

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

COLLEEN CHAWLA, Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP)
For Hazardous Materials Releases
1131 HARBOR BAY PARKWAY
ALAMEDA, CA 94502
(510) 567-6700
FAX (510) 337-9335

July 24, 2018

Mr. Joe Bernardini
JD Recycling LLC
745 Kevin Court
Oakland, CA 94621

Subject: Updated Notice of Responsibility, Fuel Leak Case No. RO0003159 and GeoTracker Global ID T10000006491, Roofing Facility, 745 Kevin Court, Oakland, CA 94621

Dear Mr. Bernardini:

In the *Notice of Responsibility* (NOR) dated February 27, 2015, Robert A. and Leslie C. Elliot and Trust, Richard E. Moore and Trust, and Robert A. Elliot Sr. and Trust were notified that the above referenced site had been placed in the Local Oversight Program and that they had been named as a Responsible Party for the fuel leak case. An additional party has been named as a Responsible Party for the fuel leak case in the attached updated NOR 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.

Should you have any questions, please contact me at (510) 567–6708 or send me an e-mail message at karel.detterman@acgov.org.

Sincerely,

A handwritten signature in blue ink that reads "Karel Detterman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Karel Detterman, P.G.
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations
Electronic Report Upload (ftp) Instructions

Attachment A – Responsible Parties Data Sheet-Notice of Responsibility (NOR)

cc: Dilan Roe, ACDEH, (sent via electronic mail to: dilan.roe@acgov.org)
Paresh Khatri, ACDEH, (sent via electronic mail to: paresh.khatri@acgov.org)
Karel Detterman, ACDEH, (sent via electronic mail to: karel.detterman@acgov.org)
Case Electronic File, GeoTracker



Certified Mail #: 7011 3500 0003 1810 9809

July 24, 2018

NOTICE OF RESPONSIBILITY

Site Name & Address:

**ROOFING FACILITY
745 KEVIN COURT
OAKLAND, CA 94621**

**Local ID: RO0003159
Related ID: None
RWQCB ID: None
Global ID: T10000006491**

Responsible Party:

**JD RECYCLING LLC
745 KEVIN COURT
OAKLAND CA 94621**

Date First Reported: 1/27/2015
**Substance: 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
12034 (Diesel fuel oil & additives, Nos. 1-D)**
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 JD RECYCLING LLC 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 Karel Detterman at this office at (510) 567-6708 if you have questions regarding your site.

 Date: 07-24-2018

RONALD BROWDER, Director
Contract Project Director

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
HEALTH CARE SERVICES
AGENCY

COLLEEN CHAWLA, Director



ENVIRONMENTAL HEALTH DEPARTMENT
OFFICE OF THE DIRECTOR
1131 HARBOR BAY PARKWAY
ALAMEDA, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

Certified Mail #:

July 24, 2018

NOTICE OF RESPONSIBILITY

Site Name & Address:

**ROOFING FACILITY
745 KEVIN COURT
OAKLAND, CA 94621**

**Local ID: RO0003159
Related ID: None
RWQCB ID: None
Global ID: T10000006491**

Responsible Party:

**RICHARD E MOORE (& TRUST)
1855 OLYMPIC BLVD
WALNUT CREEK CA 94596**

Date First Reported: 1/27/2015
**Substance: 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
12034 (Diesel fuel oil & additives, Nos. 1-D)**
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 RICHARD E MOORE (& TRUST) 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.

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 Date: 07-24-2018

RONALD BROWDER, Director
Contract Project Director

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



Certified Mail #:

July 24, 2018

NOTICE OF RESPONSIBILITY

Site Name & Address: ROOFING FACILITY 745 KEVIN COURT OAKLAND, CA 94621
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Local ID:	RO0003159
Related ID:	None
RWQCB ID:	None
Global ID:	T10000006491

Responsible Party:

ROBERT A ELLIOTT SR. (& TRUST)
408 SILVER CHIEF WAY
DANVILLE CA 94526

Date First Reported:	1/27/2015
Substance:	8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded 12034 (Diesel fuel oil & additives, Nos. 1-D)
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 ROBERT A ELLIOTT SR. (& TRUST) 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.

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 Date: **07-24-2018**

RONALD BROWDER, Director
Contract Project Director

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



Certified Mail #:

July 24, 2018

NOTICE OF RESPONSIBILITY

Site Name & Address:

**ROOFING FACILITY
745 KEVIN COURT
OAKLAND, CA 94621**

**Local ID: RO0003159
Related ID: None
RWQCB ID: None
Global ID: T10000006491**

Responsible Party:

**ROBERT A & LESLIE C ELLIOTT (& TRUST)
415 BLUE RIDGE DRIVE
MARTINEZ CA 94553**

**Date First Reported: 1/27/2015
Substance: 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
12034 (Diesel fuel oil & additives, Nos. 1-D)
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 ROBERT A & LESLIE C ELLIOTT (& TRUST) 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.

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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 Karel Detterman at this office at (510) 567-6708 if you have questions regarding your site.

