

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

ENVIRONMENTAL HEALTH SERVICES

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

May 22, 2008

Paul Supple  
Atlantic Richfield Company  
(A BP Affiliated Company)  
P.O. Box 1257  
San Ramon, CA 94583

Subject: Fuel Leak Case No. RO0000307 and Geotracker Global ID T06019734265,  
ARCO #0402, 1450 Fruitvale Avenue, Oakland, CA 94601

Dear Mr. Supple:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site and including the document entitled, "Limited Phase I and Phase II Environmental Site Assessment," dated July 27, 1998, which was prepared by Glenfos, Inc. for the subject site. According to Glenfos, a Richfield Oil gasoline station occupied the site from 1950 to at least 1976 (Building permits enclosed). According to the Corporation Grant Deed (enclosed) recorded by the County of Alameda Recorder on June 18, 1976, the subject site was sold by Atlantic Richfield Company to Curtis L. Thomas some time in June 1976, when the station was demolished. On July 9, 1998, four direct push borings were installed to assess soil and groundwater conditions at the subject site. Total petroleum hydrocarbons (TPH) as gasoline (g) and benzene were detected at concentrations up to 190 milligrams per kilogram (mg/kg) and 0.59 mg/kg, respectively in soil samples collected at the site. "Grab" groundwater sample analytical results detected concentrations up to 20,000 micrograms per liter ( $\mu\text{g/L}$ ) TPH-g and 1,000  $\mu\text{g/L}$  benzene. Based on a review of the analytical data, it appears as though an unauthorized release occurred at the site and further site characterization appears necessary.

According to California Code of Regulations, Division 3, Chapter 16, §2720, "Responsible Party" means one or more of the following:

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; and
4. Any person who had or has control over a underground storage tank at the time of or following an unauthorized release of a hazardous substance.

Due to the apparent prior ownership of the subject site, and ownership and control of the USTs at the subject site, ARCO appears to satisfy the definition of Responsible Party. Please forward any information ARCO may have regarding the subject site to affirm or refute responsible party status within thirty days from the date of this letter. Should no documentation be found to relieve ARCO of their cleanup liability, ACEH intends to name ARCO as the Primary Responsible Party for contamination identified at the subject site and requests that ARCO address the technical comments below and submit a site characterization work plan by the date specified below.

### **TECHNICAL COMMENTS**

1. **Soil and Groundwater Characterization** – Preliminary site characterization has been conducted at the subject site. The most recent soil and groundwater data collected in June 2002 detected concentrations up to 290 mg/kg TPH-g and 0.84 mg/kg benzene in soil samples collected onsite. Analytical results from “grab” groundwater samples collected onsite detected concentrations up to 25,000 µg/L TPH-g and 3,800 µg/L benzene. Based on the analytical data, the extent of the soil and groundwater plume appears undefined. Please propose a scope of work to address the above-mentioned concerns and submit a work plan by the date requested below.
2. **Contaminant Source Area Characterization** – A geophysical survey was conducted on June 26, 1998 to locate the presence of underground storage tanks. Several anomalies were identified from the investigation and borings were installed to verify whether USTs existed onsite. Based on the boring investigation, USTs were not found. However, it would be advantageous to locate as-built drawing of the former station to adequately identify and characterize the potential source areas at the site. Please propose a scope of work to address the above-mentioned concerns and submit a work plan by the date requested below.
3. **Groundwater Contaminant Plume Monitoring** – Three groundwater monitoring wells exist onsite and a work plan to install additional monitoring wells has been approved by ACEH on June 22, 2006 and a request to modify monitoring well locations was approved on December 19, 2006. The pending scope of work can be postponed pending the review of “as-built” drawing to evaluate optimal sampling locations. In the interim, please initiate quarterly groundwater sampling of the three existing monitoring wells. Please notify me three (3) business days prior to sampling activities and submit the quarterly report by the date requested below.

### **REQUEST FOR INFORMATION**

ACEH's case file for the subject site contains the following electronic reports as listed on our website (<http://www.acgov.org/aceh/lop/ust.htm>). You are requested to submit copies of all other reports related to environmental investigations for this property (including Phase 1 reports) by **June 12, 2008**.

