



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

June 19, 2015

Mr. Walter Pierce  
Western Forge & Flange Co.  
687 Country Rd 2201  
Cleveland, TX 77327  
(sent via electronic mail to:  
[wpierce@western-forge.com](mailto:wpierce@western-forge.com))

City of Albany  
c/o Mr. Ray Chan, Director of Public Works  
1000 San Pablo Avenue  
Albany, CA 94706  
(sent via electronic mail to:  
[rchan@albanyca.org](mailto:rchan@albanyca.org))

Subject: Landowner Identification for Case Closure Consideration for Site Cleanup Program (SCP) Case No. RO0003009 and Geotracker, Global ID # T10000001598; Western Forge & Flange, 540 Cleveland Ave. Albany, CA 94706

Dear Messrs. Pierce and Chan:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the *1<sup>st</sup> Quarter 2015 Groundwater Monitoring Report, Tier 2 Risk Evaluation, Screening Level Ecological Risk Assessment, and Request for Site Closure*, dated April 17, 2015. The report was prepared on your behalf by Ninyo & Moore. Thank you for submitting the report.

Based on the work at the site and the referenced report, ACEH is considering the above referenced site for potential case closure.

#### **List of Landowners Form**

Pursuant to Section 25297.15 (a) of the California Health and Safety Code, 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 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 this requirement, please complete the enclosed *List of Landowners Form*, and mail it back to ACEH by the date identified below.

#### **Site Management Requirements**

ACEH staff has evaluated the case file and believes the case may be eligible for closure. Closure would be under a commercial land use scenario with a Land Use Covenant (LUC; using the Alameda County Model Deed Restriction language, to be sent under separate cover) to document the presence of residual soil and groundwater contamination and prohibit the use of groundwater beneath the site; and a Site Management Plan (SMP) to identify known locations of, and define appropriate materials handling and waste management procedures for any future subsurface incursions in areas that contain, residual soil and groundwater contamination at the site. Subsurface incursions require planning and implementation of appropriate health and safety procedures by the responsible party (or current property owner/developer) prior to and during excavation and construction activities.

Messrs. Pierce and Chan  
RO0003009  
June 19, 2015, Page 2

Re-evaluation of this case is required if land uses changes to any residential or other conservative land use, as residual contamination is documented to remain in the soil beneath the site.

This site is to be entered into the City of Albany Permit Tracking System due to the residual contamination on site.

#### **Public Participation**

A 30-day public participation period is a requirement for the corrective action plan and case closure processes. In order to notify potentially affected members of the public of the potential fuel leak case closure, *Notification of Potential Case Closure* will be distributed to addresses in the immediate vicinity. The *Notification of Potential Case Closure* requests that landowners or residents submit any comments or questions to ACEH regarding potential case closure. ACEH will consider all comments from the public prior to potential case closure.

Prior to distribution of the notification, please return the List of Landowner form to ensure that the current landowner is included in this process.

#### **Monitoring Well Destruction and Waste Removal Activities**

After public comments have been addressed you will be requested to destroy site monitoring wells and remove any remaining investigation, remediation, and well destruction derived waste from the site.

ACEH will request the well destruction in a separate letter following the conclusion of the 30-day public notification period.

#### **TECHNICAL REPORT REQUEST**

Please submit reports to Alameda County Environmental Health (Attention: Mark Detterman), and upload technical reports to the ACEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with the following specified file naming convention and schedule:

- **July 17, 2015** – Return of *List of Landowner Form*
- **August 7, 2015** – Site Management Plan  
(File name: RO0003009\_SITE\_MANAGE\_R\_YYYY-MM-DD)
- **August 7, 2015** – Draft Land Use Covenant  
(Returned by email in Word document form to the case worker)

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: 2015.06.19 17:33:46 -07'00'

Mark E. Detterman, PG, CEG  
Senior Hazardous Materials Specialist

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

Attachment 2 - *List of Landowners Form*

cc: Kris Larson, Ninyo & Moore, 1956 Webster Street, Suite 400, Oakland, CA 94612;  
(sent via electronic mail to [klarson@ninyoandmoore.com](mailto:klarson@ninyoandmoore.com))

Messrs. Pierce and Chan  
RO0003009  
June 19, 2015, Page 3

Patrick O'Keefe; City of Albany, 1000 San Pablo Avenue, Albany, CA 94706; (sent via electronic email to [pokeeffe@albanyca.org](mailto:pokeeffe@albanyca.org))

Jan Schutze, Schutze & Associates, Inc, 44358 South Grimmer Blvd, Fremont, CA 94539  
(sent via electronic mail to [js@schutze-inc.com](mailto:js@schutze-inc.com))

Dilan Roe (sent via electronic mail to [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Mark Detterman (sent via electronic mail to [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org))  
Electronic File, GeoTracker

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: Western Forge & Flange
Address: 540 Cleveland Avenue
City, State, Zip: Albany, CA 94706
Record ID #: RO0003009

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, WALTER R. PIERCE (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: WALTER R. PIERCE
Address: 687 COUNTY RD. 2201
City, State, Zip: CLEVELAND, TX. 77327
E-mail Address: WPIERCE@WESTERN-FORGE.COM

Name: RAY CHAN
Address: 1000 SAN PABLO AVE.
City, State, Zip: ALBANY, CA 94706
E-mail Address: rchan@albanyca.org

Name:
Address:
City, State, Zip:
E-mail Address:

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

Sincerely, Ray Chan
Signature of Primary Responsible Party: [Signature]
Printed Name: RAY CHAN
Date: 10-1-15
E-mail Address: rchan@albanyca.org
Signature of Primary Responsible Party: WALTER R. PIERCE
Date: 9-9-15
E-mail Address: WPIERCE@WESTERN-FORGE.COM