

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

COLLEEN CHAWLA, Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP)
For Hazardous Materials Releases
1131 HARBOR BAY PARKWAY
ALAMEDA, CA 94502
(510) 567-6700
FAX (510) 337-9335

May 16, 2018

Mr. Chris Hawk
Penske Truck Leasing Company
10 Green Hills, P.O. Box 7635
Reading, PA 19603-7635 (Sent via e-mail to: Christopher.Hawk@penske.com)

Subject: Notice of Responsibility, Fuel Leak Case RO0000354 and GeoTracker Global ID
T0600101062 Hertz-Penske, 725 Julie Ann Way, Oakland, CA 94621

Dear Mr. Hawk:

In a Notice of Requirement to Reimburse dated July 20, 1992, Msrs. D. Mc Cosker and Marc Althen from Penske Truck Leasing Company 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 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--6708 or send me an e-mail message at karel.detterman@acgov.org.

Sincerely,

A handwritten signature in blue ink that reads "Karel Detterman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Karel Detterman, P.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-Notice of Responsibility (NOR)

cc: Dilan Roe (sent via electronic mail to: dilan.roe@acgov.org)
Karel Detterman, ACDEH, (sent via electronic mail to: karel.detterman@acgov.org)
Paresh Khatri, ACDEH, (sent via electronic mail to: paresh.khatri@acgov.org)
Case Electronic File, GeoTracker



COLLEEN CHAWLA, Agency Director

Certified Mail #: 7011 3500 0003 1934 9020

May 16, 2018

NOTICE OF RESPONSIBILITY

Site Name & Address

HERTZ-PENSKE
725 JULIE ANN WAY
OAKLAND, CA 94621

Local ID: RO0000354
Related ID: StID #554
RWQCB ID: 01-1153
Global ID: T0600101062

Date First Reported: 12/12/1989

Substance:

- 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
- 12034 Diesel fuel oil & additives (Nos. 1-D, 2-D, 2-4)
- 12035 Waste Oil/Used 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 **JULIE ANN COLISEUM HOLDINGS LLC** 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 Karel Detterman at this office at 510-567-6708 if you have any questions regarding your site.

 Date: 05-18-2018
RONALD BROWDER, Director
Contract Project Director

Action: ADD

Reason: NEW



Certified Mail #:

May 16, 2018

NOTICE OF RESPONSIBILITY

Site Name & Address

**HERTZ-PENSKE
725 JULIE ANN WAY
OAKLAND, CA 94621**

Local ID: RO0000354
Related ID: StID #554
RWQCB ID: 01-1153
Global ID: T0600101062

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- 12035 Waste Oil/Used Oil

Funding for Oversight: LOPs LOP State Fund

Multiple RPs? Yes

Responsible Party:

**DWAYNE M. MCCOSKER AND MCCOSKER EQUIPMENT
CORPORATION ETAL
908 FOREST LANE
ALAMO CA, 94507**

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 **DWAYNE M. MCCOSKER and MCCOSKER EQUIPMENT CORPORATION ETAL** 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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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 Karel Detterman at this office at 510-567-6708 if you have any questions regarding your site.

 Date: 05-18-2018

RONALD BROWDER, Director
Contract Project Director

Action: ADD

Reason: NEW



Certified Mail #:

May 16, 2018

NOTICE OF RESPONSIBILITY

Site Name & Address

HERTZ-PENSKE
725 JULIE ANN WAY
OAKLAND, CA 94621

Local ID: RO0000354
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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 Karel Detterman at this office at 510-567-6708 if you have any questions regarding your site.

