



May 7, 2018

Kay & Merkle, LLP
c/o Mr. Walter Merkle
100 The Embarcadero,
Penthouse
San Francisco, CA 94105
(Sent via electronic mail to:
wmerkle@kmlaw100.com)

Shirley J Davini & Dorothy D McGuire
Address Unknown

Mr. David Davini
Loretta A McGrath Family Trust
Address Unknown

Mr. Jon Braden
McGrath Steel Company
Address Unknown

Subject: Notice of Responsibility; Fuel Leak Case No. RO0000063; (Global ID # T0600102099); McGrath Steel Company, 6655 Hollis Street, Emeryville, CA 94608

Dear Mr. Responsible Parties:

In an earlier Notice of Responsibility (NOR), the McGrath Steel Company (McGrath) was notified that the referenced site had been placed in the Local Oversight Program and that McGrath was named as a Responsible Party for the fuel leak case. In the attached updated NOR, former and current property owners have also been named additional Responsible Parties 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.

Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,



Mark E. Detterman, P.G., C.E.G.
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations
Electronic Report Upload (ftp) Instructions

cc: Chris Freise, 6655 Hollis Owner LLC, 222 Kearny Street, Suite 600, San Francisco, CA 94108;
(Sent via electronic mail to: chris@liftrp.com)

Joyce Adams, Weiss Associates, 2200 Powell Street, Suite 925, Emeryville, CA 94608; (Sent via electronic mail to: jea@weiss.com)

Tom Fojut, Weiss Associates, 2200 Powell Street, Suite 925, Emeryville, CA 94608; (Sent via electronic mail to: tjf@weiss.com)

Markus Niebanck, Amicus Strategic Environmental Consulting, 580 Second Street, Oakland, CA 94609; (Sent via electronic mail to: marcus@amicusenv.com)

Dilan Roe, ACDEH, (Sent via electronic mail to: dilan.roe@acgov.org)

Paresh Khatri, ACDEH; (Sent via electronic mail to: paresh.khatri@acgov.org)

Mark Detterman, ACDEH, (Sent via electronic mail to: mark.detterman@acgov.org)
Electronic File; GeoTracker



COLLEEN CHAWLA, Director

Certified Mail #:

May 7, 2018

NOTICE OF RESPONSIBILITY

Site Name & Address:

MCGRATH STEEL COMPANY
6655 HOLLIS ST
Emeryville, CA 94608

Local ID: RO0000063
Related ID: 789
RWQCB ID: 01-2283
Global ID: T0600102099

Responsible Party:

SHIRLEY J. DAVINI & DOROTHY D. MCGUIRE
ADDRESS UNKNOWN

Date First Reported: 7/3/1996

Substance:

- 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
- 2034 Diesel fuel oil and additives, Nos.1-D, 2-D, 2-4

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 SHIRLEY J. DAVINI & DOROTHY D. MCGUIRE 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) 341-5752.

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 MARK DETTERMAN, at this office at (510) 567-6876 if you have questions regarding your site.

Date: 05-08-2018

RONALD BROWDER, Director
Contract Project Director

Action: Add, Update
Reason: NEW, UPDATE

Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File



Certified Mail #:

May 7, 2018

NOTICE OF RESPONSIBILITY

Site Name & Address: MCGRATH STEEL COMPANY 6655 HOLLIS ST Emeryville, CA 94608	Local ID: RO0000063 Related ID: 789 RWQCB ID: 01-2283 Global ID: T0600102099
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Responsible Party:

LORETTA A MCGUIRE IN TRUST, C/O DAVID DAVINI
ADDRESS UNKNOWN

Date First Reported: 7/3/1996

- Substance:**
- 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
 - 2034 Diesel fuel oil and additives, Nos.1-D, 2-D, 2-4

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 LORETTA A. MCGUIRE IN TRUST 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) 341-5752.

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 MARK DETTERMAN, at this office at (510) 567-6876 if you have questions regarding your site.

Date: 05-08-2018

RONALD BROWDER, Director
Contract Project Director

Action: Add, Update Reason: NEW, UPDATE
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Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File



COLLEEN CHAWLA, Director

Certified Mail #:

May 7, 2018

NOTICE OF RESPONSIBILITY

Site Name & Address:
MCGRATH STEEL COMPANY
6655 HOLLIS ST
Emeryville, CA 94608

Local ID: RO0000063
Related ID: 789
RWQCB ID: 01-2283
Global ID: T0600102099

Responsible Party:
MCGRATH STEEL COMPANY
C/O JON BRADEN
ADDRESS UNKNOWN

Date First Reported: 7/3/1996
Substance: • 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
• 2034 Diesel fuel oil and additives, Nos.1-D, 2-D, 2-4
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 MCGRATH STEEL COMPANY, C/O JON BRADEN 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) 341-5752.

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 MARK DETTERMAN, at this office at (510) 567-6876 if you have questions regarding your site.

 Date: 05-08-2018

RONALD BROWDER, Director
Contract Project Director

Action: Add, Update
Reason: NEW, UPDATE



Certified Mail #: 7011 3500 0003 1934 8405

May 7, 2018

NOTICE OF RESPONSIBILITY

Site Name & Address:

**MCGRATH STEEL COMPANY
6655 HOLLIS ST
Emeryville, CA 94608**

**Local ID: RO0000063
Related ID: 789
RWQCB ID: 01-2283
Global ID: T0600102099**

Responsible Party:

**MCG INVESTMENTS, LLC
C/O WALTER F. MERKLE
100 EMBARCADERO - PENTHOUSE
SAN FRANCISCO CA 94105-1291**

Date First Reported: 7/3/1996

Substance:

- 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
- 2034 Diesel fuel oil and additives, Nos. 1-D, 2-D, 2-4

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 MCG INVESTMENTS, LLC, C/O WALTER F. MERKLE 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) 341-5752.

