

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**  
AGENCY  
ALEX BRISCOE, Agency Director



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

January 15, 2015

Mohinder S. & Joginder K. Sikand  
1300 Ptarmigan Drive #1  
Walnut Creek, CA 94595

Anis Rahman  
Albany Hill Mini Mart  
800 San Pablo Avenue  
Albany, CA 94706

Jasminder & Sonia Sikand  
(c/o: Jasminder & Sonia Sikand)  
800 San Pablo Avenue  
Albany, CA 94706-1686

Jasminder & Sonia Sikand  
(c/o: Jasminder & Sonia Sikand)  
1066 Rock Harbor Pt.  
Hercules, CA 94547-2619

Subject: Notice of Responsibility, Fuel Leak Case RO0000262 and GeoTracker Global ID  
T0600102131, Albany Hill Mini Mart, 800 San Pablo Avenue, Albany, CA 94706

Dear Responsible Parties:

In a Notice of Responsibility dated May 21, 2004, Mohinder and Joginder Sikand, and Anis Rahman (Albany Hill Mini Mart) were notified that the above referenced site had been placed in the Local Oversight Program and that they had been named as a Responsible Party for the fuel leak case. Additional parties have been named as Responsible Parties for the fuel leak case in the attached updated Notice of Responsibility (NOR) 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](mailto: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

Attachment A – Responsible Parties Data Sheet

cc: Dilan Roe, ACEH (sent via electronic mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Mark Detterman, ACEH (sent via electronic mail to: [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org))  
Case Electronic File, GeoTracker

ALAMEDA COUNTY  
HEALTH CARE SERVICES



ENVIRONMENTAL HEALTH DEPARTMENT  
OFFICE OF THE DIRECTOR  
1131 HARBOR BAY PARKWAY  
ALAMEDA, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

AGENCY

ALEX BRISCOE, Agency Director

Certified Mail #:

January 15, 2015

**NOTICE OF RESPONSIBILITY**

Site Name & Address:

**ALBANY HILL MINI MART**  
**800 SAN PABLO AVE**  
**Albany, CA 94706**

**Local ID: R00000262**  
**Related ID: 3857**  
**RWQCB ID: 01-2316**  
**Global ID: T0600102131**

Responsible Party:

**MOHINDER S. & JOGINDER K. SIKAND**  
  
**1300 PTARMIGAN DR. APT 1**  
**WALNUT CREEK CA 94595**

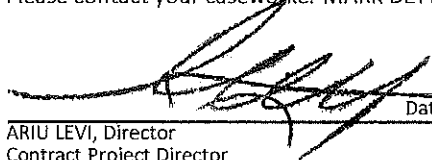
**Date First Reported: 4/1/1997**  
**Substance: 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded**  
  
**Funding for Oversight: LOPS - LOP State Fund**  
  
**Multiple RPs?: Yes**

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 MOHINDER S. & JOGINDER K. SIKAND 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: 01/15/2015  
ARIU LEVI, 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

ALEX BRISCOE, Agency Director

Certified Mail #:

January 15, 2015

**NOTICE OF RESPONSIBILITY**

<b>Site Name &amp; Address:</b> <b>ALBANY HILL MINI MART</b> <b>800 SAN PABLO AVE</b> <b>Albany, CA 94706</b>
--

<b>Local ID:</b>	<b>RO0000262</b>
<b>Related ID:</b>	<b>3857</b>
<b>RWQCB ID:</b>	<b>01-2316</b>
<b>Global ID:</b>	<b>T0600102131</b>

Responsible Party:

**ANIS RAHMAN**  
**ALBANY HILL MINI MART**  
**800 SAN PABLO AVE**  
**ALBANY CA 94607**

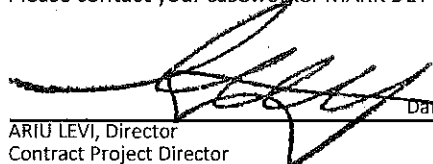
<b>Date First Reported:</b>	<b>4/1/1997</b>
<b>Substance:</b>	<b>8006619 Gasoline-Automotive (motor gasoline and additives), leaded &amp; unleaded</b>
<b>Funding for Oversight:</b>	<b>LOPS - LOP State Fund</b>
<b>Multiple RPs?:</b>	<b>Yes</b>

