

## Wickham, Jerry, Env. Health

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**From:** Wickham, Jerry, Env. Health  
**Sent:** Tuesday, September 09, 2014 3:50 PM  
**To:** 'Jacob B.'  
**Cc:** Tamra Rubin  
**Subject:** RE: ACEH Case RO0003138 - Cathedral Gardens Fuel Leak  
**Attachments:** CL\_PP\_L\_2014-09-03.pdf

Mr. Bowen and Ms. Rubin,

I am the case worker for the fuel leak case at Cathedral Gardens, 638 21<sup>st</sup> Street in Oakland. The fuel leak case is for a former heating oil tank that was removed in May 2014. The former heating oil tank was near the sidewalk near 21st Street.

I would like to get any additional information, comments, or concerns that you may have regarding the objection presented below to case closure and/or how you believe the fuel leak case affects the property at 627 22<sup>nd</sup> Street. As noted in the attached Invitation to Comment, your comments will be forwarded to the responsible parties and will be considered and responded to prior to. The entire case file can be viewed over the Internet on the ACEH website (<http://www.acgov.org/aceh/lop/ust.htm>) or the State of California Water Resources Control Board GeoTracker website (<http://geotracker.waterboards.ca.gov>)..

Regards,

Jerry Wickham  
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1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
phone: 510-567-6791  
[jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org)

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**From:** Jacob B. [<mailto:jdbowenusf@gmail.com>]  
**Sent:** Friday, September 05, 2014 5:10 PM  
**To:** Wickham, Jerry, Env. Health  
**Cc:** Tamra Rubin  
**Subject:** ACEH Case RO0003138 - Cathedral Gardens Fuel Leak

Mr. Wickham,

I would like to protest the case closure of ACEH Case RO0003138.

My name is Jacob Bowen, and I rent the property at 627 22nd St. in Oakland, CA, 94612, from Tammy Rubin, the property owner. My home is immediately adjacent to the Cathedral Gardens project. Some weeks ago, I and some guests of mine began experiencing headaches as result of fumes coming from the construction site. I sent an email to Tammy, the property owner, detailing these experiences, which she forwarded to Benny Kwong, the Cathedral Gardens PM. My email was never answered.

Today, I receive an email from her saying that there was a fuel leak at the site, something which Cathedral Gardens never informed us about, their direct neighbors whose backyard they use for construction purposes.

I do not think that this case is a candidate for a low-threat closure until Cathedral Gardens responds to the problems they have caused their direct neighbors.

Thank you for taking the time to read this email, and I look forward to your reply.

- Jacob Bowen  
[jdbowenusa@gmail.com](mailto:jdbowenusa@gmail.com)  
415-583-8322

Relevant emails follow:

Email I received today Tammy Rubin:

On Fri, Sep 5, 2014 at 4:23 PM, Tammy <[trubinnyc@gmail.com](mailto:trubinnyc@gmail.com)> wrote:  
Hi Jake,

As per our conversation, attached is a letter I received today regarding a fuel spill at Cathedral Gardens. This is the first and only notification I have received regarding this matter to-date. The email you sent to me regarding issues at Cathedral Gardens was forwarded to Benny Kwong/Cathedral Gardens Project Manager. To-date, I have not received a reply.

If you need any additional information, please feel free to contact me.

Best,

Tammy [\(510\) 290-8125](tel:5102908125)

Email I sent to Tammy Rubin on August 12, and her response:

On Wed, Aug 13, 2014 at 11:37 AM, Tammy <[trubinnyc@gmail.com](mailto:trubinnyc@gmail.com)> wrote:

Hi Jake,

I will forward this to Benny the construction project manager and get back to you.

Tammy

**From:** Jacob B. [mailto:[jdbowenusa@gmail.com](mailto:jdbowenusa@gmail.com)]  
**Sent:** Tuesday, August 12, 2014 2:22 PM  
**To:** Tamra Rubin  
**Subject:** Construction difficulties

Hi Tammy,

I am writing to let you know that we're having some issues with construction near the house. They removed the scaffolding that they compensated us for a while back, but there have been a ton of issues unrelated to that scaffolding.

Over the past month, the side of the house was almost completely inaccessible for weeks at a time, and often times the fencing forced us to have to squeeze by just to get in the front door. Needless to say we could not enter through the side gate. They've also removed the side gate entirely a number of times without letting us know.

The painting over the last few months has been pretty bad as well and I've woken up with pretty severe headaches since they paint and use glue all along the side of the house.

They have now extended the no-parking zone to encompass the stretch of 22nd st right in front of your property. They did so without warning and actually placed the cones around a guests car so that it was suddenly included in a no-parking zone that was not there when he parked the car yesterday. If he hadn't happened to check on his car before the parking officials he would have received a ticket. Parking is already extremely tough on this street as you know and for them to continue extending an already large section of the street that we can't park on is getting ridiculous.

The construction company has most likely made an illegal copy of our back yard key. The foreman gave back a backyard key lent to him provisionally, in order for them to access parts of the new construction that must be accessed from this property. So as far as I know we no longer have any outstanding keys that they are borrowing. This being said, they have put down fresh concrete in an area that can only be accessed from our gate, and I witnessed multiple workers coming and going from our back yard. It may be a false assumption, but I can only conclude that they have copied our key in order to further access our property.

All in all, the fumes causing headaches, the blocking in of cars, the work going on on our side of the property line, and the difficulty accessing parts of the property while they work, are all hurting the quality of life at the house. I'm not sure what the next step is, but I wanted you to be aware of all this.

- Jake