



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

October 22, 2014

Kevin Keegan
Specialty Foods Corp.
520 Lake Cook Road, Suite 550
Deerfield, IL 60015

Peter H. Sher, Vice President/General Counsel
Toscana Baking Company/San Francisco French
Bread Company
7801 Edgewater Drive
Oakland, CA 94621

Larry Strain
Andre-Boudin Bakeries
132 Hawthorne St.
San Francisco, CA 94107

Christopher Rants
Metz Baking Company
1014 Nebraska Street
Sioux City, IA 51101

Scott Atthowe
Scott C. Atthowe Trust
3924 Market St.
Oakland, CA 94608

Earthgrains Company
Environmental Compliance Dept.
8400 Maryland Ave.
St. Louis, MO 63105-3668

Subject: Fuel Leak Case No. RO0000490, San Francisco French Bread, 3924 Market St., Oakland, CA 94608; Add Responsible Parties (GeoTracker Global ID: T0600101187)

Dear Responsible Parties:

In a Notice of Requirement to Reimburse dated October 15, 1992, Toscana Baking Company (c/o: Mr. Peter Sher), was notified that the above referenced site had been placed in the federal Petroleum Leaking Underground Storage Tank Trust Fund and that Toscana Baking Company was named as a Responsible Party for the fuel leak case as Toscana Baking Company owned the subject property at the time the release was discovered in March 1991.

Property ownership was acquired by Scott C. Atthowe in June 1993 and transferred to the Scott C. Atthowe Trust in July 1996. Scott C. Atthowe and the Scott C. Atthowe Trust have been named as additional Responsible Parties for the fuel leak case as defined under 23 C.C.R Sec. 2720.

Toscana Baking Company business ownership was transferred, acquired, or purchased by San Francisco French Bread Company (SFFB) in 1984, and SFFB has been named as additional Responsible Party for the fuel leak case as defined under 23 C.C.R Sec. 2720.

San Francisco French Bread business ownership was transferred, acquired, or purchased by Specialty Foods Corp. in 1993, and Specialty Foods Corp. has been named as additional Responsible Party for the fuel leak case as defined under 23 C.C.R Sec. 2720.

Specialty Foods Corp. subsidiary, Metz Baking Company, operated SFFB. Metz Baking Company has been named as additional Responsible Party for the fuel leak case as defined under 23 C.C.R Sec. 2720.

Metz Baking Company was acquired by Earthgrains Company in 1999. Earthgrains has been named as additional Responsible Party for the fuel leak case as defined under 23 C.C.R Sec. 2720.

Boudin Bakery (n/k/a Andre-Boudin Bakeries) was re-acquired by the Giraud family of SFFB historical company association in 2000, and Boudin Bakery has been named as additional Responsible Party for the fuel leak case as defined under 23 C.C.R Sec. 2720.

Please see Attachment 1 – Responsible Parties Data Sheet, which identifies all Responsible Parties and provides background on the unauthorized release and Responsible Party Identification.

If you have any questions, please call me at (510) 567-6764 or send me an electronic mail message at keith.nowell@acgov.org.

Sincerely,

Keith Nowell
Hazardous Materials Specialist

Enclosures: Notice of Responsibility
Attachment A – Responsible Parties Data Sheet

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

cc: Dilan Roe, ACEH (sent via e-mail to dilan.roe@acgov.org)
Keith Nowell, ACEH (sent via e-mail to keith.nowell@acgov.org)
Cindy Davis, SWRCB (sent via e-mail to cindy.davis@waterboards.ca.gov)
Skadden, c/o: Mr. Ken Berlin, 1440 New York Ave, N. W., Washington D. C. 20005
Skadden, c/o: Mr. Don Frost, 1440 New York Ave, N. W., Washington D. C. 20005
Jefferies & Co., c/o: Mr. Paul Phillips, 11100 Santa Monica Blvd., 10th Floor, Los Angeles, CA 90025
e-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 #: 7009 2820 0001 4359 6101

October 22, 2014

NOTICE OF RESPONSIBILITY

Site Name & Address:

SAN FRANCISCO FRENCH BREAD
3924 MARKET ST
Oakland, CA 94607

Local ID: RO0000490
Related ID: 4265
RWQCB ID: 01-1290
Global ID: T0600101187

Responsible Party:

METZ BAKING COMPANY
C/O: CHRISTOPHER RANTS
1014 NEBRASKA STREET
SIOUX CITY, IA 51101

Date First Reported: 5/29/1991
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 METZ BAKING COMPANY 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 KEITH NOWELL at this office at (510) 567-6764 if you have questions regarding your site.

