

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

REBECCA GEBHART, Interim Director

DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP) FOR
HAZARDOUS MATERIALS RELEASES
1131 HARBOR BAY PARKWAY, SUITE 250
ALAMEDA, CA 94502
(510) 567-6700
FAX (510) 337-9335

January 13, 2017

Burrows Company
286 Glorietta Blvd.
Orinda, CA 94563-3548
C/o Bruce and Barton Burrows

3000 Broadway SPE LLC
C/O Lowe Enterprises Real Estate Group
595 Market Street, Suite 2550
San Francisco, CA 94105
Attn.: Alan Chamorro

Robert and Ruth Burrows Trust
219 Ramona Avenue
Piedmont, CA 94611

Bruce Burrows and Barton and Patricia Burrows Et Al
286 Glorietta Boulevard
Orinda, CA 94563

Subject: LOP Case No. RO0000247 and Geotracker Global ID T0600102220, Robert & Ruth Burrows Trust, 260 30th St., Oakland, CA 94611

Dear Responsible Parties:

In a Notice of Responsibility dated June 8, 1998, the Burrows Company (Attn. Bruce Burrows), was notified that the above referenced site had been placed in the Local Oversight Program and was named as a Responsible Party for the fuel leak case. 3000 Broadway SPE LLC, the Robert and Ruth Burrows Trust, and Bruce Burrows and Barton and Patricia Burrows Et Al have been named as 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.

If you have any questions, please call me at (510) 567-6764 or send me an electronic mail message at keith.nowell@acgov.org.

Sincerely,



Digitally signed by Keith Nowell
DN: cn=Keith Nowell, o=Alameda County,
ou=Department of Environmental Health,
email=keith.nowell@acgov.org, c=US
Date: 2017.01.13 09:44:07 -08'00'

Keith Nowell, PG, CHG
Hazardous Materials Specialist

Attachment A – Responsible Parties Data Sheet

cc: Dilan Roe, ACDEH, (sent via electronic mail to dilan.roe@acgov.org)
Paresh Khatri, ACDEH (sent via electronic mail to paresh.khatri@acgov.org)
Keith Nowell, ACDEH, (sent via electronic mail keith.nowell@acgov.org)
Geotracker, Electronic File



AGENCY

REBECCA GEBHART, Interim Director

Certified Mail #: 7014 2870 0001 3244 0559

January 13, 2017

NOTICE OF RESPONSIBILITY

Site Name & Address:

**ROBERT & RUTH BURROWS TRUST
260 30TH ST.
OAKLAND, CA 94611**

**Local ID: RO0000247
Related ID: STID #1147
RWQCB ID: 01-2411
Global ID: T0600102220**

Responsible Party:

**ROBERT & RUTH BURROWS TRUST
219 RAMONA AVE.
PIEDMONT, CA 94611**

Date First Reported: 9/22/1997
Substance:

- Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
- Diesel fuel oil & additives (Nos. 1-D, 2-D, 2-4)
- Waste Oil/Used Oil
- Heating Oil

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 ROBERT & RUTH BURROWS 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 KEITH NOWELL at this office at (510) 567-6764 if you have questions regarding your site.

Date: 01-17-2017

RONALD BROWDER, Director
Contract Project Director

Action: Update
Reason: ADD

Attachment A: Responsible Parties Data Sheet

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



AGENCY

REBECCA GEBHART, Interim Director

Certified Mail #: 7014 2870 0001 3244 0542

January 13, 2017

NOTICE OF RESPONSIBILITY

Site Name & Address:

**ROBERT & RUTH BURROWS TRUST
260 30TH ST.
OAKLAND, CA 94611**

**Local ID: RO0000247
Related ID: STID #1147
RWQCB ID: 01-2411
Global ID: T0600102220**

Responsible Party:

**3000 BROADWAY SPE LLC
C/O LOWE ENTERPRISES REAL ESTATE GROUP
595 MARKET STREET, SUITE 2550
SAN FRANCISCO, CA 94105
ATTN.: ALAN CHAMORRO**

Date First Reported: 9/22/1997
Substance:

- Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
- Diesel fuel oil & additives (Nos. 1-D, 2-D, 2-4)
- Waste Oil/Used Oil
- Heating Oil