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 ANIS RAHMAN (ALBANY HILL MINI MART) 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: 01/15/2015  
ARIU LEVI, Director  
Contract Project Director

<b>Action:</b>	<b>Update</b>
<b>Reason:</b>	<b>ADD</b>

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  
ALEX BRISCOE, Agency Director

Certified Mail #: 7009 2820 0001 4359 6460

January 15, 2015

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**  
**ALBANY HILL MINI MART**  
**800 SAN PABLO AVE**  
**Albany, CA 94706**

**Local ID: RO0000262**  
**Related ID: 3857**  
**RWQCB ID: 01-2316**  
**Global ID: T0600102131**

Responsible Party:

**JASMINDER & SONIA SIKAND**  
**(C/O: JASMINDER & SONIA SIKAND)**  
**1066 ROCK HARBOR PT.**  
**HERCULES CA 94547**

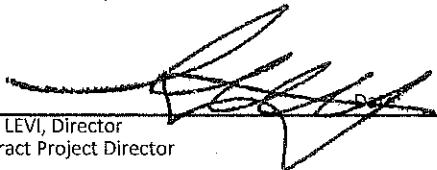
**Date First Reported: 4/1/1997**  
**Substance: 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded**  
**Funding for Oversight: LOPS - LOP State Fund**  
**Multiple RPs?: Yes**

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 JASMINDER & SONIA SIKAND 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.

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

  
ARIU LEVI, Director  
Contract Project Director  
01/15/2015

Action: Update  
Reason: ADD

Attachment A: Responsible Parties Data Sheet

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



AGENCY

ALEX BRISCOE, Agency Director

Certified Mail #: 7009 2820 0001 4359 6453

January 15, 2015

**NOTICE OF RESPONSIBILITY**

<b>Site Name &amp; Address:</b> <b>ALBANY HILL MINI MART</b> <b>800 SAN PABLO AVE</b> <b>Albany, CA 94706</b>
--

<b>Local ID:</b>	<b>RO0000262</b>
<b>Related ID:</b>	<b>3857</b>
<b>RWQCB ID:</b>	<b>01-2316</b>
<b>Global ID:</b>	<b>T0600102131</b>

Responsible Party:

**JASMINDER & SONIA SIKAND**  
**(C/O: JASMINDER & SONIA SIKAND)**  
**800 SAN PABLO AVE.**  
**ALBANY CA 94706**

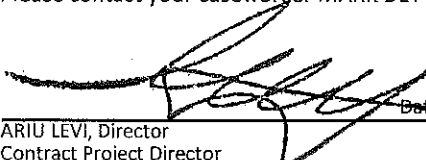
<b>Date First Reported:</b>	4/1/1997
<b>Substance:</b>	8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
<b>Funding for Oversight:</b>	LOPS - LOP State Fund
<b>Multiple RPs?:</b>	Yes

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

  
Date: 01/15/2015  
ARIU LEVI, 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

## Attachment 1

### Responsible Party(ies) Legal Requirements / Obligations

#### REPORT REQUESTS

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

#### ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of reports in electronic form. The electronic copy replaces paper copies and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) GeoTracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the GeoTracker database over the Internet. Beginning July 1, 2005, these same reporting requirements were added to Spills, Leaks, Investigations, and Cleanup (SLIC) sites. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites is required in GeoTracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.waterboards.ca.gov/water\\_issues/programs/ust/electronic\\_submittal/](http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)).

#### PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

#### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

#### UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

#### AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>REVISION DATE:</b> May 15, 2014
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities.