Date: 10/22/14

ARIU LEVI, Director
Contract Project Director

Action: Add
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

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 #: 7009 2820 0001 4359 6118

October 22, 2014

NOTICE OF RESPONSIBILITY

Site Name & Address:

**SAN FRANCISCO FRENCH BREAD
3924 MARKET ST
Oakland, CA 94607**

**Local ID: RO0000490
Related ID: 4265
RWQCB ID: 01-1290
Global ID: T0600101187**

Responsible Party:

**EARTHGRAINS COMPANY
ATTN: ENVIRONMENTAL COMPLIANCE DEPT
8400 MARYLAND AVE
ST LOUIS, MO 63105**

**Date First Reported: 5/29/1991
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 EARTHGRAINS COMPANY 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 KEITH NOWELL at this office at (510) 567-6764 if you have questions regarding your site.

Date: 10/22/14

ARIU LEVI, Director
Contract Project Director

Action: Add
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

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 #: 7009 2820 0001 4359 6064

October 22, 2014

NOTICE OF RESPONSIBILITY

Site Name & Address:

**SAN FRANCISCO FRENCH BREAD
3924 MARKET ST
Oakland, CA 94607**

**Local ID: RO0000490
Related ID: 4265
RWQCB ID: 01-1290
Global ID: T0600101187**

Responsible Party:

**SPECIALTY FOODS CORPORATION
C/O: KEVIN KEEGEN
520 LAKE COOK RD STE 550
DEERFIELD, IL 60015**

**Date First Reported: 5/29/1991
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 SPECIALTY FOODS CORPORATION 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 KEITH NOWELL at this office at (510) 567-6764 if you have questions regarding your site.

Date: 10/22/14

ARIU LEVI, Director
Contract Project Director

Action: Add
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

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 #: 7009 2820 0001 4359 6071

October 22, 2014

NOTICE OF RESPONSIBILITY

Site Name & Address: SAN FRANCISCO FRENCH BREAD 3924 MARKET ST Oakland, CA 94607

Local ID:	RO0000490
Related ID:	4265
RWQCB ID:	01-1290
Global ID:	T0600101187

Responsible Party:

ANDRE BOUDIN BAKERIES
C/O: LARRY STRAIN
132 HAWTHORNE ST
SAN FRANCISCO, CA 94107

Date First Reported:	5/29/1991
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 ANDRE BOUDIN BAKERIES 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 KEITH NOWELL at this office at (510) 567-6764 if you have questions regarding your site.

Date:

10/22/14

ARIU LEVI, Director
Contract Project Director

Action: Add
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

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 #: 7009 2820 0001 4359 6095

October 22, 2014

NOTICE OF RESPONSIBILITY

Site Name & Address:

**SAN FRANCISCO FRENCH BREAD
3924 MARKET ST
Oakland, CA 94607**

**Local ID: RO0000490
Related ID: 4265
RWQCB ID: 01-1290
Global ID: T0600101187**

Responsible Party:

**SAN FRANCISCO FRENCH BREAD COMPANY /
TOSCANA BAKING COMPANY
C/O: PETER SHER
7801 EDGEWATER DR
OAKLAND, CA 94620**

**Date First Reported: 5/29/1991
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 SAN FRANCISCO FRENCH BREAD COMPANY / TOSCANA BAKING COMPANY 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 KEITH NOWELL at this office at (510) 567-6764 if you have questions regarding your site.

Date:

10/22/14

ARIU LEVI, Director
Contract Project Director

Action: Add
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

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 #: 7009 2820 0001 4359 6088

October 22, 2014

NOTICE OF RESPONSIBILITY

Site Name & Address: SAN FRANCISCO FRENCH BREAD 3924 MARKET ST Oakland, CA 94607

Local ID:	RO0000490
Related ID:	4265
RWQCB ID:	01-1290
Global ID:	T0600101187

Responsible Party:

SCOTT C. ATTHOWE TRUST
C/O: SCOTT C. ATTHOWE
3924 MARKET ST
OAKLAND, CA 94608-3828

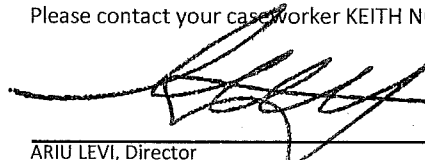
Date First Reported:	5/29/1991
Substance:	8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
Funding for Oversight:	LOPS - LOP State Fund
Multiple RPs?:	Yes

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 SCOTT C. ATTHOWE TRUST 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 case worker KEITH NOWELL at this office at (510) 567-6764 if you have questions regarding your site.


