



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

September 2, 2014

Mark A. Jacobson & Ilona J. Frieden
811 Paramount Road
Oakland, CA 94610

Subject: Fuel Leak Case No. RO0003143 and Geotracker Global ID T10000006106, Paramount UST, 811 Paramount Road, Oakland, CA 94610 – Additional Responsible Party

Dear Mr. Jacobson and Ms. Frieden:

In a Notice of Responsibility dated August 13, 2014, Mark A. Jacobson & Ilona J. Frieden TRS was notified that the above referenced site had been placed in the Local Oversight Program and that they were named as a Responsible Party for the fuel leak case. James E. Allison & Margaret Lindenstein purchased the property on or about May 20, 1977. James E. Allison & Margaret Lindenstein have been named an additional Responsible Party for the fuel leak case as defined under 23 C.C.R Sec. 2720. Please see Attachment A – Responsible Parties Data Sheet, which identifies all Responsible Parties and provides background on the unauthorized release and Responsible Party Identification.

If you have any questions, please call me at (510) 567-6725 or send me an electronic mail message at matthew.soby@acgov.org.

Sincerely,

Matthew Soby
Hazardous Materials Technician

Attachment A: Responsible Parties Data Sheet

Jacobson & Frieden
RO0003143
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Page 2

cc:

Dilan Roe, ACEH (Sent via e-mail to: dilan.roe@acgov.org)
Matthew Soby, ACEH
Maira Duvernay, Law Offices of Amitai Schwartz, 2000 Powell St., Ste 1286, Emeryville, CA
94608-1860 (Sent via e-mail to: maira@schwartzlaw.com)
Geotracker, e-File



AGENCY

ALEX BRISCOE, Agency Director

Certified Mail #:

September 2, 2014

NOTICE OF RESPONSIBILITY

Site Name & Address:

**PARAMOUNT UST
811 PARAMOUNT RD
OAKLAND, CA 94610**

**Local ID: RO0003143
Related ID: RO0003143
RWQCB ID:
Global ID: T10000006106**

Responsible Party:

**MARK A JACOBSON & ILONA J FRIEDEN TRS
811 PARAMOUNT ROAD
OAKLAND CA 94610**

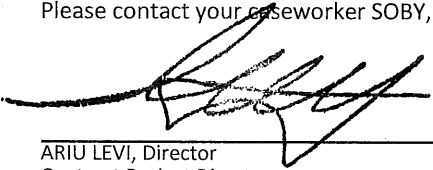
**Date First Reported: 1/14/2014
Substance: 12034 Diesel fuel oil and additives, Nos.1-D, 2-D, 2-4
Funding for Oversight:
Multiple RPs?: Yes**

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 MARK A. JACOBSON & ILONA J. FRIEDEN TRS 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.


ARIU LEVI, Director
Contract Project Director

Date: 9/2/14

Action: Add
Reason: ADD

Attachment A: Responsible Parties Data Sheet

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



AGENCY

ALEX BRISCOE, Agency Director

Certified Mail #: 7009 2820 0001 4359 5739

September 2, 2014

NOTICE OF RESPONSIBILITY

Site Name & Address:

**PARAMOUNT UST
811 PARAMOUNT RD
OAKLAND, CA 94610**

**Local ID: RO0003143
Related ID: RO0003143
RWQCB ID:
Global ID: T10000006106**

Responsible Party:

**JAMES E. ALLISON & MARGARET LINDENSTEIN
214 HIGHLAND AVE.
PIEDMONT CA 94611**


**Date First Reported: 1/14/2014
Substance: 12034 Diesel fuel oil and additives, Nos.1-D, 2-D, 2-4
Funding for Oversight:
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 JAMES E. ALLISON & MARGARET LINDENSTEIN 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.



ARIU LEVI, Director
Contract Project Director

Date: 9/2/14

Action: Add
Reason: ADD

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 2, 2014

Site Name & Address: PARAMOUNT UST 811 PARAMOUNT RD OAKLAND, CA 94610
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Local ID:	
Related ID:	RO0003143
RWQCB ID:	
Global ID:	T10000006106

All Responsible Parties

RP has been named a Primary RP - MARK A. JACOBSON & ILONA J. FRIEDEN TRS

811 PARAMOUNT ROAD | OAKLAND, CA 94610 | No Phone Number Listed

RP has been named a Primary RP - JAMES E. ALLISON & MARGARET LINDENSTEIN

214 HIGHLAND AVE. | PIEDMONT, CA 94611 | No Phone Number Listed

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 2, 2014

Responsible Party Identification

Existence of an Unauthorized Release

In December 2013, one single-walled steel 350-gallon underground storage tank (UST) and related product piping containing diesel (or home heating oil) were removed from the front yard of a residential property at 811 Paramount Road, Oakland, CA. The UST was found to be in poor condition with at least one visible hole. Soil discoloration and hydrocarbon odors were observed in the stockpiled overburden soil and soil underlying the UST. Two soil samples were collected at 7 feet below ground surface (bgs) from each end of the UST. Concentrations up to 9,290 milligrams per kilogram (mg/kg) Total Petroleum Hydrocarbons as Diesel (TPH-D), 1.1 mg/kg ethylbenzene, 1.37 mg/kg total xylenes, and 47.3 mg/kg naphthalene were detected. Based on site characterization data an unauthorized release occurred from the UST system.

Responsible Party Identification Background

Ilona J. Frieden & Mark A. Jacobson purchased or acquired the property in April 1987. In August 2005, Ilona J. Frieden & Mark A. Jacobson placed the property into a trust. Mark A. Jacobson & Ilona J. Frieden 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).

James E. Allison and Margaret G. Lindenstein purchased or acquired the property in May 1977. James E. Allison and Margaret G. Lindenstein are responsible parties for the site because they owned an underground storage tank used for the storage of any hazardous substances (Definition 1); and they were the property owner where an unauthorized release of a hazardous substance from an underground storage tank has occurred (Definition 3).