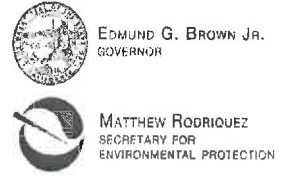




Alameda County
MAY 09 REC'D
Environmental Health



State Water Resources Control Board

May 4, 2016

COPY

United Brothers Enterprises, Inc.
De Long Liu
2501 North Main Street
Walnut Creek, CA 94597

UNDERGROUND STORAGE TANK CLEANUP FUND (FUND), NOTICE OF ELIGIBILITY DETERMINATION: CLAIM NO. 020212; FOR SITE ADDRESS: 1716 WEBSTER STREET, ALAMEDA

The initial review of your claim is complete. It has been accepted for placement on the Priority List in Priority Class "c", with a deductible of \$5,000. 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.

Pending approval of your claim budget and a satisfactory compliance review, the next step is to issue a Letter of Commitment (LOC) obligating funds to the project when funding is available. The issuance of LOCs is dependent on available funds and the closure of existing claims.

Please Note: The eligibility of your claim has been reduced as discussed in the attached Notice of Limited Eligibility letter. Please read this letter carefully as it will affect the reimbursements made to your claim.

Allocation of Funds: Prior to issuing an LOC, Fund Technical Staff will conduct a review of your claim and information in GeoTracker. Based on this review, your claim will be categorized according to the cleanup phase being conducted at the site. A funding cap will be established for your claim.

Claim Budget: All active Priority Class A, B and C claims must have an annual site budget prior to receiving an LOC. The budget is based on the site-specific needs of the claim, the Fund's projected annual revenue, local regulatory priorities, and direction from the State Water Resources Control Board. Information regarding site budgets is available on the Fund's website.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

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 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.

United Brothers Enterprises, Inc.
Claim No. 020212

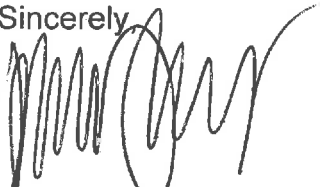
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Electronic Mailing: The Fund encourages all claimants and consultants to sign up for the Fund's electronic mailing list to receive updates as they become available:

http://www.waterboards.ca.gov/resources/email_subscriptions/ust_subscribe.shtml

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



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

May 4, 2016

COPY

United Brothers Enterprises, Inc.
De Long Liu
2501 North Main Street
Walnut Creek, CA 94597

UNDERGROUND STORAGE TANK CLEANUP FUND (FUND), NOTICE OF LIMITED ELIGIBILITY: CLAIM NO. 020212; FOR SITE ADDRESS: 1716 WEBSTER STREET, ALAMEDA

Your claim has been reviewed for eligibility by the Fund's Technical Unit and it was determined that claimant is not eligible for the release that occurred from the following USTs:

- 6,000 gallons – diesel
- 12,000 gallons – gasoline
- 10,000 gasoline – gasoline

The above mentioned USTs were the subject USTs for the release that occurred on September 21, 1990, which received closure on September 30, 2014.

The claimant is eligible for 100% of the contamination caused specifically by the 500 gallon waste oil UST for the release discovered on July 30, 2013.

Please keep in mind that all reimbursement requests will require technical review prior to payment.

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:

Lisa Babcock, P.G., C.E.G., Fund Manager
Claim No. 020212
Underground Storage Tank Cleanup Fund
State Water Resources Control Board
Division of Financial Assistance
P.O. Box 944212
Sacramento, CA 94244-2120

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE OFFICER

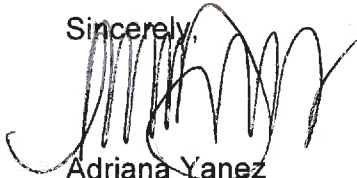
1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, Ca 95812-0100 | www.waterboards.ca.gov

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 contact me at Adriana.yanez@waterboards.ca.gov.

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