### TECHNICAL REPORT REQUEST

Please submit technical reports and work plans to Alameda County Environmental Health (Attention: Paresh Khatri), according to the following schedule:

- **June 23, 2008** – Documentation to affirm or refute RP Status
- **July 21, 2008** – Soil and Water Investigation Work Plan
- **July 30, 2008** - Quarterly Monitoring Report (2<sup>nd</sup> Quarter 2008)
- **October 30, 2008** - Quarterly Monitoring Report (3<sup>rd</sup> Quarter 2008)
- **January 30, 2009** - Quarterly Monitoring Report (4<sup>th</sup> Quarter 2008)
- **April 30, 2009** - Quarterly Monitoring Report (1<sup>st</sup> Quarter 2009)

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.swrcb.ca.gov/ust/electronic\\_submittal/report\\_rqmts.shtml](http://www.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml)).

### 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**

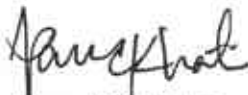
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

**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.

If you have any questions, please call me at (510) 777-2478 or send me an electronic mail message at [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org).

Sincerely,



Paresh C. Khatri  
Hazardous Materials Specialist



Donna L. Drogos, PE  
Supervising Hazardous Material Specialist

Enclosure: Building Permits  
Corporation Grant Deed  
ACEH Electronic Report Upload (ftp) Instructions

Mr. Supple  
RO0000307  
May 22, 2008, Page 5

cc: Bill Puha, Fruitvale Farnam Associates, LLC, 141 Woodland Way, Piedmont, CA 94611  
Ken Phares, Jay Phares Corporation, 10700 Macarthur Blvd., Oakland, CA 94605  
Ofelia Tejada, Cenfed Bank, 707 Foothill Blvd., La Canada, CA 91011-3452  
Curtis & Joyce Thomas, 810 Lisbon Ave., Oakland, CA 94601-1446  
Tom Venus, Broadbent & Associates, Inc., 1324 Mangrove Ave., Ste 212, Chico, CA 95926  
Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032  
Donna Drogos, ACEH  
Paresh Khatri, ACEH  
File

Alai  
Env  
1131 Harbor Bay Parkway, #250  
Alameda, CA 94502-6577



UNITED STATES POSTAGE  
22 1A  
9004314803  
MAY 27 2008  
\$ 00.59<sup>0</sup>  
MAILED FROM ZIP CODE 94502

*U-12*

~~Ofelia Tejada  
Cenfed Bank  
707 Foothill Boulevard  
La Canada, CA 91011-3452~~

NIXIE 913 DE 1 00 06/01/08

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

BC: 94502654031 \*2708-10289-01-24

945026540



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

Effective **January 31, 2006**, 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

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- 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)

#### Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

#### 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 [dehloptoxic@acgov.org](mailto:dehloptoxic@acgov.org)  
or
  - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of Alicia Lam-Finneke.
- 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 and Firefox browsers will not open the FTP site.
- b) Click on File, then on Login As.
- 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 [dehloptoxic@acgov.org](mailto:dehloptoxic@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 at acgov.org. (e.g., [firstname.lastname@acgov.org](mailto: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)

RECORDING REQUESTED BY:

TITLE INSURANCE & TRUST COMPANY

AND WHEN RECORDED MAIL TO

Name: CURTIS L. THOMAS  
Street Address: C/O ROCKLEY REALTOR  
City & State: 7614 Mac Arthur, Oakland, California

Name: SAME AS ABOVE  
Street Address:  
City & State:

76- 95838

RE-4409 IM-321

RECORDED at REQUEST OF  
Title Insurance & Trust Co.  
At 10:30 A.M.

