

## Detterman, Mark, Env. Health

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**From:** Alexis M. Gevorgian [agevorgian@amgland.com]  
**Sent:** Friday, September 09, 2011 9:35 AM  
**To:** Detterman, Mark, Env. Health; Drogos, Donna, Env. Health  
**Subject:** LETTER TO ALEX HAHN  
**Attachments:** LETTER FROM ALAMEDA HEATH CARE.pdf

**Importance:** High

Hello, can you please call me regarding the attached letter as I can share some important facts with you?

Alexis M. Gevorgian  
AMG & Associates, LLC  
16633 Ventura Blvd, Suite 1014  
Encino, CA 91436

Phone (818) 380-2600  
Fax (818) 380-2603  
Cell (818) 317-4168  
E-Mail [agevorgian@amgland.com](mailto:agevorgian@amgland.com)

Alex Hahn  
84 Hickory Court  
Danville CA 94506

FAX

To:	Alexis Gevorgian	From:	Alex Hahn
Fax:	(818) 380-2603	Pages:	
Phone:		Date:	8/08/11
Re:	DTSC, Air Quality Health Dept. Leaking Tank	cc:	

Urgent     
  For Review     
  Please Comment     
  Please Reply     
  Please Recycle

Comments:

Alexis

Don has done his best in terms of trying to prove that the tank is not ours. The government agencies all determined it is. This is very serious because we can be fined over \$1000 a day if the leaking oil flows into neighboring properties.

Please provide funds for abatement, apply for the loans necessary to clean it up or hire a lawyer.

We are running out of time on this issue.

Thanks

Charles Hahn

**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**

Certified Mail #: 7009 2820 0001 4372 7659

August 31, 2011

**NOTICE OF RESPONSIBILITY**

Site Name & Address:

**ROBERTS TIRES  
4311-4333 MACARTHUR BLVD  
OAKLAND, CA 94619**

**Local ID: RO0002877  
Related ID: NA  
RWQCB ID: NA  
Global ID: T0600193302**

Responsible Party:

**ALEX HAHN  
HAHN DEVELOPMENT LLC  
64 HICKORY CT  
DANVILLE CA 94506-4527**

**Date First Reported: 3/31/2003**

**Substance: 106423,108883,12034,71432,7439921,8,8006619  
Multiple Releases**

**Funding for Oversight: LOPS - LOP State Fund**

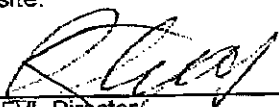
**Multiple RPs?: Yes**

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 HAHN & KANG EQUITY I LP 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 DETTERMAN, MARK, at this office at (510) 567-6876 if you have questions regarding your site.

  
ARTO LEVI, Director  
Contract Project Director

Date: 9/1/2011

Action: Update  
Reason: Add RP

Attachment A: Responsible Parties Data Sheet

cc: Jenniffer Jorden, SWRCB, D. Drogos (Sent via electronic mail to donna.drogos@acgov.org), File

**ALAMEDA COUNTY ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM**

**ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET**

August 31, 2011

**Site Name & Address:**

**ROBERTS TIRES  
4311-4333 MACARTHUR BLVD  
OAKLAND, CA 94619**

**Local ID: RO0002877  
Related ID: NA  
RWQCB ID: NA  
Global ID: T0600193302**

**All Responsible Parties**

RP has been named a Primary RP - ALEX HAHN  
HAHN & KANG EQUITY I LP  
64 HICKORY COURT | DANVILLE, CA 94506-4527 | Phone No Phone Number Listed

RP has been named a Primary RP - ALEX HAHN  
HAHN DEVELOPMENT LLC  
64 HICKORY CT | DANVILLE, CA 94506-4527 | Phone No Phone Number Listed

RP has been named a Primary RP - GLENN ROBERTS  
GLENN E ROBERTS TR  
1030 CIRCLE CREEK DR | LAFAYETTE, CA 94549-3263 | Phone (925) 323-1500

RP has been named a Primary RP - GLENN ROBERTS  
RUTH C ROBERTS TRUST  
1030 CIRCLE CREEK DRIVE | LAFAYETTE, CA 94549-3263 | Phone No Phone Number Listed

**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."

ACEH has named the responsible parties for this site as detailed below.

**ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)**

August 31, 2011

**Responsible Party Identification****Responsible Party Identification****Existence of Unauthorized Release**

In December 2000 six soil bores were drilled at the site and grab groundwater samples were collected. Concentrations of Total Petroleum Hydrocarbons (TPH) as gasoline up to 13,000 µg/l, TPH as diesel up to 14,000 µg/l, 46,000 µg/l TPH as motor oil, and benzene concentrations up to 410 µg/l were documented in the groundwater samples. An approximately 100 gallon waste oil UST was removed from the ground at the site in October 2004; however, a previous 1999 geophysical survey located additional buried metallic objects both onsite and offsite in MacArthur Boulevard; some appear to be USTs. These data indicate that an unauthorized release has occurred at the site.

