

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

February 27, 2008

Mr. Kelvin and Ms. Lynda Tse
8 Bates Boulevard
Orinda, CA 94563

Subject: Fuel Leak Case No. RO00000004 (Global ID #T0600101365), Thrifty Oil #49, 3400 San Pablo Avenue, Oakland, California

Dear Mr. Kelvin Tse:

Under the direction of this office, Thrifty Oil Company is conducting an environmental investigation for a property located at 3400 San Pablo Avenue, Oakland, California. Groundwater contamination has been detected in soil and groundwater in close proximity to your property. The extent of the groundwater contamination is currently unknown but potentially could extend beneath your property. Alameda County Environmental Health is requiring Thrifty Oil Company to characterize the extent of contamination from their site. Equipoise Corporation, on behalf of Thrifty Oil Company, previously submitted an access agreement to you to allow the installation of a groundwater monitoring well at 3315 San Pablo Avenue, Oakland. It is imperative that this access agreement be resolved in order to define the extent of contamination and prevent future contaminant migration.

Owners of adjacent properties are generally not responsible for the cost of investigation and cleanup of contamination that migrates onto their property from an adjacent fuel leak site. However, owners of adjacent properties are expected to cooperate with the responsible party's investigation and cleanup activities to the extent that they are not experiencing undue hardship or alteration to their property. To date, you have not responded to requests to provide reasonable access to your property.

These requests are made pursuant to Water Code Section 13267, which allows ACEH to require technical reports from persons whose activities may have an impact on water quality. You may be subject to administrative civil liability of up to \$1,000 per day pursuant to Water Code Section 13268 if you fail to respond, respond late, or submit an inadequate response.

Please contact me at (510) 383-1767 or via email at <mailto:steven.plunkett@acgov.org> with any questions regarding this case.

Sincerely,

Steven Plunkett
Hazardous Materials Specialist

Kelvin Tse
February 24, 2008
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cc: Elliot Haro
Equipoise Corp.
26395 Jefferson Avenue, Suite A
Murrieta, CA 92562
Oakland, CA 94605

Simon Tregurtha
Thrifty Oil Company
13116 Imperial Highway
Santa Fe Springs, CA 90670-0138

Donna Drogos, ACEH, Steven Plunkett, ACEH, File