Date: 07.24.2018

RONALD BROWDER, Director
Contract Project Director

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

July 24, 2018

Site Name & Address:

ROOFING FACILITY
745 KEVIN COURT
OAKLAND, CA 94621

Local ID: RO0003159
Related ID: None
RWQCB ID: None
Global ID: T10000006491

All Responsible Parties

RP has been named a Primary RP - ROBERT A & LESLIE C ELLIOTT (& TRUST)

415 BLUE RIDGE DRIVE | MARTINEZ, CA 94553 | No Phone Number Listed

RP has been named a Primary RP - RICHARD E MOORE (& TRUST)

1855 OLYMPIC BLVD | WALNUT CREEK, CA 94596 | No Phone Number Listed

RP has been named a Primary RP - ROBERT A ELLIOTT SR. (& TRUST)

408 SILVER CHIEF WAY | DANVILLE, CA 94526 | No Phone Number Listed

RP has been named a Primary RP - JD RECYCLING LLC

745 KEVIN COURT | OAKLAND, CA 94621 | No Phone Number Listed

Responsible Party Identification Background

Alameda County Department of Environmental Health (ACDEH) 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)

July 24, 2018

Responsible Party Identification

Existence of Unauthorized Release

A 1,000-gallon gasoline underground storage tank (UST) was formerly utilized on the subject property and was reportedly removed in 1991. Petroleum hydrocarbons were detected in grab groundwater samples collected near a former UST during a November 2014 Phase II subsurface investigation. Maximum grab groundwater concentrations reported were 6,200 micrograms per liter (ug/L) total petroleum hydrocarbons as gasoline (TPH-g) and 73 ug/L benzene. These data indicate that an unauthorized release has occurred.

Responsible Party Identification

Ownership of the property was maintained by the individual, trustee, or the trust of Robert A & Leslie C Elliott from August 14, 1984 to April 23, 1999. The individual, trustee, or the trust of Robert A & Leslie C Elliott are Responsible Parties because they owned the property where an unauthorized release of a hazardous substance from an underground storage tank has occurred (Definition 3).

Ownership of the property was maintained by the individual, trustee, or the trust of Richard E Moore, from April 23, 1999 to August 5, 1999. The individual, trustee, or the trust of Richard E Moore are Responsible Parties because they owned the property where an unauthorized release of a hazardous substance from an underground storage tank has occurred (Definition 3).

Ownership of the property was maintained by the individual, trustee, or the trust of Robert A Elliott Sr., beginning on December 31, 1996 to June 25, 2014. The individual, trustee, or the trust of Robert A Elliott Sr. are Responsible Parties because they own the property where an unauthorized release of a hazardous substance from an underground storage tank has occurred (Definition 3).

JD Recycling Services LLC purchased or acquired the property on February 16, 2018. JD Recycling Services LLC is a Responsible Party for the site because they owned the property where an unauthorized release of a hazardous substance from an underground storage tank has occurred (Definition 3).

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: December 14, 2017
	ISSUE DATE: July 25, 2012
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: Responsible Party(ies) Legal Requirements / Obligations

REPORT & DELIVERABLE REQUESTS

Alameda County Department of Environmental Health (ACDEH) Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) require submission of all reports in electronic form to the State Water Board's (SWB) GeoTracker website in accordance with California Code of Regulations, Chapter 30, Division 3, Title 23 and Division 3, Title 27.

Leaking Underground Fuel Tank (LUFT) Cases

Reports and deliverable requests are pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party (RP) in conjunction with an unauthorized release from a petroleum underground storage tank (UST) system.

Site Cleanup Program (SCP) Cases

For non-petroleum UST cases, reports and deliverables requests are pursuant to California Health and Safety Code Section 101480.

ELECTRONIC SUBMITTAL OF REPORTS

A complete report submittal includes the PDF report and all associated electronic data files, including but not limited to GEO_MAP, GEO_XY, GEO_Z, GEO_BORE, GEO_WELL, and laboratory analytical data in Electronic Deliverable Format™ (EDF). Additional information on these requirements is available on the State Water Board's website (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)

- Do not upload draft reports to GeoTracker
- Rotate each page in the PDF document in the direction that will make it easiest to read on a computer monitor.

GEOTRACKER UPLOAD CERTIFICATION

Each report submittal is to include a GeoTracker Upload Summary Table with GeoTracker valid values¹ as illustrated in the example below to facilitate ACDEH review and verify compliance with GeoTracker requirements.

GeoTracker Upload Table Example

Report Title	Sample Period	PDF Report	GEO_MAPS	Sample ID	Matrix	GEO_Z	GEO_XY	GEO_BORE	GEO_WELL	EDF
2016 Subsurface Investigation Report	2016 S1	✓	✓	Effluent	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
2012 Site Assessment Work Plan	2012	✓	✓			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2010 GW Investigation Report	2008 Q4	✓	✓	SB-10	W	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				SB-10-6	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				MW-1	WG	✓	✓	✓	✓	✓
				SW-1	W	✓	✓	✓	✓	✓

¹ GeoTracker Survey XYZ, Well Data, and Site Map Guidelines & Restrictions, CA State Water Resources Control Board, April 2005

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: NA
	ISSUE DATE: December 14, 2017
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: Responsible Party(ies) Legal Requirements / Obligations

ACKNOWLEDGEMENT STATEMENT

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to the State Water Board's GeoTracker website." This letter must be signed by the Responsible Party, or legally authorized representative of the Responsible Party.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6731, 6735, and 7835) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately licensed or certified professional and include the professional registration stamp, signature, and statement of professional certification. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

UNDERGROUND STORAGE TANK CLEANUP FUND

For LUFT cases, RP's non-compliance with these regulations may result in ineligibility to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse the cost of cleanup. Additional information is available on the internet at: https://www.waterboards.ca.gov/water_issues/programs/ustcf/

AGENCY OVERSIGHT

Significant delays in conducting site assessment/cleanup or report submittals may result in referral of the case to the Regional Water Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.