

ALAMEDA COUNTY  
HEALTH CARE SERVICES



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AGENCY

DAVID J. KEARS, Agency Director

Certified Mail #: 7002 2030 0006 9574 1327

April 15, 2008

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

**NOTICE OF RESPONSIBILITY**

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**

Responsible Party:

**NEIL & MARY COTTER, ETAL  
COTTER & COYLE  
2847 ARGUELLO STREET  
BURLINGAME CA 94010-5817**

**Date First Reported: 1/19/1995**

**Substance: 8006619 Gasoline-Automotive (motor gasoline  
and additives), leaded & unleaded**

**Funding for Oversight: LOPS - LOP State Fund**

**Multiple RPs?: Yes**

Pursuant to sections 25297.1 and 25297.15 of the Health and Safety Code, you are hereby notified that the above site has been placed in the Local Oversight Program and the individual(s) or entity(ies) shown above, or on the attached list, has (have) been identified as the party(ies) responsible for investigation and cleanup of the above site. Section 25297.15 further requires the primary or active Responsible Party to notify all current record owners of fee title before the local agency considers cleanup or site closure proposals or issues a closure letter. For purposes of implementing section 25297.15, this agency has identified GROVE STREET WASH RACK as the primary or active Responsible Party. It is the responsibility of the primary or active Responsible Party to submit a letter to this agency, within 20 calendar days of receipt of this notice that identifies all current record owners of fee title. It is also the responsibility of the primary or active Responsible Party to certify to the local agency that the required notifications have been made at the time a cleanup or site closure proposal is made or before the local agency makes a determination that no further action is required. If property ownership changes in the future, you must notify this local agency within 20 calendar days from when you are informed of the change.

Any action or inaction by this local agency associated with corrective action, including responsible party identification, is subject to petition to the State Water Resources Control Board. Petitions must be filed within 30 days from the date of the action/inaction. To obtain petition procedures, please FAX your request to the State Water Board at (916) 341-5808 or telephone (916) 341-5650.

Pursuant to section 25296.10(c)(6) of the Health and Safety Code, a responsible party may request the designation of an administering agency when required to conduct corrective action. Please contact this office for further information about the designation process.

Please contact your caseworker KHATRI, PARESH, at this office at (510)777-2478 if you have questions regarding your site.

ARIU LEVI, Director  
Contract Project Director

Date: 4/15/08

Action: Add  
Reason:

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: RO000027**

**Related ID: 4371**

**RWQCB ID: 01-2290**

**Global ID: T0600102106**

**All Responsible Parties**

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

**GROVE STREET WASH RACK**

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

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

**COTTER & COYLE**

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

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**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 15, 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).

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Sent To	<b>Neil &amp; Mary Cotter, ETAL</b>
Street, Apt. No., or PO Box No.	<b>Cotter &amp; Coyle</b>
City, State, ZIP	<b>2847 Arguello Drive</b>
	<b>Burlingame, CA 94010-5817</b>
PS Form 3800, June 2002	See Reverse for Instructions