

To Whom It May Concern,

On or about February of this year (2008), this branch (#187 Santa Clara), was contacted by the State of California Water Quality Control Board regarding the Annual Report for Storm Water Discharge. We were contacted by Cecilio Felix ([cfelix@waterboards.ca.gov](mailto:cfelix@waterboards.ca.gov)) (510-622-2343) and asked to gather a collection, at first opportunity, of rain run-off and have this analyzed.

On 3/19, rain water from this facility was submitted to Accutest for analysis, and the results were issued on 3/25/08. At this time, I called Cecilio to find out where to send the results and what else might be needed., Cecilio said to Mail a copy and fax another.

At no time did Cecilio tell us that we were facing civil liability. We also were not contacted prior to this and told that we were 293 days past due for the Annual Report. If we had known, we would have contacted upper management to help us resolve this issue. We did our best to comply with the Water Boards needs and yet we are faced with civil litigation.

Since the branch manger of this facility was not working at this branch last year, he would not know if a prior report had been submitted. Cecilio seemed to imply that if we were to submit a late report, this might be satisfactory for the time being. We did what could be done, at the time, to resolve The California Water Boards Annual Report. Collecting rain water near the end of the month of March proved to be a formidable task. We were led to believe that all would be well if we could accomplish the task of collecting and having the water tested this year. In conclusion, we do not own the property in question and the management at this plant site is new. We would ask for leniency from the Water Board.

Sincerely, Kent Gifford

7/1/08