 Date: 05-18-2018

RONALD BROWDER, Director
Contract Project Director

Action: ADD

Reason: NEW

ALAMEDA COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

5/16/2018

Site Name & Address:

**HERTZ-PENSKE
725 JULIE ANN WAY
OAKLAND, CA 94621**

**Local ID: R00000354
Related ID: STID #554
RWQCB ID: 01-1153
Global ID: T0600101062**

All Responsible Parties

**RP has been named a Primary RP –JULIE ANN COLISEUM HOLDINGS LLC
5900 COLISEUM WAY | OAKLAND, CA 94621 | No Phone Number Listed**

RP has been named a Primary RP –

A. J. MCCOSKER CONSTRUCTION COMPANY

A.J. AND AILEEN MCCOSKER

ALFRED J. AND AILEEN C. MCCOSKER TRUST

DAVID, A., DENNIS W., DWAYNE M., AND DARYL O. MCCOSKER C/O DWAYNE MCCOSKER

MCCOSKER EQUIPMENT CORPORATION ETAL C/O PRESIDENT

MCCOSKER EQUIPMENT CORPORATION ETAL C/O DWAYNE MCCOSKER

DARYL O. & MARY S. MCCOSKER TRUSTEES AND MCCOSKER EQUIPMENT ETAL C/O MCCOSKER EQUIPMENT CORPORATION

Attention: DWAYNE M. MCCOSKER AND MCCOSKER EQUIPMENT CORPORATION ETAL

908 FOREST LANE | ALAMO, CA 94507 | No Phone Number Listed

RP has been named a Primary RP – PENSKE TRUCK LEASING COMPANY

ROUTE 10 GREEN HILLS P.O. BOX 7635 | READING, PA 19603 | No Phone Number Listed

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

5/16/2018

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 four 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)

5/16/2018

Existence of Unauthorized Release

In October 1989, one 10,000-gallon unleaded gasoline underground storage tank (UST), one 10,000-gallon diesel UST, one 1,000-gallon diesel UST, and one 550-gallon waste oil UST were removed. Side wall samples collected from the limits of the former UST cavity detected concentrations of total petroleum hydrocarbons as gasoline (TPHg) ranging from 22.4 milligrams per kilogram (mg/kg) to 2,100 mg/kg. Concentrations of total petroleum hydrocarbons as diesel (TPHd) ranged from 240 mg/kg to 13,000 mg/kg. Oil and grease were detected in two of the samples collected from the gasoline and diesel UST excavations at concentrations of 54 mg/kg and 35 mg/kg. These contaminant concentrations indicate that an unauthorized fuel release occurred at the subject site.

Responsible Party Identification

APN: 41-3912-1-5

Ownership of the property was maintained by the organization, individual, trustee, or the trust of A. J. McCosker Construction Company, A.J. and Aileen McCosker, Alfred J. and Aileen C. McCosker Trust, David, A., Dennis W., Dwayne M., and Daryl O. McCosker c/o Dwayne McCosker, McCosker Equipment Corporation Etal c/o President, McCosker Equipment Corporation Etal c/o Dwayne McCosker, Daryl O. & Mary S. McCosker Trustees and McCosker Equipment Etal c/o McCosker Equipment Corporation, Dwayne M. McCosker and McCosker Equipment Corporation Etal between March 1, 1969 and September 14, 2016. The organization, individual, trustee, or the trust of A. J. McCosker Construction Company, A.J. and Aileen McCosker, Alfred J. and Aileen C. McCosker Trust, David, A., Dennis W., Dwayne M., and Daryl O. McCosker c/o Dwayne McCosker, McCosker Equipment Corporation Etal c/o President, McCosker Equipment Corporation Etal c/o Dwayne McCosker, Daryl O. & Mary S. McCosker Trustees and McCosker Equipment Etal c/o McCosker Equipment Corporation, Dwayne M. McCosker and McCosker Equipment Corporation Etal are responsible parties because they owned the property where an unauthorized release of a hazardous substance from an underground storage tank has occurred (Definition 3).

The Hertz Corporation leased the property from the A. J. McCosker Construction Company on April 14, 1969. The Hertz Corporation is a Responsible Party for site because they owned or operated an underground storage tank used for the storage of any hazardous substance (Definition 1), and had or has control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance (Definition 4). In 1985 the Penske Corporation acquired Hertz's Truck Rental division to form Hertz-Penske Truck Rental. In 1992 Hertz-Penske Truck Rental became known as Penske Truck Rental.

Julie Ann Coliseum Holdings LLC purchased or acquired the property on September 14, 2016. Julie Ann Coliseum Holdings LLC is a Responsible Party for the site because they owned the property where an unauthorized release of a hazardous substance from an underground storage tank has occurred (Definition 3).