

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
ALEX BRISCOE, Director



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

September 9, 2014

Matthew A. Gabel & Jane C. TRS
1018 Sunnyhills Road
Oakland, CA 94610

Subject: Case Closure and Notice of Responsibility for Fuel Leak Case No. RO0003043 and GeoTracker Global ID T0600100621, Gabel Property, 1018 Sunnyhills Road, Oakland, CA 94610

Dear Mr. and Ms. Gabel:

During a home heating oil underground storage tank (UST) removal in July 1990, Total Petroleum Hydrocarbons as kerosene (TPH kerosene) was detected in soil samples collected in the area of the UST at the above referenced site. A fuel leak case was opened for this site at a later date in 1990. Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site and concluded that the contamination at the site poses a low threat and the case can be closed without further investigation or cleanup. We have transmitted a case closure package dated September 9, 2014 under separate cover that closes the fuel leak case.

Pursuant to sections 25297.1 and 25297.15 of the Health and Safety Code, ACEH is required to provide a Notice of Responsibility for all fuel leak cases. To complete this requirement, we are also attaching a Notice of Responsibility to this letter. However, as previously discussed, the fuel leak case has been closed and no further action is required.

If you have any questions, please call me at (510) 567-6725 or send me an electronic mail message at matthew.soby@acgov.org. Case files can be reviewed online at the following website: <http://www.acgov.org/aceh/index.htm> or the State Water Resources Control Board GeoTracker website: <http://geotracker.waterboards.ca.gov>.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew Soby'.

Digitally signed by Matthew Soby
DN: cn=Matthew Soby, o=Alameda County
Environmental Health, ou=Local Oversight
Program, email=matthew.soby@acgov.org, c=US
Location: 1131 Harbor Bay Pkwy, Alameda, CA
94502
Date: 2014.09.08 14:44:17 -0700

Matthew Soby
Hazardous Materials Technician

Attachment: Notice of Responsibility

cc: Dilan Roe, ACEH (Sent via E-mail to: dilan.roe@acgov.org)
Matthew Soby, ACEH (Sent via E-mail to: matthew.soby@acgov.org)
GeoTracker, e-File

ALAMEDA COUNTY
HEALTH CARE SERVICES



ENVIRONMENTAL HEALTH DEPARTMENT
OFFICE OF THE DIRECTOR
1131 HARBOR BAY PARKWAY
ALAMEDA, CA 94502-6577
(510) 567-6700
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AGENCY

ALEX BRISCOE, Agency Director

Certified Mail #: 7009 2820 0001 4359 5753

September 09, 2014

NOTICE OF RESPONSIBILITY

Site Name & Address:

**GABEL PROPERTY
1018 SUNNYHILLS RD
OAKLAND, CA 94610**

Local ID: **RO0003043**
Related ID: **NA**
RWQCB ID: **01-0676**
Global ID: **T0600100621**

Responsible Party:

**MATTHEW A & JANE C GABEL TRUST
1018 SUNNYHILLS ROAD
OAKLAND CA 94610**

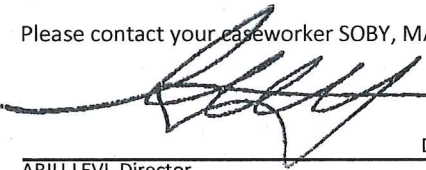
Date First Reported: 8/17/1990
Substance: 8008206 Kerosene
Funding for Oversight: LOPS - LOP State Fund
Multiple RPs?: No

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 MATTHEW A & JANE C GABEL TRUST 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 SOBY, MATTHEW, at this office at (510) 567-6725 if you have questions regarding your site.


Date: 9/9/14
ARIU LEVI, Director
Contract Project Director

Action: Add
Reason: NEW

Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

September 09, 2014

Site Name & Address:

**GABEL PROPERTY
1018 SUNNYHILLS RD
OAKLAND, CA 94610**

**Local ID: RO0003043
Related ID: NA
RWQCB ID: 01-0676
Global ID: T0600100621**

All Responsible Parties

RP has been named a Primary RP - MATTHEW A & JANE C GABEL TRUST

1018 SUNNYHILLS ROAD | OAKLAND, CA 94610 | Phone (510) 465-7870

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."

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

September 09, 2014

Existence of Unauthorized Release

A home heating oil UST was removed from the subject site located at 1018 Sunnyhills Road, Oakland, CA in July 1990. The UST removal report dated August 17, 1990 revealed maximum concentrations in soil of 5,100 milligrams per kilogram (mg/kg) Total Extractable Hydrocarbons (TEH) as kerosene. This concentration indicates an unauthorized release has occurred from the underground storage tank system at this site.

Responsible Party Identification

Matthew A. Gabel & Jane C. Benton purchased or acquired the property in July 1987. In June 2001, Matthew A. & Jane C. Gabel placed the property into a trust. Matthew A. & Jane C. Gabel TRS are responsible parties for the site because they owned an underground storage tank used for the storage of any hazardous substances (Definition 1); they were the property owner where an unauthorized release of a hazardous substance from an underground storage tank has occurred (Definition 3), and they had control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance (Definition 4).