

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
ALEX BRISCOE, Agency Director



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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October 7, 2011

Jasbinder and Gulbinder Grewel (*Sent via E-mail: blukninexx3@yahoo.com*)
R & H Auto Repair
5315 San Pablo Avenue
Oakland, CA 94608

Subject: Fuel Leak Case No. RO0002965 and GeoTracker Global ID T0619704141, R&H Auto Repair, San Pablo Avenue, Oakland, CA 94608

Dear Mr. and Mrs. Grewel:

In a Notice of Responsibility dated July 30, 2008, Jasbinder and Gulbinder Grewel were notified that the above referenced site had been placed in the Local Oversight Program and that Jasbinder and Gulbinder Grewel were named as Responsible Parties for the fuel leak case. Kenneth Schmier purchased the property on September 4, 2009 and has been named additional Responsible Party 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.

If you have any questions, please call me at (510) 639-1287.

Sincerely,

Barbara J. Jakub
Hazardous Materials Specialist

Attachment A – Responsible Parties Data Sheet

cc: Donna Drogos, ACEH
Barbara Jakub, ACEH
File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

October 07, 2011

Site Name & Address:

**R&H AUTO REPAIR
5315 SAN PABLO AVE
OAKLAND, CA 94608**

**Local ID: RO0002965
Related ID: NA
RWQCB ID: NA
Global ID: T0619704141**

All Responsible Parties

RP has been named a Primary RP - JASBINDER S GREWAL
R&H AUTO REPAIR
5315 SAN PABLO AVE | OAKLAND, CA 94608-3023 | Phone (510) 547-7511

RP has been named a Primary RP - GULBINDER K GREWAL
R&H AUTO REPAIR
5315 SAN PABLO AVE | OAKLAND, CA 94608-3023 | Phone No Phone Number Listed

RP has been named a Primary RP - KENNETH J SCHMIER
1475 POWELL STREET, SUITE 201 | EMERYVILLE, CA 94608 | 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)

October 07, 2011

Responsible Party Identification

Existence of Unauthorized Release

Four underground storage tanks (USTs) were excavated and removed from the site between September 7 and September 14, 2007. These included one 550-gallon used-oil, two 8,000-gallon gasoline and one 10,000-gallon diesel USTs. The USTs were observed to be rusted but no holes were observed. However, strong petroleum hydrocarbons and visual staining was present in the soil removed and in the fuel tank excavations.

Maximum petroleum hydrocarbon concentrations of 1,500 milligrams per kilogram (mg/kg) total petroleum hydrocarbons as gasoline (TPHg), 350 mg/kg total petroleum hydrocarbons as diesel (TPHd), 0.008 mg/kg benzene, 36mg/kg toluene, 26 mg/kg ethyl benzene, and 180 mg/kg total xylenes were detected in initial soil samples.

Responsible Party Identification

Jasbinder S. and Gulbinder K. Grewel purchased the property in 1986 and are the business owners, tank owners and property owners following an unauthorized petroleum hydrocarbon release(s). Jasbinder S. and Gulbinder K. Grewel meet the definition of a responsible party for the site because they own and operate the underground storage tanks (Definition 1), own the property where an unauthorized release has occurred, (Definition 3), and had or has control of an underground storage tank at the time of or following an unauthorized release (Definition 4).

Kenneth J. Schmier purchased the property on September 4, 2009 and is the property owner where an unauthorized petroleum hydrocarbon release(s) has occurred. Kenneth J. Schmier meets the definition of a responsible party for the site because he owns the property where an unauthorized release has occurred, (Definition 3).