**Responsible Party Identification**

The Ruth C. Roberts Trust purchased or received the property in July 2000, and is therefore a former property owner of the site. The Ruth C. Roberts Trust is a responsible party for site because it owned an UST used for the storage of a hazardous substance (Definition 1), and it owned the property where an unauthorized release has occurred (Definition 3).

The Glenn E. Roberts Trust purchased or received the property in December 2003, and is therefore a former property owner of the site. The Glenn E. Roberts Trust is a responsible party for site because it owned an UST used for the storage of a hazardous substance (Definition 1), and it owned the property where an unauthorized release has occurred (Definition 3).

The Hahn Development LLC purchased the site in December 2003, and is therefore a former property owner of the site. The Hahn Development LLC is a responsible party for site because it owned an UST used for the storage of a hazardous substance (Definition 1), and it owned the property where an unauthorized release has occurred (Definition 3).

The Hahn & Kang Equity I LP is purchased or received the site in August 2009, and is therefore the property owner of the site. The Hahn & Kang Equity I LP is a responsible party for site because it owns the property where an unauthorized release has occurred (Definition 3).

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY  
ALEX BRISCOE, Director



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

September 1, 2011

Mr. Alex Hahn  
Hahn & Kang Equity I LP  
64 Hickory Court  
Danville, CA 94506-4527

Subject: Notice of Responsibility; Fuel Leak Case No. RO0002877 and Geotracker Global ID T0600193302, Roberts Tires, 4311-4333 MacArthur Boulevard, Oakland, CA 94619

Dear Mr. Hahn:

In an earlier Notice of Responsibility (NOR), Hahn & Kang Equity I LP (Hahn & Kang) was notified that the referenced site had been placed in the Local Oversight Program and that Hahn & Kang was named as a Responsible Party for the fuel leak case. In the attached updated NOR, former property owners have also been named additional Responsible Parties for the fuel leak case 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) 567-6876 or send me an electronic mail message at [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org).

Sincerely,

Digitally signed by Mark E. Detterman  
DN: cn=Mark E. Detterman, o, ou,  
email, c=US  
Date: 2011.09.01 14:35:30 -07'00'

Mark E. Detterman, P.G., C.E.G.  
Senior Hazardous Materials Specialist

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

cc: Donna Drogos (sent via electronic mail to [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))  
Mark Detterman (sent via electronic mail to [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org))  
Case Electronic File, GeoTracker

**ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)**

August 29, 2011

**Responsible Party Identification****Responsible Party Identification****Existence of Unauthorized Release**

In December 2000 six soil bores were drilled at the site and grab groundwater samples were collected. Concentrations of Total Petroleum Hydrocarbons (TPH) as gasoline up to 13,000 µg/l, TPH as diesel up to 14,000 µg/l, 46,000 µg/l TPH as motor oil, and benzene concentrations up to 410 µg/l were documented in the groundwater samples. No soil samples were collected. An approximately 100 gallon waste oil UST was removed from the ground at the site in October 2004; however, a previous 1999 geophysical survey located additional buried metallic objects both onsite and offsite in MacArthur Boulevard; all may not be USTs. These data indicate that an unauthorized release has occurred at the site.

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The Ruth C. Roberts Trust purchased or received the property in July 2000, and is therefore a former property owner of the site. The Ruth C. Roberts Trust is a responsible party for site because it owned an UST used for the storage of a hazardous substance (Definition 1), and it owned the property where an unauthorized release has occurred (Definition 3).

The Glenn E. Roberts Trust purchased or received the property in December 2003, and is therefore a former property owner of the site. The Glenn E. Roberts Trust is a responsible party for site because it owned an UST used for the storage of a hazardous substance (Definition 1), and it owned the property where an unauthorized release has occurred (Definition 3).

The Hahn Development LLC purchased the site in December 2003, and is therefore a former property owner of the site. The Hahn Development LLC is a responsible party for site because it owned an UST used for the storage of a hazardous substance (Definition 1), and it owned the property where an unauthorized release has occurred (Definition 3).

The Hahn & Kang Equity I LP is purchased or received the site in August 2009, and is therefore the property owner of the site. The Hahn & Kang Equity I LP is a responsible party for site because it owned the property where an unauthorized release has occurred (Definition 3).