Sent via certified mail and electronic mail

August 12, 2016
CIWQS Place ID 816826

John D. Sweeney/Point Buckler Club, LLC
c/o Briscoe Ivester & Bazel LLP
155 Sansome Street
San Francisco, California 94104
Attn: Lawrence Bazel, lbazel@briscoelaw.net

Subject: Cleanup and Abatement Order No. R2-2016-0038 for John D. Sweeney and Point Buckler Club, LLC, Point Buckler Island, Solano County

Dear Mr. Bazel:

Enclosed with this letter is Cleanup and Abatement Order No. R2-2016-0038 (Order) for unauthorized activities at Point Buckler Island located in the Suisun Marsh, Solano County. Please confirm via email to the Water Board Advisory and Prosecution teams your receipt of this information.

As described in finding 78 of the Order, the Regional Water Board is entitled to recover reasonable costs actually incurred by staff from responsible parties to oversee cleanup of unauthorized activities and/or discharges that have adversely impacted or threaten to affect waters of the State. To assure that sufficient Regional Water Board staff resources are available to conduct the necessary reviews and approvals, we intend to include this site in this Region's Site Cleanup Program (SCP) Cost Recovery Program, more fully described in the attached Reimbursement Process for Regulatory Oversight enclosure. Pursuant to Provision I.10 of the Order, you are required to acknowledge in writing your intent to reimburse the State for cleanup oversight work by returning the Acknowledgment Letter (Attachment 3), or its equivalent, within 14 days of the date of the Order.

Estimate of Work to be Performed and Expected Outcome

Regional Water Board staff will be actively overseeing the investigation and cleanup of this site. Given this, Regional Water Board staff estimate that the following work will be performed for the subject site during State fiscal year 2016 - 2017, ending June 30, 2017: 1) Review work plans; investigation reports; corrective action plans; and associated correspondence from the discharger, its consultant, and/or interested parties; 2) Conduct site inspections following up on the technical reports and Order compliance; 3) Conduct meetings regarding the site on issues relevant to corrective actions; and 4) Discuss issues related to the site and prepare written correspondence between the Regional Water Board and interested parties.

Billing Rates

Attachment 1 provides a detailed description of the billing procedure. Attachment 2 lists the billing rates for employees expected to engage in the work or services for your site/facility. We estimate that 100 hours will be required in the oversight of the site for the remainder of the State's fiscal year, which ends June 30, 2017. This is merely an estimate. The actual time needed will depend on the nature and extent of the necessary oversight. The name and classification of employees making charges will be listed on invoices. The average billing rate is approximately $150 per hour. An estimate for any necessary work after June 30, 2017, will be provided in late spring 2017.

Contact Information

If you have any questions, please contact Agnes Farres of the Water Board Prosecution Team at (510) 622-2401 or by e-mail to agnes.farres@waterboards.ca.gov.

Sincerely,

Digitally signed by Bruce H. Wolfe
DN: cn=Bruce H. Wolfe, o=SWRCB, ou=Region 2, email=bwolfe@waterboards.ca.gov, c=US
Date: 2016.08.12 17:00:40 -07'00'

Bruce H. Wolfe
Executive Officer

Enclosures: Cleanup and Abatement Order No. R2-2016-0038
Attachment 1 – Reimbursement Process for Regulatory Oversight
Attachment 2 – Billing Rates
Attachment 3 – Acknowledgement Letter

Cc (via email):

John Sweeney, john@spinnerisland.com
U.S. Environmental Protection Agency
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Bill Lee, lee.bill@epa.gov
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