Funding for Oversight: LOPS - LOP State Fund
Multiple RPs?: Yes

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 Date: 01-17-2017

RONALD BROWDER, Director
Contract Project Director

Action: Update
Reason: ADD

Attachment A: Responsible Parties Data Sheet

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



AGENCY

REBECCA GEBHART, Interim Director

Certified Mail #: 7014 2870 0001 3244 0566

January 13, 2017

NOTICE OF RESPONSIBILITY

Site Name & Address:

**ROBERT & RUTH BURROWS TRUST
260 30TH ST.
OAKLAND, CA 94611**

**Local ID: RO0000247
Related ID: STID #1147
RWQCB ID: 01-2411
Global ID: T0600102220**

Responsible Party:

**BRUCE A, BARTON G & PATRICIA BURROWS ET AL
286 GLORIETTA BLVD.
ORINDA, CA 94563**

Date First Reported: 9/22/1997
Substance:

- Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
- Diesel fuel oil & additives (Nos. 1-D, 2-D, 2-4)
- Waste Oil/Used Oil
- Heating Oil

Funding for Oversight: LOPS - LOP State Fund
Multiple RPs?: Yes

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 Date: 01-17-2017

RONALD BROWDER, Director
Contract Project Director

Action: Update
Reason: ADD

Attachment A: Responsible Parties Data Sheet

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

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

January 13, 2017

Site Name & Address:

**ROBERT & RUTH BURROWS TRUST
260 30TH ST.
OAKLAND, CA 94611**

**Local ID: RO0000247
Related ID: STID #1147
RWQCB ID: 01-2411
Global ID: T0600102220**

All Responsible Parties

**RP has been named a Primary RP – BURROWS COMPANY
ATTN: BRUCE AND BARTON BURROWS
286 GLORIETTA BLVD. | ORINDA, CA 94563-3548 | No Phone Number Listed**

**RP has been named a Primary RP - 3000 BROADWAY SPE LLC
C/O LOWE ENTERPRISES REAL ESTATE GROUP
ATTN: ALAN CHAMORRO
595 MARKET STREET, SUITE 2550 | SAN FRANCISCO, CA 94105 | (415) 758-0990**

**RP has been named a Primary RP - ROBERT & RUTH BURROWS TRUST
219 RAMONA AVE. | PIEDMONT, CA 94611 | No Phone Number Listed**

**RP has been named a Primary RP – BRUCE A BURROWS, BARTON G AND PATRICIA BURROWS ET AL
286 GLORIETTA BLVD. | ORINDA, CA 94563 | No Phone Number Listed**

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

January 13, 2017

Responsible Party Identification Background

Alameda County Department of Environmental Health (ACDEH) 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."
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ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

January 13, 2017

Existence of Unauthorized Release

One 1,000-gallon underground storage tank (UST) reported to contain heating oil and fuel products was closed in-place in early 1997. Maximum petroleum hydrocarbon concentrations of 9,600 milligrams per kilogram (mg/Kg) total petroleum hydrocarbons as gasoline (TPH-g) and 4,500 mg/Kg total petroleum hydrocarbons as diesel (TPH-d) were detected in soil samples collected following tank abandonment. These concentrations indicate an unauthorized release has occurred from the underground storage tank system at this site.

Responsible Party Identification

The Robert and Ruth Burrows Trust, acquired title of the property in April 1977. The Robert and Ruth Burrows Trust was the property owner at the time the leak was discovered. The Robert and Ruth Burrows Trust, either individually or jointly, meets the definition of a responsible party for the site because it owned the property where an unauthorized release occurred (Definition 3).

Bruce Burrows, and Barton Burrows and Patricia Burrows et al, either individually, jointly, or as trustees, acquired title of the property between 2002 and 2014. Bruce Burrows, and Barton Burrows and Patricia Burrows et al meet the definition of responsible parties for the site because they owned the property where an unauthorized release occurred (Definition 3).

The Burrows Company was the owner of the tank at the time the leak was discovered. The Burrows Company meets the definition of a responsible party for the site because it owned or operated the underground storage tank used for the storage of any hazardous substance (Definition 1), and had control over the underground storage tank at the time of or following an unauthorized release of a hazardous substance (Definition 4).