



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

October 20, 2011

Bill Cox  
Bill Cox Cadillac  
Address Unknown

HW Shepard Jr  
Wells Fargo Bank Trust  
Address Unknown

RBDL Shepard Trusts  
Greater Bay Trust Company Trustee  
Address Unknown

Robert Bond  
Bond CC Oakland LLC  
350 West Hubbard Street, Suite 450  
Chicago, IL 60610  
(Sent via E-mail to: [rbond@bondcompanies.com](mailto:rbond@bondcompanies.com))

Arnold Brown  
Kestrel Partners LLC  
Address Unknown  
Address Unknown

Stephen Wilson  
230 Bay Place LP  
400 Race Street, Suite 200  
San Jose, CA 95126

Subject: Landowner Notification for Case Closure Consideration for Fuel Leak Case No. RO0000148 and GeoTracker Global ID T0600100193, Cox Cadillac & Buick, 230 Bay Place, Oakland, CA 94612

Dear Mr. Bond and Mr. Wilson:

Alameda County Environmental Health (ACEH) is reviewing the fuel case file for the above referenced site for potential case closure. Site investigation and groundwater monitoring from underground storage tank leaks have been performed at the subject property to which you are named as the primary or active responsible party. Pursuant to Section 25297.15 (a), ACEH, the local agency, shall not consider cleanup or site closure proposals from the primary or active responsible party, issue a closure letter, or make a determination that no further action is required with respect to a site upon which there was an unauthorized release of hazardous substances from an underground storage tank subject to this chapter unless all current record owners of fee title to the site of the proposed action have been notified of the proposed action by the primary or active responsible party. ACEH is required to notify the primary or active responsible party of their requirement to certify in writing to the local agency that the notification requirement in the above-mentioned regulation has been satisfied and to provide the local agency with a complete mailing list of all record fee title owners.

To satisfy the above-mentioned requirement, please complete the enclosed "List of Landowners Form," and mail it back to ACEH within thirty (30) days from the date of this letter. Also your comments must be considered prior to the proposed cleanup or closure. Please respond within 30 days from the date of this letter for your comments to be considered.

ACEH will review the case for possible closure under a commercial land use scenario with the following site management requirements:

*"Case closure for this fuel leak site is granted for the current commercial land use and the existing building only. If a modification to the existing structure(s) or a change in land use to any residential or other conservative land use scenario is proposed at this site, Alameda County Environmental Health (AECH) must be notified as required by Government Code Section 65850.2.2. ACEH will re-evaluate the case upon receipt of approved development/construction plans.*

*Excavation or construction activities in areas of residual contamination require planning and implementation of appropriate health and safety procedures by the responsible party (or current property owner/developer) prior to and during excavation and construction activities. The site is to be entered into the City of Oakland Permit Tracking System due to the residual contamination on site."*

Public participation is a requirement for the Corrective Action Plan and case closure process. In order to notify potentially affected members of the public of the potential fuel leak case closure, ACEH has prepared a Draft Notification of Potential Case Closure for distribution to residents and landowners in the surrounding area and other interested persons. We request that you review the Draft Notification and provide any comments for ACEH consideration. We also request that you submit a mailing list of any persons, corporations, or government agencies you are aware of that may have an interest in this fuel leak case **no later than November 14, 2011**. Upon receipt and review of the mailing list, ACEH will request that you distribute the Notification of Potential Case Closure to the mailing list. ACEH will consider all comments from the public prior to potential case closure.

### **TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **November 14, 2011** – List of Landowners Form and List of Interested Parties to Receive Notification of Potential Case Closure

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org). Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297  
Senior Hazardous Materials Specialist

Attachments: Draft Public Notification of Potential Case Closure  
List of Landowners Form

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032  
(Sent via E-mail to: [lgriffin@oaklandnet.com](mailto:lgriffin@oaklandnet.com))

Julia Lane, Bond Companies, 350 W. Hubbard Street, Suite 450, Chicago, IL 60654 (Sent via E-mail to: [jlane@bondcompanies.com](mailto:jlane@bondcompanies.com))

Ron Goloubow, ARCADIS, 1900 Powell Street, Suite 1200, Emeryville, CA 94608 (Sent via E-mail to: [Ron.Goloubow@arcadis-us.com](mailto:Ron.Goloubow@arcadis-us.com))

Donna Drogos, ACEH (Sent via E-mail to: [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))  
Jerry Wickham, ACEH (Sent via E-mail to: [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org))

GeoTracker, File

# LIST OF LANDOWNERS FORM

County of Alameda  
Environmental Health Services  
Environmental Protection  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

## CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR:

Site Name: Cox Cadillac & Buick  
Address: 230 Bay Place  
City, State, Zip: Oakland, CA 94612  
Record ID #: RO0000148

Please fill out item 1 if there are multiple site landowners (attach an extra sheet if necessary). If you are the sole site landowner, skip item 1 and fill out item 2.

1. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I, \_\_\_\_\_ (name of primary responsible party), certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:

Name: Robert Bond, Bond CC Oakland LLC  
Address: 350 West Hubbard Street, Suite 450  
City, State, Zip: Chicago, IL 60610  
E-mail Address: [rbond@bondcompanies.com](mailto:rbond@bondcompanies.com)

Name: Stephen Wilson, 230 Bay Place LP  
Address: 400 Race Street, Suite 200  
City, State, Zip: San Jose, CA 95126  
E-mail Address: Unknown

Name: HW Shepard Jr, Wells Fargo Bank Trust  
Address: Unknown

Name: Bill Cox, Bill Cox Cadillac  
Address: Unknown

Name: RBDL Shepard Trusts, Greater Bay Trust Company Trustee  
Address: Unknown

Name: Arnold Brown, Kestrel Partners, LLC  
Address: Unknown

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

2. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I \_\_\_\_\_, certify that I am the sole landowner for the above site.

Sincerely,

\_\_\_\_\_  
Signature of Primary Responsible Party

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
E-mail Address



**DRAFT NOTIFICATION OF POTENTIAL CASE CLOSURE  
COX CADILLAC & BUICK  
October 20, 2011**

**Site Location: 230 Bay Place, Oakland, CA 94612  
Fuel Leak Case RO0000148 and GeoTracker Global ID T0600100193**

**Summary** – This fact sheet has been prepared to inform community members and other interested parties of potential case closure for a fuel leak case at a former automobile sales and service facility. The site was redeveloped in 2007 and is currently the site of a Whole Foods Market at the intersections of Bay Place, Harrison Street, and Vernon Street in Oakland, California. The site is approximately 1,000 feet north of Lake Merritt (see attached map on back). Surrounding land use is mixed commercial and residential.

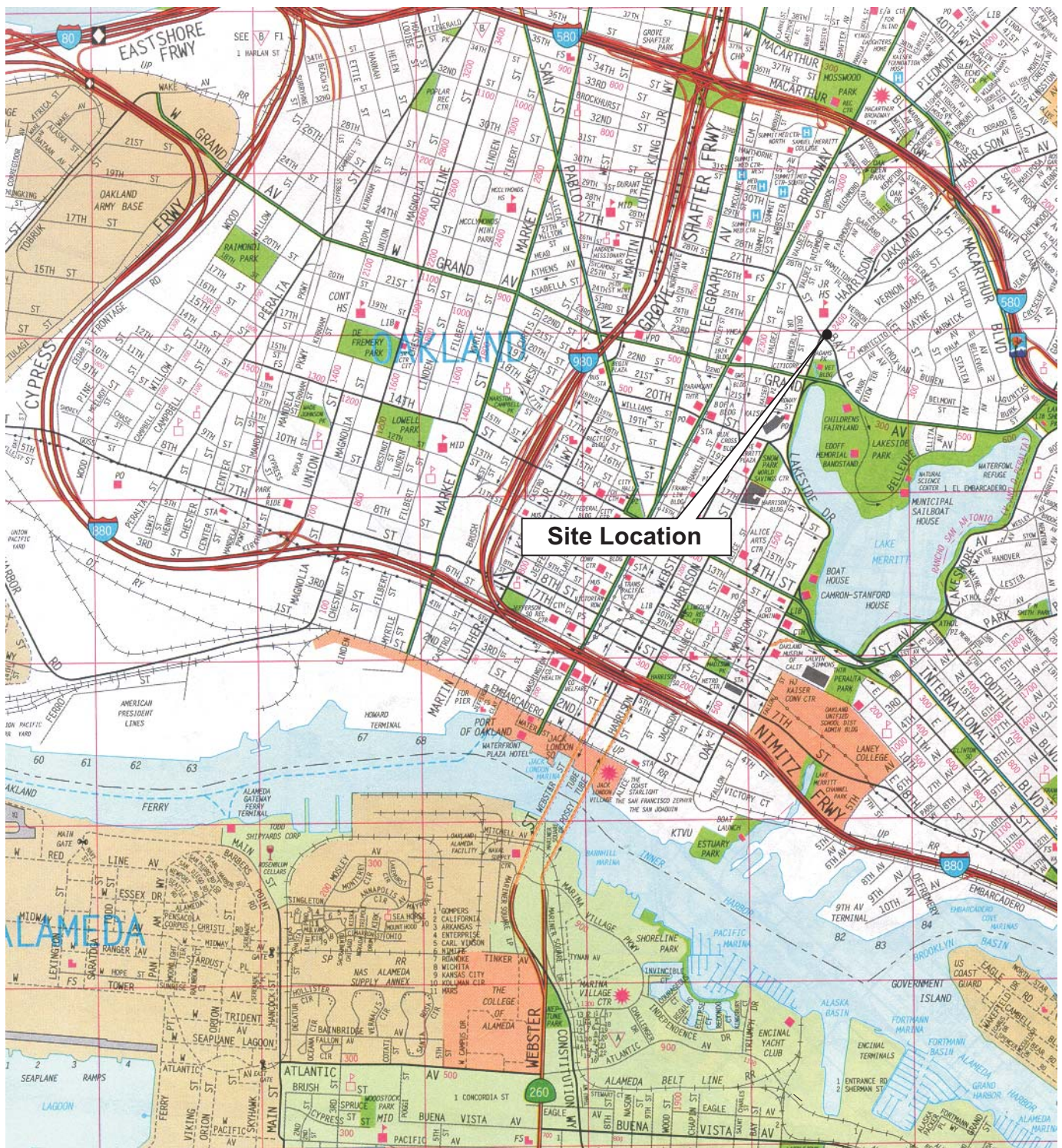
Two underground storage tanks (USTs) were present at the Site as part of the automobile service facility. The two USTs consisted of a 3,000-gallon waste oil tank, which was removed in December 1988, and a 10,000-gallon gasoline UST, which was removed in January 1994. During the excavation and removal of the 10,000-gallon gasoline UST in January 1994, a hole was observed in the product piping that lead from the UST to the fuel dispenser. Free-phase product was observed on the groundwater surface in the gasoline UST excavation. In June 1994, approximately 100 cubic yards of total petroleum hydrocarbon (TPH) affected soil adjacent to the former gasoline UST and along the western portion of the former product piping route, was excavated and removed.