## REQUIREMENTS

- **Please do not submit reports as attachments to electronic mail.**
- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection.**
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- **Signature pages and perjury statements must be included and have either original or electronic signature.**
- **Do not password protect the document.** Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:

RO#\_Report Name\_Year-Month-Date (e.g., RO#5555\_WorkPlan\_2005-06-14)

## Submission Instructions

- 1) Obtain User Name and Password
  - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
    - i) Send an e-mail to [deh.loptoxic@acgov.org](mailto:deh.loptoxic@acgov.org)
  - b) In the subject line of your request, be sure to include **"ftp PASSWORD REQUEST"** and in the body of your request, include the **Contact Information, Site Addresses, and the Case Numbers (RO# available in Geotracker) you will be posting for.**
- 2) Upload Files to the ftp Site
  - a) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
    - (i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
  - b) Click on Page located on the Command bar on upper right side of window, and then scroll down to Open FTP Site in Windows Explorer.
  - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
  - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
  - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
  - a) Send email to [deh.loptoxic@acgov.org](mailto:deh.loptoxic@acgov.org) notify us that you have placed a report on our ftp site.
  - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name @acgov.org. (e.g., firstname.lastname@acgov.org)
  - c) The subject line of the e-mail must start with the RO# followed by **Report Upload**. (e.g., Subject: RO1234 Report Upload) If site is a new case without an RO#, use the street address instead.
  - d) If your document meets the above requirements and you follow the submission instructions, you will receive a notification by email indicating that your document was successfully uploaded to the ftp site.

ALAMEDA COUNTY ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

January 15, 2015

**Site Name & Address:**

**ALBANY HILL MINI MART**  
**800 SAN PABLO AVE**  
**Albany, CA 94706**

**Local ID: RO0000262**  
**Related ID: 3857**  
**RWQCB ID: 01-2316**  
**Global ID: T0600102131**

**All Responsible Parties**

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**RP has been named a Primary RP - JASMINDER & SONIA SIKAND**  
**(C/O: JASMINDER & SONIA SIKAND)**  
800 SAN PABLO AVE. | ALBANY, CA 94706 | No Phone Number Listed

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**RP has been named a Primary RP - ANIS RAHMAN**  
**ALBANY HILL MINI MART**  
800 SAN PABLO AVE | ALBANY, CA 94607 | No Phone Number Listed

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**RP has been named a Primary RP - MOHINDER S. & JOGINDER K. SIKAND**  
1300 PTARMIGAN DR. APT 1 | WALNUT CREEK, CA 94595 | No Phone Number Listed

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**RP has been named a Primary RP - JASMINDER & SONIA SIKAND**  
**(C/O: JASMINDER & SONIA SIKAND)**  
1066 ROCK HARBOR PT. | HERCULES, CA 94547 | No Phone Number Listed

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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."



## ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

January 15, 2015

### Responsible Party Identification

#### Existence of Unauthorized Release

On March 5, 1997 four underground storage tanks (UST) were removed from the site. Two of the USTs were determined to be of approximately 10,000-gallon capacity, one was determined to be of an approximate 6,000-gallon capacity, and the fourth was determined to be approximately 2,000-gallons in capacity. Concentrations up to 1,100 milligrams per kilogram (mg/kg) Total Petroleum Hydrocarbons as gasoline (TPH as gasoline), 550 mg/kg TPH as diesel, 11 mg/kg benzene, and 24 mg/kg ethylbenzene were documented in soil samples collected at the time. The data indicate that an unauthorized release has occurred at the site.

#### Responsible Party Identification

Mohinder S. & Joginder K. Sikand acquired the property in March 1973 and are a responsible party for the site because they owned the UST used for the storage of a hazardous substance (Definition 1), and owned the property associated with an unauthorized release (Definition 3).

Jasminder & Sonia Sikand acquired the property in August 2007 and are a responsible party for the site because they owned the property associated with an unauthorized release (Definition 3).

Anis Rahman operated the UST at the time of the release and is a responsible party for the site as he had control of a UST at the time of or following an unauthorized release of a hazardous substance (Definition 4).