



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

September 23, 2014

Mr. Bruce Kaye  
Sears, Roebuck and Co.  
3333 Beverly Road, Dept. 824  
Hoffman Estates, IL 60179  
[Bruce.Kaye@searshc.com](mailto:Bruce.Kaye@searshc.com)

Ms. Suk Hee Yoo  
238 Sheridan Road  
Oakland, CA 94618-2718  
[sukhee@bestwayinvestments.com](mailto:sukhee@bestwayinvestments.com)

Mr. Scott M. Taylor  
Environmental Specialist  
Sears Holdings Management Corporation  
3333 Beverly Road, B5-335A  
Hoffman Estates, IL 60179  
[Scott.M.Taylor@searshc.com](mailto:Scott.M.Taylor@searshc.com)

Subject: Notification of Public Comment Period, Fuel Leak Case No. RO0000480 and Geotracker Global IDT06019793739, Sears Auto Center, 2600 Telegraph Avenue, Oakland, CA 94612

Ladies and Gentlemen:

Alameda County Environmental Health (ACEH) is considering closing the above referenced fuel case. As you are aware, numerous site investigations and groundwater monitoring events for underground storage tank leaks have been performed at the subject property to which you are named as the primary or active responsible party. Thank you for submitting the completed *List of Landowners Form* requested in ACEH's August 26, 2014 Directive Letter.

### **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 will distribute the attached *Notification of Potential Case Closure* to addresses in the immediate vicinity. The *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. ACEH will provide you with written notification if any comments are received during the following Public Comment Period:

- **September 25, 2014** – Public Comment Period Begins
- **November 23, 2014** – Public Comment Period Ends

### **Monitoring Well Destruction and Waste Removal Activities**

After public comments have been addressed you will be requested to decommission the site monitoring wells and remove any remaining investigation, remediation, and well destruction derived waste from the

Ladies and Gentlemen  
RO0000480  
September 23, 2014, Page 2

site. ACEH will request the well destruction in a separate letter following the conclusion of the public notification period.

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>. Should you have any questions, please contact me at (510) 567-6708 or send me an e-mail message at [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org)

Sincerely,

Karel Detterman, PG  
Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements/Obligations and Electronic Report Upload (ftp) Instructions

Attachment 2 - *Invitation to Comment - Potential Case Closure and Address List*

cc: Joseph R. Liles, URS Corporation, 2020 East First Street, Suite 400, Santa Ana, CA 92705  
(Sent by e-mail to: [joe.liles@urs.com](mailto:joe.liles@urs.com))

Michael Haux, URS Corporation (Sent by e-mail to: [michael.haux@urs.com](mailto:michael.haux@urs.com))

Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (Sent by e-mail to: [LGRIFFIN@OAKLANDNET.COM](mailto:LGRIFFIN@OAKLANDNET.COM))

Dilan Roe, ACEH, (sent via e-mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))

Karel Detterman, ACEH, (sent via e-mail: [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org))

Geotracker, Electronic 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.

# ATTACHMENT 2

East Bay Municipal Utility District  
Ken Minn  
P.O. Box 24055,  
Oakland, CA 94623

City Of Oakland Fire Department  
Leroy Griffin  
150 Frank H. Ogawa Plaza Suite 3341  
Oakland CA 94612

Oakland Public Works  
Mark Gomez  
250 Frank H. Ogawa Plaza Suite 5301  
Oakland CA 94612

Cherie McCaulou  
Engineering Geologist  
Regional Water Quality Control Board  
San Francisco Bay Region  
1515 Clay St, Ste 1400  
Oakland, CA 94612

2600 TELEGRAPH PROPERTY LLC  
PARCEL #: 9-684-12-1  
238 SHERIDAN RD  
OAKLAND CA 94618-2718

2600 TELEGRAPH PROPERTY LLC  
PARCEL #: 9-684-11  
238 SHERIDAN RD  
OAKLAND CA 94618-2718

2710 TELEGRAPH INC  
PARCEL #: 9-684-29-4  
592 MOUNTAIN BLVD  
OAKLAND CA 94611-1821

DILLEY JANE E & FISCHMAN WILLIAM R TR E  
PARCEL #: 9-682-2  
141 CROSS RD  
ALAMO CA 94507-2766

KAUFMAN MARTIN  
PARCEL #: 9-689-2-3  
57 BOSQUE AVE  
FAIRFAX CA 94930-2232

OCCUPANT  
PARCEL #: 9-684-29-4  
2710 TELEGRAPH AVE  
OAKLAND CA 94612

OCCUPANT  
PARCEL #: 9-689-2-3  
2701 TELEGRAPH AVE  
OAKLAND CA 94612

OCCUPANT  
PARCEL #: 9-682-1-2  
2633 TELEGRAPH AVE  
OAKLAND CA 94612

OCCUPANT  
PARCEL #: 9-684-12-1  
2630 TELEGRAPH AVE  
OAKLAND CA 94612

OCCUPANT  
PARCEL #: 9-682-2  
2615 TELEGRAPH AVE  
OAKLAND CA 94612

OCCUPANT  
PARCEL #: 9-684-11  
2600 TELEGRAPH AVE  
OAKLAND CA 94612

OCCUPANT  
PARCEL #: 9-683-21-1  
2538 TELEGRAPH AVE  
OAKLAND CA 94612

SANDRINGHAM PROPERTIES LLC & BACHAR  
PARCEL #: 9-683-21-1  
100 SANDRINGHAM RD  
PIEDMONT CA 94611-3615

SEARS LOFTS LLC  
PARCEL #: 9-682-1-2  
409 13TH ST #8  
OAKLAND CA 94612-2607



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## **INVITATION TO COMMENT – POTENTIAL CASE CLOSURE**

**SEARS AUTO CENTER  
2600 TELEGRAPH AVENUE, OAKLAND, CA  
FUEL LEAK CASE RO0000480  
GEOTRACKER GLOBAL ID IDT06019793739**

**September 25, 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. Due to the residual contamination on site, the site would be closed with site management requirements that require further evaluation if the site is to be redeveloped in the future.

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.waterboards.ca.gov>). Please send written comments to Karel Detterman at the address below; all comments will be forwarded to the responsible parties. Comments **received by November 23, 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, Karel Detterman at 510-567-6708 or by email at [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org). Please refer to ACEH case RO0000480 in any correspondence.