JUN 1 8 1976

OFFICIAL RECORDS OF  
ALAMEDA COUNTY, CALIFORNIA  
RENE C. DAVIDSON  
COUNTY RECORDER



TRANSFER  
TAX PAID  
ALAMEDA COUNTY

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Corporation Grant Deed

FO 1987-24 (12-74)

THIS FORM FURNISHED BY TICOR TITLE INSURERS

A.P.N. 33-2121-22

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$ 16.50

( ) computed on full value of property conveyed, or

( ) computed on full value less value of liens and encumbrances remaining at time of sale.

( ) Unincorporated area: ( ) City of OAKLAND, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, ATLANTIC RICHFIELD COMPANY (Formerly The Atlantic Refining Company, successor by merger to Richfield Oil Corporation)

a corporation organized under the laws of the State of Pennsylvania hereby GRANTS TO CURTIS L. THOMAS and JOYCE THOMAS, husband and wife, as Joint Tenants

City of Oakland tax \$ 25.00  
1/2 of 1% of Full value conveyed

the following described real property in the City of Oakland, County of Alameda, State of California:

Lots 13 and 14 and the Northwestern 21 feet of Lot 15 of the Wetherbee-Farnam Tract, according to the map thereof, filed October 9, 1905, in the Office of the County Recorder, Alameda County, California in Map Book 20, Page 78.

EXCEPTING AND RESERVING unto the Grantor, its successors and assigns, all minerals, and all oil, gas and other hydrocarbon substances in and under said land below a depth of five hundred feet, without the right of surface entry.

SUBJECT TO taxes not yet delinquent, easements, encroachments, conditions and any covenants and/or limitations which are of record affecting marketability or which would be visible to a prudent real estate buyer after a thorough inspection of the property at date hereof.

In Witness Whereof, said corporation has caused its corporate name and seal to be affixed hereto and this instrument to be executed by its Assistant Vice President and Assistant Secretary thereunto duly authorized.

Dated: June 2, 1976

STATE OF CALIFORNIA } ss.  
COUNTY OF LOS ANGELES

On June 2, 1976 before me, the undersigned, a Notary Public in and for said State, personally appeared John W. Bond known

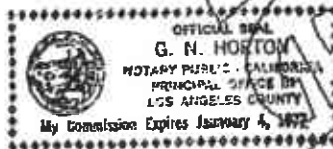
to me to be the Assistant Vice President, and Helen Sonnenberg known to me to be

Assistant Secretary of the Corporation that executed the within instrument, known to me to be the persons who executed the within instrument on behalf of the Corporation therein named, and acknowledged to me that such Corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Signature: G. N. HORTON

ATLANTIC RICHFIELD COMPANY  
By John W. Bond Assistant Vice President  
By Helen Sonnenberg Assistant Secretary



(This area for official notarial seal)

Title Order No. 76-253747

Escrow or Loan No. H-619841-K1

MAIL TAX STATEMENTS AS DIRECTED ABOVE

55 402-11

PLOT PLAN

*Cancelled*  
No. B30671

APPLICATION FOR A PERMIT TO  
ALTER, REPAIR, ADD TO OR  
WRECK A BUILDING

Case No. \_\_\_\_\_  
Plan, Cont. \_\_\_\_\_  
Richfield Oil Corp. Owner

Job Location \_\_\_\_\_ Contractor

No. 1450-62 Fruitvale Ave

COST OF WORK TO  
BE CHECKED BEFORE  
FINAL INSPECTION  
Cost \$ 500 Fee \$ 30

Date 7 March 1950



Permit is hereby granted to alter, repair, add to  
or wreck the building or structure described in this  
application in accordance with Ordinance No. 2745  
G.M.S. and all other Ordinances related thereto in  
the City of Oakland, and to the satisfaction of the  
Building Inspector.

Approved: \_\_\_\_\_  
Chief Building Inspector  
M. P. KITCHEN

By per

O.K.  
not started 2/13/50 GRTB

O.K.

O.K.

O.K.

PLASTER O.K.

not started  
FINAL O.K. Case of 2/13/50 GRTB



PLOT PLAN

INSPECTED No. B34056 <sup>505</sup>

APPLICATION FOR A PERMIT  
TO ERECT A BUILDING

Case No.

Plan. Com.