Several soil and groundwater investigations have been conducted at the Site since 1992. The investigations found petroleum contamination in soil and groundwater within the areas of the former USTs and former hydraulic lifts and tanks. Two areas with elevated concentrations of lead were also identified beneath the building. A total of eleven hydraulic lifts along with nine floor drains and associated piping were excavated and removed between June 2005 and November 2005. Approximately 1,010 tons of soil adjacent to the hydraulic lifts was excavated and transported to Waste Management's Altamont Landfill in Livermore, CA for disposal. A total of approximately 285 tons of lead-affected soil was transported to Clean Harbors Class I landfill in Button Willow, CA for disposal. During the period from September 16 to December 16, 2005, a total of approximately 5,000 tons of TPH-affected soil was excavated from the area of the former USTs and transported to Allied Waste's Forward Landfill located in Manteca, CA for disposal.

Quarterly and later semiannual groundwater monitoring was conducted at the site between March 1993 and April 2010. The groundwater monitoring data indicate that a plume containing dissolved petroleum hydrocarbons is present in the area of the former USTs and extends beneath Bay Place. The highest concentration of MTBE detected during the most recent sampling event in April 2010 was 1,400 parts per billion. No water supply wells or other potential receptors are expected to be affected by the plume. Site investigation and cleanup activities have been completed and it does not appear that the fuel release presents a risk to human health for nearby residents or site workers. Therefore, Alameda County Environmental Health is considering potential closure of the fuel leak case.

**Next Step** – The public is invited to review and comment on the potential closure of the fuel leak case. The entire case file can be viewed over the Internet on the ACEH website (<http://www.acgov.org/aceh/lop/ust.htm>) or the State of California Water Resources Control Board Geotracker website (<http://geotracker.swrcb.ca.gov>). Please send written comments to Jerry Wickham at the address below; all comments will be forwarded to the responsible parties. **Comments received by November 21, 2011** will be considered and responded to prior to a final determination on the proposed case closure.

Additional information: Contact Jerry Wickham of the Alameda County Department of Environmental Health, 1131 Harbor Bay Parkway, Alameda, CA 94502 at 510-567-6791 or by email at [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org)



1999 Copyright Thomas Bros. Map

FORMER COX CADILLAC  
230 BAY PLACE, OAKLAND, CALIFORNIA

**SITE VICINITY MAP**

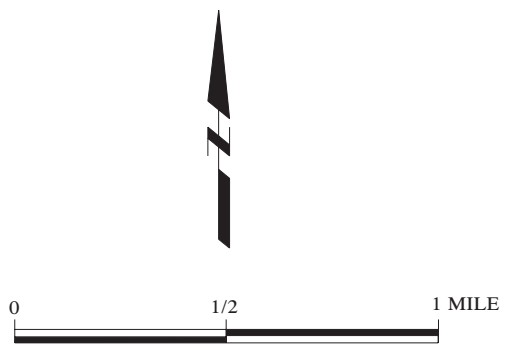


FIGURE  
**1**