



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

January 7, 2010

Mr. Daniel Altwarg (*Sent via E-mail to: dan@markussupply.com*)
Cardanal Properties, LLC
C/o Bartlett, Leader-Picone & Young, LLP
2201 Broadway, Suite 803
Oakland, CA 94612

Mr. Richard Arnold, et al
Gamma Investments
Address Unknown

Ms. Betty Brunswick
PG&E
77 Beal Street, Room 2439C
San Francisco, CA 94105

Subject: Landowner Notification for Case Closure Consideration for Fuel Leak Case No. RO0002949 and Geotracker Global ID T0619758441, Markus Supply Hardware, 632-638 2nd Street, Oakland, CA 94607

Dear Mr. Altwarg, Ms. Brunswick, and Mr. Arnold:

As you may be aware, an investigation and cleanup resulting from underground storage tank leaks was performed at the subject property to which you are named as the primary or active responsible party. Pursuant to Section 25297.15 (a), Alameda County Environmental Health (ACEH), the local agency, shall not consider cleanup or site closure proposals from the primary or active responsible party, issue a closure letter, or make a determination that no further action is required with respect to a site upon which there was an unauthorized release of hazardous substances from an underground storage tank subject to this chapter unless all current record owners of fee title to the site of the proposed action have been notified of the proposed action by the primary or active responsible party. ACEH is required to notify the primary or active responsible party of their requirement to certify in writing to the local agency that the notification requirement in the above-mentioned regulation has been satisfied and to provide the local agency with a complete mailing list of all record fee title owners.

To satisfy the above-mentioned requirement, please complete the enclosed "List of Landowners Form," and mail it back to ACEH within thirty (30) days from the date of this letter. Also your comments must be considered prior to the proposed cleanup or closure. Please respond within 30 days from the date of this letter for your comments to be considered.

ACEH will review the case for possible closure under a commercial land use scenario. Based on the residual contamination that remains in place, the site would be closed with the following site management requirements if our review indicates that case closure is appropriate:

"Case closure for the fuel leak site is granted for the current commercial land use only. If a change in land use to any residential or other conservative land use scenario occurs at this site, Alameda County Environmental Health (ACEH) must be notified as required by Government Code Section 65850.2.2. ACEH will re-evaluate the case upon receipt of approved development/construction plans. Excavation or construction activities in the areas of residual contamination require planning and implementation of appropriate health and safety procedures by the responsible party prior to and during excavation and construction activities. The site is to be entered into the City of Oakland Permit Tracking System due to the residual contamination on site."

Responsible Parties
RO0002949
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If you have any questions, please call me at 510-567-6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Enclosure: List of Landowners Form

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032
(Sent via E-mail to: lgriffin@oaklandnet.com)

Malcolm Leader-Picone, Bartlett, Leader-Picone & Young, LLP, 2201 Broadway, Suite 803, Oakland, CA 94612 (Sent via E-mail to: mlp@leader-picone.com)

James Jacobs, Clearwater Group, 229 Tewksbury Avenue, Point Richmond, CA 94801 (Sent via E-mail to: augerpro@sbcglobal.net)

Erik Verlaag, Clearwater Group, 229 Tewksbury Avenue, Point Richmond, CA 94801 (Sent via E-mail to: ELervaag@clearwatergroup.com)

Donna Drogos, ACEH (Sent via E-mail to: donna.drogos@acgov.org)
Jerry Wickham, ACEH

Geotracker, File

LIST OF LANDOWNERS FORM

County of Alameda
Environmental Health Services
Environmental Protection
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR:

Site Name: Markus Supply Hardware
Address: 632-638 2nd Street
City, State, Zip: Oakland, CA 94607
Record ID #: RO0002949

Please fill out item 1 if there are multiple site landowners (attach an extra sheet if necessary). If you are the sole site landowner, skip item 1 and fill out item 2.

1. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I, _____ (name of primary responsible party), certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:

Name: Mr. Daniel Altwarg, Cardanal Properties, LLC
Address: C/o Bartlett, Leader-Picone & Young, LLP, 2201 Broadway, Suite 803
City, State, Zip: Oakland, CA 94612
E-mail Address: _____

Name: Ms. Betty Brunswick, PG&E
Address: 77 Beal Street, Room 2439C
City, State, Zip: San Francisco, CA 94105
E-mail Address: Unknown

Name: Mr. Richard Arnold, et al, Gamma Investments
Address: Unknown
City, State, Zip: Unknown
E-mail Address: Unknown

2. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I _____, certify that I am the sole landowner for the above site.

Sincerely,

Signature of Primary Responsible Party

Printed Name

Date

E-mail Address