011. Thank you very much for your time and consideration, please do not hesitate to call me at (925)734-6400, if you have any questions or concerns.

Thank you very much,

Elena

*Elena K. Manzo*  
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