Date: 10/22/14
ARIU LEVI, Director
Contract Project Director

Action:	Add
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

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

October 22, 2014

Site Name & Address:

SAN FRANCISCO FRENCH BREAD
3924 MARKET ST
Oakland, CA 94607

Local ID: RO0000490
Related ID: 4265
RWQCB ID: 01-1290
Global ID: T0600101187

All Responsible Parties

RP has been named a Primary RP - KEVIN KEEGEN
SPECIALTY FOODS CORPORATION
520 LAKE COOK RD STE 550 | DEERFIELD, IL 60015 | No Phone Number Listed

RP has been named a Primary RP - LARRY STRAIN
ANDRE BOUDIN BAKERIES
132 HAWTHORNE ST | SAN FRANCISCO, CA 94107 | No Phone Number Listed

RP has been named a Primary RP - SCOTT C. ATTHOWE
SCOTT C. ATTHOWE TRUST
3924 MARKET ST | OAKLAND, CA 94608-3828 | No Phone Number Listed

RP has been named a Primary RP - PETER SHER
SAN FRANCISCO FRENCH BREAD COMPANY / TOSCANA BAKING COMPANY
7801 EDGEWATER DR | OAKLAND, CA 94620 | No Phone Number Listed

RP has been named a Primary RP - CHRISTOPHER RANTS
METZ BAKING COMPANY
1014 NEBRASKA STREET | SIOUX CITY, IA 51101 | No Phone Number Listed

RP has been named a Primary RP - ENVIRONMENTAL COMPLIANCE DEPT.
EARTHGRAINS COMPANY
8400 MARYLAND AVE | ST LOUIS, MO 63105 | No Phone Number Listed

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

October 22, 2014

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)

October 22, 2014

Existence of Unauthorized Release

A bakery has operated on the property, located at 3924 Market St., Oakland, CA 94608, since at least 1957 through the late 1980s. A site assessment conducted in conjunction with removal of a 500-gallon fuel underground storage tank (UST), product lines, and fuel pump in March and June 1991 revealed maximum soil concentrations of 210 milligrams per kilogram (mg/kg) total petroleum hydrocarbons as gasoline (TPH-g), 4.7 mg/kg TPH as diesel, 0.4 mg/kg of benzene, 0.6 mg/kg toluene, 1 mg/kg ethylbenzene, and 2 mg/kg totally xylenes. These concentrations indicate an unauthorized release has occurred from the underground storage tank system at this site.

Responsible Party Identification

Toscana Baking Company was the property owner since at least March 1969 through June 1993. Toscana Baking Company meets the definition of a responsible party for the site because it owned or operated an underground storage tank used for the storage of any hazardous substance (Definition 1); it owned the property where an unauthorized release occurred (Definition 3); and it had or has control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance (Definition 4).

Through a series of mergers and acquisitions, Toscana Baking Company was acquired by the San Francisco French Bread Company (SFFB) circa 1984. The SFFB was acquired by Specialty Foods Corp. (SFC) circa 1993 and SFFB was managed by SFC's baking subsidiary, Metz Baking Company (Metz). Prior to and through SFC bankruptcy proceedings (circa 2000, handled by the law firm Skadden), SFC divested and sold Metz to Earthgrains Company, circa 1999. SFFB, managed by Metz, a SFC subsidiary, was divested from Metz and sold to Hostess Brands, Inc. (Hostess) (d/b/a Interstate Brands Corporation, and/or Interstate Bakeries Corp.) in 1997 prior to the SFC bankruptcy; however, the real estate parcel associated with the SFFB subject case was not part of the Hostess asset purchase agreement as attested by their legal department in letters dated October 5, 2010 and March 8, 2011. San Francisco French Bread Company (inclusive of: Specialty Foods Corp., Metz Baking Company, and Earthgrains Company through mergers and acquisitions) meets the definition of a responsible party for the site because they owned or operated an underground storage tank used for the storage of any hazardous substance (Definition 1); they owned or operated the underground storage tank immediately before the discontinuation of its use (Definition 2); they were the owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred (Definition 3); they had or have control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance (Definition 4).

SFFB (led by the Giraud family of Boudin Bakery) acquired multiple bakeries including Toscana Baking Company, Colombo Baking Company, and Parisian Bakery. Of the four SFFB bakeries, only Andre-Boudin Bakeries (Boudin), currently exists. During SFC bankruptcy proceedings circa 2000, Jefferies & Co., Inc. (currently Jefferies LLC) handled the acquisition and sale of Boudin wherein the Giroudo family (originally part of the SFFB companies prior to acquisition by SFC) re-acquired the Boudin bakery in 2002. Andre-Boudin Bakeries (through acquisition of SFFB) meets the definition of a responsible party because it owned or operated an underground storage tank used for the storage of any hazardous substance (Definition 1); it owned or operated the underground storage tank immediately before the discontinuation of its use (Definition 2); it had or has control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance (Definition 4).

Title of the property was acquired by Scott C. Atthowe in June 1993. Ownership of the property was transferred to the Scott C. Atthowe Trust in July 1996. Scott C. Atthowe and Scott C. Atthowe Trust are named as responsible parties because they own the property where an unauthorized release of a hazardous substance from an underground storage tank has occurred (Definition 3).

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/).

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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	REVISION DATE: May 15, 2014
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: 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
 - 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 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.