



Certified Mail #: 7011 3500 0003 1810 9786

June 28, 2018

NOTICE OF RESPONSIBILITY

Site Name & Address

Auto Depot/Xtra Oil
4171 Broadway
Oakland, CA 94611-5111

Local ID: RO0002990

Related ID: None

RWQCB ID: None

Global ID: T10000000433

Date First Reported: 12/20/2007

Substance:

- 12034 (Diesel fuel oil & additives, Nos. 1-D),
12035 (Waste Oil/Used Oil), 8006619
(Gasoline - Automotive (motor gasoline))
Multiple Releases

Responsible Party:

Edward T. Simas
2307 Pacific Avenue
Alameda, CA 94501

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 **Edward T. Simas** 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 Karel Detterman at this office at 510-567-6708 if you have any questions regarding your site.

Date: 06-28-2018

RONALD BROWDER, Director
Contract Project Director

Action: NEW

Reason: NEW



Certified Mail #: 7011 3500 0003 1810 9793

June 28, 2018

NOTICE OF RESPONSIBILITY

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4171 Broadway
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Substance:

- 12034 (Diesel fuel oil & additives, Nos. 1-D),
12035 (Waste Oil/Used Oil), 8006619
(Gasoline - Automotive (motor gasoline)
Multiple Releases

Responsible Party:

ETS Realty LLC
C/O Edward T. Simas
2307 Pacific Avenue
Alameda, CA 94501

Funding for Oversight: LOPs LOP State Fund

Multiple RPs? Yes

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Please contact your caseworker Karel Detterman at this office at 510-567-6708 if you have any questions regarding your site.

RONALD BROWDER, Director
Contract Project Director

Date: 06-28-2018

Action: NEW

Reason: NEW

ALAMEDA COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

6/28/2018

Site Name & Address:

Auto Depot/Xtra Oil
4171 Broadway
Oakland, CA 94611-5111

Local ID: RO0002990
Related ID: None
RWQCB ID: None
Global ID: T10000000433

All Responsible Parties

RP has been named a Primary RP – Edward T. Simas
2307 Pacific Avenue | Alameda, CA 94501 | No Phone Number Listed

RP has been named a Primary RP – ETS Realty LLC C/O Edward T. Simas
2307 Pacific Avenue | Alameda, CA 94501 | No Phone Number Listed

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

6/28/2018

Responsible Party Identification Background

Alameda County Department of Environmental Health (ACDEH) names a "Responsible Party," as defined under 23 C.C.R Sec. 2720. Section 2720 defines a responsible party four 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)

6/28/2018

Existence of Unauthorized Release

On December 10, 1986, one 12,000-gallon diesel underground storage tank (UST), four 10,000 gallon gasoline USTs, and one 500-gallon waste oil UST were removed from the subject site. Up to 54 milligrams per kilogram (mg/kg) total petroleum hydrocarbons as gasoline (TPHg) and 0.041 mg/kg benzene were detected in the soil samples collected from the UST excavations. These data indicate that an unauthorized release from the USTs had occurred at the site.

Responsible Party Identification

APN 12-1001-7-1

Edward T. Simas purchased or acquired the property on February 23, 1983. Edward T. Simas is a Responsible Party for the site because he owned or operated an underground storage tank used for the storage of any hazardous substance (Definition 1), he owned or operated the underground storage tank immediately before the discontinuation of its use (Definition 2), he owned the property where an unauthorized release of a hazardous substance from an underground storage tank has occurred (Definition 3), and he had control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance (Definition 4).

ETS Realty LLC C/O Edward T. Simas purchased or acquired the property on August 6, 2010. ETS Realty LLC C/O Edward T. Simas are a Responsible Party for the site because they owned the property where an unauthorized release of a hazardous substance from an underground storage tank has occurred (Definition 3).