



Certified Mail #: 7009 0960 0000 4282 6210

February 25, 2011

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**  
**KROGER RESIDENTIAL PROPERTY**  
**725 CENTRAL AVE**  
**ALAMEDA, CA 94501**

**Local ID: RO0003071**  
**Related ID: NA**  
**RWQCB ID: NA**  
**Global ID: T10000002520**

**Responsible Party:**

**FEDRICK & ROBBIN KROGER**  
**KROGER TRUST ET AL**  
**PO BOX 117**  
**ORINDA CA 94563-0117**

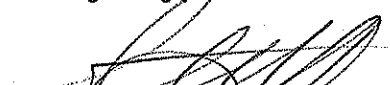
**Date First Reported: 7/12/2010**  
**Substance: 12 Heater fuel**  
**Funding for Oversight: LOPS - LOP State Fund**  
**Multiple RPs?: Yes**

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 KROGER TRUST ET AL 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 JAKUB, BARBARA, at this office at (510)639-1287 if you have questions regarding your site.

  
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ARIU LEVI, Director  
Contract Project Director

Date: 2/25/2011

Action: Add  
Reason: New

Attachment A: Responsible Parties Data Sheet

cc: Jenniffer Jordan, SWRCB, D. Drogos (Sent via electronic mail to donna.drogos@acgov.org), File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

February 25, 2011

**Site Name & Address:**

**KROGER RESIDENTIAL PROPERTY**  
**725 CENTRAL AVE**  
**ALAMEDA, CA 94501**

**Local ID: RO0003071**  
**Related ID: NA**  
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**All Responsible Parties**

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**RP has been named a Primary RP - FEDRICK & ROBBIN KROGER**  
**KROGER TRUST ET AL**  
PO BOX 117 | ORINDA, CA 94563-0117 | Phone No Phone Number Listed

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**RP has been named a Primary RP - FEDRICK & ROBBIN KROGER**  
**WOODLEAF INVESTMENT GROUP LLC**  
PO BOX 117 | ORINDA, CA 94563-0117 | Phone No Phone Number Listed

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**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**

In September 23 2008, one 1,500-gallon underground storage tank (UST) was removed from the site. Holes were observed in the UST during removal and the soil stockpile sample contained 23 milligrams per kilogram (mg/kg) total petroleum hydrocarbons as diesel (TPHd) and 16 mg/kg lead. The sample collected beneath the UST was below the detection limit for all constituents analyzed.

**Responsible Party Identification**

The Frederick T. and Robbin C. Kroger Trust and the Woodleaf Investment Group, LLC owned the property when the underground storage tank was removed in 2008. Both have been named as a "Responsible Party" under Definitions 1 and 3, above.