



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

June 22, 2016

1607 2nd Avenue, LLC
Attn: Harry Tung
4096 Piedmont Avenue, #150
Oakland, CA 94611

Dear Mr. Tung:

UNDERGROUND STORAGE TANK CLEANUP FUND ISSUANCE OF LETTER OF COMMITMENT: CLAIM NUMBER 020287 FOR SITE ADDRESS 1607 2nd AVENUE, OAKLAND

The State Water Resources Control Board (State Water Board) is able to issue, pursuant to applicable regulations, the enclosed Letter of Commitment (LOC). The LOC is your acknowledgement from the State Water Board that you are eligible to submit reimbursement requests for corrective action costs incurred. As stated in the LOC, the State Water Board will reimburse reasonable and necessary corrective action costs. Please note that only eligible costs that have been approved by the Fund will be reimbursed. Any submitted costs that are not included in the approved budget are subject to availability of funds and reimbursement may be considerably delayed.

All invoices must be billed in the claimant's name and payment of invoices must come from the claimant as listed on the application. Any other invoicing and payment arrangements must be reviewed and approved by the Fund or the costs may not be reimbursed.

Please note that all reports must be uploaded to GeoTracker to be considered for reimbursement.

It is very important that you read the terms and conditions listed in the enclosed LOC. Claims filed with the Fund far exceed the funding available and it is very important that you make use of it in a timely manner.

Important (For open sites only): You are reminded that you must comply with all regulatory agency time schedules and requirements. You are encouraged to take the necessary steps in obtaining the most reasonable, necessary, and cost effective method for your corrective action. Only corrective action costs *required* by the regulatory agency to protect human health, safety and the environment can be claimed for reimbursement. If you have any questions about obtaining preapproval or obtaining

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

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

the most reasonable costs, please e-mail the Fund at USTCleanupFund@waterboards.ca.gov.

The following documents must be submitted when seeking reimbursement. The Fund will not reimburse costs incurred prior to January 1, 1988:

- 1. The Conditions of Payment Certification form.** This form must be submitted with your first reimbursement request.
- 2. A Reimbursement Request Form.** Two copies of this form are enclosed. Instructions for filling out the Reimbursement Request form are on the back of the form.
- 3. A Reimbursement Request Spreadsheet.** This form is used to organize and track corrective action costs incurred, and must be submitted with your reimbursement requests.

The Conditions of Payment Certification form and Reimbursement Request spreadsheet can be found on the Fund's website at: http://www.waterboards.ca.gov/water_issues/programs/ustcf/forms.shtml.

Please check the Fund's website regularly for the latest news and information about reimbursements and annual budgets at: http://www.waterboards.ca.gov/water_issues/programs/ustcf/#.

Important Note: Non-budgeted costs incurred prior to July 1, 2015, must be submitted in a separate Reimbursement Request (RR) package from budgeted costs incurred after June 30, 2015. The non-budgeted costs incurred prior to July 1, 2015, should be submitted in RR No.1. If the non-budgeted costs and budgeted costs are combined, the reimbursement package will be returned.

☒ **THIS IS IMPORTANT TO YOU, PLEASE NOTE:**
Signature(s) on the application will be the signature(s) required for all future Fund documents.

We encourage claimants to sign all Fund documents personally. However, there may be circumstances where a claimant wants a representative to be able to sign Fund documents on the claimant's behalf. In this situation, claimants must submit a notarized Power of Attorney form designating a specific representative to sign and submit documents to the Fund. The designated representative should not be a consultant or contractor performing work on the project site because it would create a conflict of interest. Claimants should be aware that they are personally responsible and bound by any assertions made to the Fund pursuant to a Power of Attorney. (An appropriate Power of Attorney form is available on our web site or by request; however other forms may also be acceptable.)

You have six months from the date of this letter to submit your first reimbursement request for incurred corrective action costs. We continuously review the status of all active claims. You must continue to remain in compliance and submit either a reimbursement request every six months, or a status report of your site. Failure to do so may result in the Fund closing your claim.

Please submit any questions you have regarding this letter, your RR, or the RR process to: USTCF_payments@waterboards.ca.gov You will have a response within 48 hours.

Sincerely,

/s/

Lisa Babcock, P.G., C.E.G., Fund Manager
Underground Storage Tank Cleanup Fund

Enclosures

cc: Alameda County LOP
Attn : Keith Nowell
Via e-mail to keith_nowell@acgov.org