

ALAMEDA COUNTY
**HEALTH CARE SERVICES
AGENCY**

COLLEEN CHAWA, Agency 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

FINAL NOTICE

February 21, 2018

Eric Englehart (*Sent via E-mail to: eenglehart@portoakland.com*)
Port of Oakland
530 Water Street
Oakland, CA 94607

Subject: Insufficient Funds in Deposit/Refund Oversight Accounts for Site Cleanup Program Case:
Case No. RO0002766 and GeoTracker Global ID T06019705129, Port of Oakland located at,
4444 Berth 30, Oakland, CA 94607; and
Case No. RO0002962 and GeoTracker Global ID SLT19700095, Port of Oakland/Downtown
Oakland CNG Station located at 209 Brush Street, Oakland, CA 94607

Dear Mr. Englehart:

The Port of Oakland is named Responsible Party (RP) for the subject sites in Alameda County Department of Environmental Health's (ACDEH) Site Cleanup Program (SCP). ACDEH administers the SCP under authority of H&SC §101480, recovers remedial oversight fees from the RP under authority of H&SC §101490, and establishes a deposit/refund account as authorized in Alameda County Ordinance Code § 6.92.040L. In order to provide the necessary regulatory oversight to progress these cases towards case closure so that they no longer pose a potential risk to human health and the environment, ACDEH requires all deposit/refund accounts under \$1,500 to submit necessary funds to increase the account balance to \$4,000.

Currently, RO0002766 and RO0002962 are in arrears \$3,004 and \$38, respectively. To date, several correspondences have been sent, yet funds have not been received for the subject sites. As an RP, you are required to maintain sufficient funding in your deposit/refund account to cover regulatory oversight costs related to site assessment and remedial actions necessary to protect human health and the environment. Submit payment in the amount of **\$7,004** for **RO0002766 (AR0313790)** and **\$4,038** for **RO0002962 (AR0321614)** within fourteen (14) days (**March 7, 2018**) to the attention of our Finance Department and write "SCP" (the type of project), case number (RO#'s listed above) and account number (AR#'s listed above), and the site address on the check. Please note that overdue accounts past 30 days are subject to a 25 percent penalty.

This deposit may or may not be sufficient to provide all necessary regulatory oversight. ACDEH will deduct actual costs incurred based on the Ordinance specified hourly rate, which is currently \$174 per hour. If these funds are insufficient, an additional deposit will be requested. Otherwise, any unused monies will be refunded to you or your designee. Failure to submit funds may result in referring this case to the Regional Water Board (RWB) or Department of Toxic Substances Control (DTSC) for a potential Enforcement Order, Office of the District Attorney and/or Collections.

Mr. Englehart
February 21, 2018
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Thank you in advance for your cooperation. If you have any questions, please call me at (510) 777-2478 or send me an electronic mail message at: paresh.khatri@acgov.org.

Sincerely,

Paresh C. Khatri
Supervising Hazardous Materials Specialist
Local Oversight & Site Cleanup Program Manager

cc: Diane Heinze, Port of Oakland (*Sent via electronic mail to: dheinze@portoakland.com*)
Dilan Roe, ACDEH (*Sent via electronic mail to: dilan.roe@acgov.org*)
Jacquelyn Jacobs, ACDEH Finance Department (*Sent via electronic mail to: jacquelyn.jacobs@acgov.org*)
Keith Nowell, ACDEH, (*Sent via electronic mail to: keith.nowell@acgov.org*)
Paresh Khatri, ACDEH; (*Sent via electronic mail to: paresh.khatri@acgov.org*)
Electronic File; GeoTracker