

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



F

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

April 14, 2008

Hillary & Lillie Lockett
4102 Lust Street
Oakland, CA 94608

Subject: Fuel Leak Case No. RO0000027, Grove Street Wash Rack, 3884 Martin Luther King Jr. Way, Oakland, CA 94609 – Additional Responsible Party

Dear Hillary & Lillie Lockett:

In a Notice of Responsibility dated January 5, 1995, Lillie Lockett was notified that the above referenced site had been placed in the Local Oversight Program and that the Lillie Lockett was named as Responsible Parties for the fuel leak case. Neil and Mary Cotter, et al purchased the property and have been named an additional Responsible Party for the fuel leak case as defined under 23 C.C.R Sec. 2720. Please see Attachment A – Responsible Parties Data Sheet, which identifies all Responsible Parties and provides background on the unauthorized release and Responsible Party Identification.

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at paresh.khatri@acgov.org.

Sincerely,

Paresh C. Khatri
Hazardous Materials Specialist

Attachment A – Responsible Parties Data Sheet

cc: Donna Drogos, ACEH
Paresh Khatri, ACEH
File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

April 08, 2008

Site Name & Address:

GROVE STREET WASH RACK
3884 MARTIN LUTHER KING JR WAY
Oakland, CA 94609

Local ID: RO0000027

Related ID: 4371

RWQCB ID: 01-2290

Global ID: T0600102106

All Responsible Parties

RP has been named a Primary RP - LILLIE & HILLARY LUCKETT

GROVE STREET WASH RACK

PO BOX 2973 | OAKLAND, CA 94609 | Phone (510) 652-4510

RP has been named a RP - NEIL & MARY COTTER, ETAL

COTTER & COYLE

2847 ARGUELLO STREET | BURLINGAME, CA 94010-5817 | Phone (415) 215-5805

Responsible Party Identification Background

Alameda County Environmental Health (ACEH) names a "Responsible Party," as defined under 23 C.C.R Sec. 2720. Section 2720 defines a responsible party 4 ways. An RP can be:

1. "Any person who owns or operates an underground storage tank used for the storage of any hazardous substance."
2. "In the case of any underground storage tank no longer in use, any person who owned or operated the underground storage tank immediately before the discontinuation of its use."
3. "Any owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred."
4. "Any person who had or has control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance."

ACEH has named the responsible parties for this site as detailed below.

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

April 08, 2008

Responsible Party Identification

Responsible Party Identification

Existence of Unauthorized Release

One 500-gallon and two 650-gallon underground storage tanks (USTs) that stored gasoline were excavated and removed on January 5, 1995. A total of three confirmation soil samples were collected from the excavations. Elevated concentrations of TPH as gasoline (140 mg/kg) and benzene (0.610 mg/kg) were detected in the soil indicating that an unauthorized release has occurred.

Responsible Party Identification

H & L Lockett (Hillary and Lillie Lockett) was the business owner, tank owner, and property owner at the time of and following the release(s). H & L Lockett is a responsible party for the site because they owned and operated the underground storage tanks (Definition 1), formerly owned the property where an unauthorized release occurred (Definition 3), and had control of underground storage tanks at the time of an unauthorized release (Definition 4).

Neil & Mary Cotter purchased the property in August 2005. Neil and Mary Cotter are responsible parties because they are the current owners of a property where an unauthorized release occurred (Definition 3).