



Certified Mail #: 7009 2820 0001 4372 5112

February 28, 2011

NOTICE OF RESPONSIBILITY

Site Name & Address:

**HAVENS ELEMENTARY SCHOOL
1800 OAKLAND AVE
OAKLAND, CA 94611**

**Local ID: RO0003067
Related ID: NA
RWQCB ID: NA
Global ID: T10000002500**

Responsible Party:

**MICHAEL BRADY
PIEDMONT UNIFIED SCHOOL DISTRICT
760 MAGONLIA AVE
PIEDMONT CA 94611**

Date First Reported: 11/12/2009

**Substance: 12034 Diesel fuel oil and additives, Nos. 1-D, 2-D,
2-4**

Funding for Oversight: LOPS - LOP State Fund

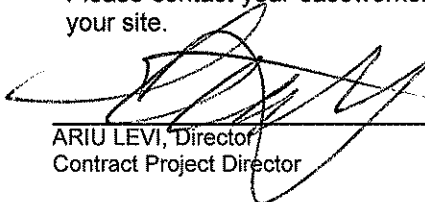
Multiple RPs?: No

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 PIEDMONT UNIFIED SCHOOL DISTRICT 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

Please contact your caseworker DETTERMAN, MARK, at this office at (510)567-6876 if you have questions regarding your site.


Date: 3/1/11

ARIU LEVI, Director
Contract Project Director

Action: Add
Reason: New Case

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

February 28, 2011

Site Name & Address:

**HAVENS ELEMENTARY SCHOOL
1800 OAKLAND AVE
OAKLAND, CA 94611**

**Local ID: RO0003067
Related ID: NA
RWQCB ID: NA
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All Responsible Parties

**RP has been named a Primary RP – MICHAEL BRADY
PIEDMONT UNIFIED SCHOOL DISTRICT
760 MAGONLIA AVE | PIEDMONT, CA 94611 | (510) 594-2608**

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)

February 28, 2011

Responsible Party Identification

Existence of Unauthorized Release

One 1,500-gallon underground storage tank (UST) and associated piping that stored diesel or heating oil was excavated and removed from the site on July 28, 2009. The UST was partially filled with concrete. At least one hole was reported to be visible in the UST. Groundwater was not encountered in the excavation. No odors or staining were noted in the removal excavation. The bottom of the UST was at a depth of approximately 7.5 feet. A total of two confirmation soil samples were collected from beneath the excavation at a depth of approximately 8 feet due to the presence of bedrock at a depth of approximately 8.5 feet. One soil stockpile was also collected. TPH as gasoline was detected up to a concentration of 1.8 mg/kg, TPH as diesel was detected up to a concentration of 28 mg/kg, and TPH as motor oil was detected up to a concentration of 62 mg/kg beneath the excavation. Benzene, toluene, ethylbenzene, total xylenes (BTEX) were not detected at standards limits of detection. MTBE, TAME, TBA, EBD, 1,2-DCA, DIPE, and ETBE were also not detected at standard limits of detection. TPH as diesel was detected up to a concentration of 7 mg/kg and TPH as motor oil was detected up to a concentration of 35 mg/kg in the four-point composite stockpile sample. BTEX and the previously listed fuel oxygenates were not detected in the composite stockpile sample. Excavation spoils are presumed to have been used to partially backfill the excavation; disposal of soil is not documented.

Responsible Party Identification

The Piedmont Unified School District was the tank owner and property owner at the time of the tank removal. The Piedmont Unified School District is a responsible party for the site because it owned the underground storage tanks (Definition 1), owned the property where an unauthorized release occurred (Definition 3), and had control of underground storage tanks at the time of or following an unauthorized release (Definition 4).