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**San Francisco Bay Regional Water Quality Control Board**

September 2, 2015  
CS - 270314

*Certified Mail No. 7014 0510 0001 3749 6237*  
*Return Receipt Requested*

Frank Hamedi  
131 Old Tully Road  
San Jose, CA 95111-1921

*Also sent via email: [info@envirosoiltech.com](mailto:info@envirosoiltech.com)*

**Subject: Administrative Civil Liability Complaint No. R2-2015-1012  
for violation of Site Cleanup Requirements Order  
01-108, Former Velcon II Property, 1761 Junction Avenue, Santa Clara  
County**

Dear Mr. Hamedi:

Complaint No. R2-2015-1012 (Complaint) enclosed with this letter issues an administrative civil liability (ACL) against you in the amount of \$65,600. This liability is based on allegations that you violated Task C.2 in the San Francisco Bay Regional Water Quality Control Board (Regional Water Board) Order 01-108 and is issued under the authority of California Water Code sections 13350 and 13323.

You can respond to the Complaint by appearing before the Regional Water Board at a public hearing to contest the matter or by signing a waiver to pursue other options.

1. The Complaint can be contested before the Regional Water Board at the following meeting:

Date/Time: November 18, 2015, commencing at 9:00 a.m.  
Place: First Floor Auditorium, Elihu Harris State Building  
1515 Clay Street, Oakland

At this meeting, the Regional Water Board will consider whether to impose administrative civil liability (as proposed in the Complaint or for a different amount), decline the administrative civil liability, or refer the matter to the Attorney General for judicial enforcement at a public hearing.

Please refer to the enclosed Public Notice and Hearing Procedure for the Complaint and the ACL Fact Sheet for additional information about the Regional Water Board's process, hearing procedure, and important deadlines (for submitting comments or evidence, obtaining designated party status, waiving or postponing a hearing, making objections or rebuttals to evidence, etc.).

2. The public hearing that has been scheduled (above) can be waived to pursue one of the following options:
- a. Pay the liability as proposed in the Complaint;
  - b. Request more time and postpone the date of the public hearing;
  - c. Promptly engage in settlement discussions with the Regional Water Board Prosecution Team;

The Waiver, attached to the Complaint, describes these options in further detail. To pursue one of these options, **the Waiver must be signed, dated, and received by Elizabeth Wells of the Regional Water Board Advisory Team with a copy to the Prosecution Team contact listed below no later than 5:00 p.m. on October 2, 2015. It is at the discretion of the Regional Water Board Advisory Team to either accept or deny a waiver request.**

If you wish to communicate directly with the Prosecution Team regarding the Complaint, please contact Brian Thompson at (510) 622-2422 or [Brian.Thompson@waterboards.ca.gov](mailto:Brian.Thompson@waterboards.ca.gov).

Please refer to the letterhead for our mailing address and fax number.

Sincerely,

Dyan C. Whyte  
Assistant Executive Officer

Enclosures: ACL Complaint No. R2-2015-1012  
Waiver Form for ACL Complaint No. R2-2015-1012  
Public Notice and Hearing Procedure for ACL Complaint No. R2-2015-1012  
Administrative Civil Liability Fact Sheet

Copy to: Regional Water Board Lyris Enforcement email list  
Regional Water Board Advisory and Prosecution Teams  
S. Jack Chevlen, 5902 Deerland Court, San Jose, CA 95124-6575