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 MARK DETTERMAN, at this office at (510) 567-6876 if you have questions regarding your site.

 Date: 05-08-2018

RONALD BROWDER, Director
Contract Project Director

Action: Add, Update
Reason: NEW, UPDATE



Certified Mail #: 7011 3500 0003 1935 2082

May 7, 2018

NOTICE OF RESPONSIBILITY

Site Name & Address:
MCGRATH STEEL COMPANY
6655 HOLLIS ST
Emeryville, CA 94608

Local ID: RO0000063
Related ID: 789
RWQCB ID: 01-2283
Global ID: T0600102099

Responsible Party:

6655 HOLLIS OWNER LLC
c/o CHRIS FREISE
222 KEARNY STREET, SUITE 600
SAN FRANCISCO, CA 94108

Date First Reported: 7/3/1996
Substance: • 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
• 2034 Diesel fuel oil and additives, Nos.1-D, 2-D, 2-4
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 6655 HOLLIS OWNER LLC C/O CHRIS FREISE 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) 341-5752.

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 MARK DETTERMAN, at this office at (510) 567-6876 if you have questions regarding your site.

Date: 05-08-2018

RONALD BROWDER, Director
Contract Project Director

Action: Add, Update
Reason: NEW, UPDATE

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

May 7, 2018

Site Name & Address:

MCGRATH STEEL COMPANY
6655 HOLLIS ST
Emeryville, CA 94608

Local ID: RO0000063
Related ID: 789
RWQCB ID: 01-2283
Global ID: T0600102099

All Responsible Parties

RP has been named a Primary RP - JON BRADEN
MCGRATH STEEL COMPANY

6655 HOLLIS STREET | EMERYVILLE, CA 94608 | Phone No Phone Number Listed

RP has been named a Primary RP - c/o DAVID D DAVINI
MCGRATH LORETTA A IN TRUST

123 ESTUDILLO AVE | SAN LEANDRO, CA 94577 | Phone No Phone Number Listed

RP has been named a Primary RP - SHIRLEY J DAVINI & DOROTHY D MCGUIRE

123 ESTUDILLO AVE | SAN LEANDRO, CA 94577 | Phone No Phone Number Listed

RP has been named a Primary RP - c/o WALTER F MERKLE
MCG INVESTMENTS, LLC

123 ESTUDILLO AVENUE | SAN LEANDRO, CA 94577 | Phone No Phone Number Listed

100 EMBARCADERO - PENTHOUSE | SAN FRANCISCO, CA 94105-1291 | Phone No Phone Number Listed

RP has been named a Primary RP - c/o CHRIS FREISE

6655 HOLLIS OWNER LLC

222 KEARNY STREET, SUITE 600 | SAN FRANCISCO, CA 94108 | Phone No Phone Number Listed

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

May 7, 2018

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.

Existence of Unauthorized Release

On July 3, 1996 two 2,000-gallon steel underground storage tanks (USTs) were removed from the subject site. The USTs did not have any visible holes, but obvious discoloration and petroleum hydrocarbon odor were present in the surrounding soil. Following the UST removal activities confirmation soil samples were collected and contained concentrations up to 1,300 milligrams per kilogram (mg/kg) Total Petroleum Hydrocarbons as gasoline (TPH-g), 870 Total Petroleum Hydrocarbons as diesel (TPH-d), 4.6 mg/kg benzene, and 35 mg/kg MTBE. The data indicate that an unauthorized release has occurred at the site.

Responsible Party Identification

The McGrath Steel Company is formerly associated with the property and the USTs. The McGrath Steel Company is a responsible party for the site because it owned or operated the USTs used for the storage of a hazardous substance (Definition 1), it owned or operated the USTs immediately before discontinuation of use (Definition 2), and it had control over the USTs at the time of or following an unauthorized release of a hazardous substance (Definition 4).

The Loretta A. McGrath Family Trust is a former property owner associated with the USTs since April 1966. The Loretta A. McGrath Family Trust is a responsible party for the site because it owned or operated the USTs used for the storage of a hazardous substance (Definition 1), it owned or operated the USTs immediately before discontinuation of use (Definition 2), owned the property where an unauthorized release has occurred (Definition 3), and it had control over the USTs at the time of or following an unauthorized release of a hazardous substance (Definition 4).

Shirley J Davini & Dorothy D McGuire are former property owners associated with the USTs since September 2006. Shirley J Davini & Dorothy D McGuire are responsible parties for the site because they owned the property where an unauthorized release has occurred (Definition 3).

MCG Investments LLC & et al is a former property owner associated with the USTs since September 2006. MCG Investments LLC & et al is a responsible party for the site because it owns the property where an unauthorized release has occurred (Definition 3).

6655 Hollis Owner LLC is the current property owner associated with the USTs since November 2017. 6655 Hollis Owner LLC is a responsible party for the site because it owns the property where an unauthorized release has occurred (Definition 3).