Richfield Oil Co. Owner

Triangle Concrete Co. Contractor

Job Location  
No. 1450 Fruitvale Ave.

Cost \$ 6200 Fee \$ 30

Cost of work to be checked before final inspection

Date OCT - 2 1950



Permission is hereby granted to erect the building or structure described in this application in accordance with Ordinance No. 2475 C.M.S., and all other Ordinances related thereto in the City of Oakland, and to the satisfaction of the Building Inspector.

Approved: M. P. KRECH  
Building Inspector.  
By: MKB

P.O.K. 12/6/50 RB

Permit - 3/13/51 RB

R.O.K. \_\_\_\_\_

W.O.K. \_\_\_\_\_

I.O.K. \_\_\_\_\_

PLASTER O.K. \_\_\_\_\_

FINAL O.K. 5/18/51 RB

Permit 10-73-57  
RB

Case No. 8878  
New Case

City Manager's Permit 90291

WRITE IN INK - FILE TWO COPIES

### Application to Erect a New Building CITY OF OAKLAND, BUILDING DEPARTMENT

Number FRUITVALE AND FARMUM STREETS # 1450 Fruitvale Avenue Street

- 1. Type of Building I, II, III, IV, V
- 2. Type of Occupancy A, B, C, D, E, F, G, H, I, J
- 3. City Zone A, B, C, D, E, F, G, H, I
- 4. Fire Zone 1, 2, 3, A
- 5. If in Port Area, file three applications.

For Office Use Only

6. Size of new building 24' x 43' No. of Stories ONE  
 Height to highest point 14' Size of Lot 100' x 111'

7. Material of Exterior Walls STEEL Type of Roofing CORRUGATED IRON

8. Occupancy SERVICE STATION  
(Dwelling, Garage, private public, Service Station, Tannery, etc.)

9. State how many buildings now on lot and give use of each NONE  
(Store, Dwelling, Apartment House, Hotel or other purpose)

10. Footing: Width 12" Depth in Ground 12" Width of Wall SHEET IRON Sill NONE  
 Size of Sods NONE Size of Floor Joists NONE  
 Size of Rafters NONE Roof Covering SHEET METAL

11. VALUATION OF PROPOSED WORK:

Including all labor and material and all permanent lighting, heating, ventilating, water supply, plumbing, fire sprinkler, electric wiring and elevator equipment therein or thereon, \$ 6000.00

COST OF WORK TO BE CHECKED BEFORE FINAL INSPECTION

I hereby agree to save, indemnify and keep harmless the City of Oakland and its officers, employees and agents against all liabilities, judgments, costs and expenses which may in any wise accrue against the City in consequence of the granting of this permit or from the use or occupancy of any sidewalk, street or sub-sidewalk, or otherwise by virtue thereof, and will in all things strictly comply with the conditions under which this permit is granted.

Contractor (if any) TRIANGLE CONSTRUCTION CO.

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all City ordinances and State laws regulating building construction.

Address 2140 SUTTERVILLE ROAD, SACRAMENTO

Signature of RICHFIELD OIL CO.  
600 ILLINOIS STREET  
 Address SAN FRANCISCO, CALIFORNIA

Certified Architect State License No. \_\_\_\_\_

Licensed Engineer State License No. \_\_\_\_\_

Authorized Agent \_\_\_\_\_

Do not lath, sheath, or otherwise conceal any portion of walls or ceiling until the inspection card has been signed by the ELECTRICAL and PLUMBING INSPECTORS. Following the approval of the ELECTRICAL and PLUMBING INSPECTORS, call the BUILDING INSPECTOR before proceeding further with the work.

The Department will call up Telephone No. HULLCRESSI 72393 any alterations or changes are necessary on the plans submitted. SACRAMENTO

CONTRACTOR'S STATE LICENSE No. 94532 AND CITY LICENSE No. \_\_\_\_\_

If the work herein described is not commenced within sixty (60) days after the issuing of this permit, this permit becomes null and void as provided in Section 19 of Part I of Ordinance 2745 C.M.S.