

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

Certified Mail #: 7006 3450 0000 0503 0359

May 07, 2009

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

NOTICE OF RESPONSIBILITY

Site Name & Address:

**TERRADEV JEFFERSON LLC PROPERTY
645 4TH ST
OAKLAND, CA 94607**

**Local ID: RO0003001
Related ID: NA
RWQCB ID: NA
Global ID: T10000001072**

Responsible Party:

**SARA MAY
TERRADEV JEFFERSON LLC
580 2ND ST
OAKLAND CA 94607**

Date First Reported: 4/13/2009

**Substance: 8006619 Gasoline-Automotive (motor gasoline
and additives), leaded & unleaded**

Funding for Oversight: LOPS - LOP State Fund

Multiple RPs?: No

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 TERRADEV JEFFERSON LLC 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) 341-5650.

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 WICKHAM, JERRY, at this office at (510)567-6791 if you have questions regarding your site.



ARIU LEVI, Director
Contract Project Director

Date: 5/7/09

Action: Add
Reason: New case

Attachment A: Responsible Parties Data Sheet

cc: Jenniffer Jordan, SWRCB, D. Drogos, File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

May 07, 2009

Site Name & Address:

TERRADEV JEFFERSON LLC PROPERTY
645 4TH ST
OAKLAND, CA 94607

Local ID: RO0003001
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All Responsible Parties

RP has been named a Primary RP - SARA MAY
TERRADEV JEFFERSON LLC
580 2ND ST | OAKLAND, CA 94607 | 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.

Existence of Unauthorized Release

An approximately 1,000-gallon underground storage tank (UST) was discovered beneath the sidewalk at 645 Fourth Street in Oakland, CA in 2006. The history of the UST is unknown. After consultation with the City of Oakland, the UST was cleaned and closed in place by filling with concrete slurry on September 5, 2006. At the direction of the Oakland Fire Department, two holes were cored in the bottom of the cleaned tank prior to filling with concrete in order to collect two soil samples from the underlying material. Both soil samples contained total petroleum hydrocarbons as gasoline at concentrations up to 10,000 milligrams per kilogram (mg/kg) and benzene at concentrations up to 130 mg/kg. Based on results of soil sampling beneath the tank, an unauthorized release occurred from the USTs.

Responsible Party Identification

Terra Dev Jefferson LLC is the current property owner. Terra Dev Jefferson LLC is a responsible party because they are the current owner of a property where an unauthorized release occurred (Definition 3).