



AGENCY

Certified Mail #: 7011 3500 0003 1848 4784

July 1, 2014

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**  
**CATHEDRAL GARDENS**  
**638 21<sup>ST</sup> STREET**  
**OAKLAND, CA 94612**

**ACEH Case No.:** RO0003138  
**Global ID:** T10000005970

Responsible Party:  
**ROMAN CATHOLIC WELFARE**  
**CORPORATION OF OAKLAND**  
**2900 LAKESHORE AVENUE**  
**OAKLAND, CA 94610**

**Date First Reported:** 06/02/2014  
**Substance:** Heating Oil  
  
**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 Cathedral Gardens Oakland L.P. 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 Jerry Wickham at this office at (510)567-6791 if you have questions regarding your site.

Date: 7/3/14

ARIU LEVK, Director  
Contract Project Director

Action: New case  
Reason: New case

Attachment A: Responsible Parties Data Sheet

ALAMEDA COUNTY ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

July 1, 2014

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**CATHEDRAL GARDENS  
638 21<sup>ST</sup> STREET  
OAKLAND, CA 94612**

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**All Responsible Parties**

**RP has been named a Primary RP – CATHEDRAL GARDENS OAKLAND L.P.**

c/o Benny Kwong, EAH Housing, 2169 East Francisco Blvd., Suite B, San Rafael, CA 94901

**RP has been named a Primary RP – CITY OF OAKLAND HOUSING AUTHORITY**

1805 Harrison Street, Oakland, CA 94612-3403

**RP has been named a Primary RP – ROMAN CATHOLIC WELFARE CORPORATION OF OAKLAND**

2900 Lakeshore Avenue, Oakland, CA 94610

**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 an Unauthorized Release**

An underground storage tank (UST) was discovered during excavation on the property near the sidewalk along 21<sup>st</sup> Street. At the time of discovery, the UST was filled with oily water and low viscosity petroleum hydrocarbons. The approximately 500-gallon UST was removed from the site on May 20, 2014. Multiple corrosion holes were observed in the middle and bottom of the UST. The soil underneath the UST exhibited a strong petroleum odor. Soil samples collected from the tank pit contained up to 1,100 parts per million (ppm) of total petroleum hydrocarbons (TPH) as diesel (TPHg) and 1,100 ppm TPH as bunker oil. A groundwater sample collected from the tank pit contained 4,600 parts per billion (ppb) of TPH as diesel and 4,700 ppb as bunker oil. Based on these results, an unauthorized release or releases appears to have occurred from the UST system.

**Responsible Party Identification**

The Roman Catholic Welfare Corporation of Oakland is a responsible party for the fuel leak because they were the former owner of property where an unauthorized release occurred (Definition 3).

The City of Oakland Housing Authority is a responsible party because they were the former owner of the property where an unauthorized release occurred (Definition 3).

Cathedral Gardens Oakland L.P. is a responsible party because they are current owner of the property where an unauthorized release occurred (Definition 3).