



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

May 20, 2014

Mr. John Protopappas  
P&D 23<sup>rd</sup> Avenue Associates LLC  
P.O. Box 687  
Oakland, CA 94604  
(Sent via E-mail to: [John@MPFCorp.com](mailto:John@MPFCorp.com))

Subject: Landowner and Public Notification for Fuel Leak Case No. RO0000294 and GeoTracker Global ID T0600177455, 23<sup>rd</sup> Avenue Partners, 1125 Miller Avenue, Oakland, CA 94601

Dear Mr. Protopappas:

Alameda County Environmental Health (ACEH) has reviewed the fuel leak case file and is considering the above referenced site for case closure. Site investigation and groundwater monitoring for underground storage tank leaks have been performed at the subject property to which you are named as the primary or active responsible party.

#### **List of Landowners Form**

Pursuant to Section 25297.15 (a), Alameda County Environmental Health (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 this requirement, please complete the enclosed *List of Landowners Form*, and mail or e-mail it back to ACEH by the date identified below. Also your comments, if any, must be considered prior to the proposed closure. Please respond within 30 days from the date of this letter for your comments to be considered.

#### **Public Participation**

Public participation is a requirement for the case closure process. In order to notify potentially affected members of the public of the potential fuel leak case closure, ACEH has distributed the attached *Invitation to Comment - Potential Case Closure* to the addresses shown on attached mailing list. If you are aware of any other residents, landowners, or other interested persons, corporations, or government agencies that are not on the mailing list but may have an interest in this fuel leak case, please provide their names and addresses as soon as possible. The attached *Invitation to Comment - Potential Case Closure* requests that landowners or residents submit any comments or questions to ACEH regarding potential case closure. ACEH will consider all comments from the public prior to potential case closure.

## Site Management Requirements

This case is expected to be closed with the following site management requirements:

*"This fuel leak case has been evaluated for closure consistent with the State Water Resource Control Board Low-Threat Underground Storage Tank Closure Policy (LTCP). Case closure is granted for the current building configuration with mixed commercial and residential land use. The site occupies the southern portion of APN 19-100-2-1 south of Miller Place. If the site is redeveloped, Alameda County Environmental Health (ACEH) must be notified as required by Government Code Section 65850.2.2. Due to the residual contamination detected beneath portions of the site, 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 prior to and during excavation and construction activities.*

*This site is to be entered into the City of Oakland Permit Tracking System due to the residual contamination on site."*

*All investigation activities and groundwater monitoring may be suspended at this time. In order to expedite the closure process, you may schedule well decommissioning for one to two weeks after the end of the public comment period. If public comments require a longer period of time for responses, it may be necessary to postpone well decommissioning. Well destruction permits may be obtained from the Alameda County Public Works Agency (<http://www.acgov.org/pwa/wells/index.shtml>).*

## **TECHNICAL REPORT REQUEST**

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

- **June 20, 2014** – List of Landowners Form  
File to be named: LNDOWNR\_F\_YYYY-MM-DD RO234
- **July 21, 2014** – End of Public Comment Period

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>. If your email address does not appear on the cover page of this notification, ACEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

Sincerely,

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

Responsible Parties  
RO0000294  
May 20, 2014, Page 3

Attachments: Invitation to Comment - Potential Case Closure  
Mailing List  
List of Landowners Form

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

Olivia Jacobs, Clearwater Group, 229 Tewksbury Avenue, Pt. Richmond, CA 94801 (*Sent via E-mail to: [ojacobs@clearwatergroup.com](mailto:ojacobs@clearwatergroup.com)*)

James Jacobs, Clearwater Group, 229 Tewksbury Avenue, Pt. Richmond, CA 94801 (*Sent via E-mail to: [geojimj@gmail.com](mailto:geojimj@gmail.com)*)

Jerry Wickham, ACEH (*Sent via E-mail to: [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org)*)  
GeoTracker, File

**MAILING LIST FOR FACT SHEET (3 PAGES)**

Resident  
1125 Miller Avenue  
Oakland, CA 94601

Thomas Francis  
East Bay Municipal Utility District  
375 11<sup>th</sup> Street, M.S.407  
Oakland, CA 94607-1055

Cherie McCaulou  
San Francisco Bay Regional Water Quality Control Board  
1515 Clay Street, Suite 1400  
Oakland, CA 94612  
San Francisco Bay Regional Water Quality  
(Sent via E-mail to: [cmccaulou@waterboards.ca.gov](mailto:cmccaulou@waterboards.ca.gov))

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

CITY OF OAKLAND  
Parcel #: 19-56-29  
250 FRANK H OGAWA PLZ #4  
OAKLAND CA 94612-2010

CITY OF OAKLAND  
Parcel #: 19-56-30  
250 FRANK H OGAWA PLZ #4  
OAKLAND CA 94612-2010

CITY OF OAKLAND  
Parcel #: 19-99-4  
250 FRANK H OGAWA PLZ #4  
OAKLAND CA 94612-2010

EANDI FAMILY PROPERTIES LP  
Parcel #: 19-56-8-6  
4201 BEMIS ST  
OAKLAND CA 94605-5503

EANDI ROGER E & LORETTA L  
Parcel #: 19-56-7-3  
976 23RD AVE  
OAKLAND CA 94606-5011

EANDI ROGER E & LORETTA L  
Parcel #: 19-56-5-2  
976 23RD AVE  
OAKLAND CA 94606-5011

EANDI ROGER E & LORETTA L  
Parcel #: 19-56-6-2  
976 23RD AVE  
OAKLAND CA 94606-5011

EANDI ROGER E & LORETTA L  
Parcel #: 19-56-4-2  
976 23RD AVE  
OAKLAND CA 94606-5011

KIDSPART LLC  
Parcel #: 19-98-6  
PO BOX 7509  
OAKLAND CA 94601-0509

KOLLIN TODD A  
Parcel #: 19-56-1-2  
697 VERNON ST  
OAKLAND CA 94610

MAYERON DENNIS  
Parcel #: 19-98-5-5  
P.O. BOX 3999  
BERKELEY CA 94703-0999

OAKLAND HOUSING AUTHORITY  
Parcel #: 19-103-4  
483 NINTH ST #200  
OAKLAND CA 94607-4051

OCCUPANT  
Parcel #: 19-56-7-3  
1041 CALCOT PL  
OAKLAND CA 94606

OCCUPANT  
Parcel #: 19-56-29  
CALCOT PL  
OAKLAND CA 94606

OCCUPANT  
Parcel #: 19-56-5-2  
1071 CALCOT PL  
OAKLAND CA 94606

OCCUPANT  
Parcel #: 19-56-1-2  
1092 CALCOT PL  
OAKLAND CA 94606

OCCUPANT  
Parcel #: 19-56-30  
1041 E 23RD ST  
OAKLAND CA 94606

OCCUPANT  
Parcel #: 19-100-2-1  
1080 23RD AVE  
OAKLAND CA 94606

OCCUPANT  
Parcel #: 19-102-5  
23RD AV  
OAKLAND CA 94601

OCCUPANT  
Parcel #: 19-99-4  
1008 E 23RD ST  
OAKLAND CA 94606

OCCUPANT  
Parcel #: 19-55-2  
23RD AV  
OAKLAND CA 94606

OCCUPANT  
Parcel #: 19-56-8-6  
1015 E 23RD ST  
OAKLAND CA 94606

OCCUPANT  
Parcel #: 19-56-6-2  
1067 CALCOT PL  
OAKLAND CA 94606

OCCUPANT  
Parcel #: 19-98-6  
1134 MILLER AVE  
OAKLAND CA 94601

OCCUPANT  
Parcel #: 19-56-4-2  
1075 CALCOT PL  
OAKLAND CA 94606

OCCUPANT  
Parcel #: 19-98-5-5  
2424 E 11TH ST  
OAKLAND CA 94601

OCCUPANT  
Parcel #: 19-103-5  
23RD AV  
OAKLAND CA 94601

OCCUPANT  
Parcel #: 19-103-4  
25TH AV  
OAKLAND CA 94601

OCCUPANT  
Parcel #: 19-102-4  
23RD AV  
OAKLAND CA 94601

P&D 23RD AVENUE ASSOCIATES, LLC  
Parcel #: 19-100-2-1  
409 THIRTEENTH ST #8TH  
OAKLAND CA 94612-2605

PACIFIC THOMAS CORPORATION  
Parcel #: 19-102-4  
1818 MT DIABLO BLVD #D  
WALNUT CREEK CA 94596-4430

S P CO 872-1-106D-POR 9  
Parcel #: 19-102-5  
PO BOX 2500  
BROOMFIELD CO 80038

S P CO 872-1-106D-POR 9  
Parcel #: 19-55-2  
PO BOX 2500  
BROOMFIELD CO 80038

S P CO 872-1-106D-POR 9  
Parcel #: 19-103-5  
PO BOX 2500  
BROOMFIELD CO 80038



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**INVITATION TO COMMENT – POTENTIAL CASE CLOSURE**

**23<sup>rd</sup> AVENUE PARTNERS  
1125 MILLER AVENUE  
OAKLAND, CA 94604  
FUEL LEAK CASE RO0000294  
GEOTRACKER GLOBAL ID T0600177455**

**MAY 20, 2014**

The above referenced site is a fuel leak case that is under the regulatory oversight of the Alameda County Environmental Health (ACEH) Local Oversight Program for the investigation and cleanup of a release of petroleum hydrocarbons from an underground storage tank system. Site investigation and cleanup activities have been completed and the site has been evaluated in accordance with the State Water Resources Control Board Low-Threat Closure Policy. The site appears to meet all of the criteria in the Low-threat Closure Policy. Therefore, ACEH is considering closure of the fuel leak case.

This notice is being sent to the current landowner in compliance with Health and Safety Code Section 25295.40. It is also being sent to the current occupants and landowners of adjacent properties and known interested parties for this site.

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 July 21, 2014** will be considered and responded to prior to a final determination on the proposed case closure.

If you have comments or questions regarding this site, please contact the ACEH caseworker, Jerry Wickham at 510-567-6791 or by email at [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org). Please refer to ACEH case RO0000294 in any correspondence.

## 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: 23<sup>rd</sup> Avenue Partners  
Address: 1125 Miller Avenue  
City, State, Zip: Oakland, CA 94601  
Record ID #: RO0000294

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: Mr. John Protopappas, P&D 23<sup>rd</sup> Avenue Associates LLC  
Address: P.O. Box 687  
City, State, Zip: Oakland, CA 94604  
E-mail Address: [John@MPFCorp.com](mailto:John@MPFCorp.com)

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

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