ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY



COLLEEN CHAWLA, Agency Director

April 18, 2018

1607 2 nd Ave, LLC 4096 Piedmont Avenue, #150 Oakland, CA 94611 Attn.: Harry Tung (Sent via electronic mail to: <u>harryttung@hotmail.com</u>)	RGG LLC et al 360 17 th Street, #204 Oakland, CA 94612 Latwuania Rogers Address Unknown	Richard L & Linda M Weinstein Trust et al 360 17 th Street, #204 Oakland, CA 94612 Attn.: Richard Weinstein
Usen Ime et al	Prince Solomon	Prince Solomon & Marcel Uzegbu
PO Box 16241	30279 Oakbrook Rd.	1607 2 nd Avenue
Oakland, CA 94610	Hayward, CA 94544	Oakland, CA 94606
Marcel Uzegbu	Chinazam Igweka	Cecilia E. Smock
2666 Gill Dr.	PO Box 16241	250 Montecito Ave.
Concord, CA 94520	Oakland, CA 94610	Oakland, CA 94610
1607 2 nd Ave, LLC c/o Pacific Sales & Mgmt. 425 7 th St., Ste A Oakland, CA 94607	Elizabeth Epstein & Han 1607 2 nd Avenue Oakland, CA 94606	nah & Abe Glesser Estate John & Darlene Delucchi 5725 Harbord Dr. Oakland, CA 94612

Subject: Case Closure Consideration, Fuel Leak Case No. RO0003170 and GeoTracker Global ID T10000006756, Second Avenue UST, 1607 2nd Avenue, Oakland, CA 94606

Dear Responsible Parties:

Thank you, Mr. Harry Tung, representing the property owner 1607 2nd Ave, LLC, and Mr. Jan Schutze of the consulting firm Schutze & Associates, Inc. for meeting with Alameda County Department of Environmental Health (ACDEH) staff on Monday, April 16, 2018. Our discussion included a review of the data collected to date with regard to the general and media-specific criteria of the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case Closure Policy (LTCP). As discussed in our meeting, based on our review of the case file, ACDEH is of the opinion the case meets the criteria presented in the LTCP; therefore, we are considering the above referenced site for potential case closure.

Please note that time is of the essence with regard to this closure consideration, that prompt reporting is requested, and submittals ahead of the requested submittal dates provided below is appreciated.

List of Landowners Form

Pursuant to Section 25297.15 (a) of the California Health and Safety Code, ACDEH, the local agency, shall not consider cleanup or site closure proposals from the primary or active responsible party, issue a closure letter, or make a determination that no further action is required with respect to a site upon which there was an unauthorized release of hazardous substances from an underground storage tank subject to this chapter unless all current record owners of fee title to the site of the proposed action have been

Responsible Parties RO0003170 April 18, 2018, Page 2

notified of the proposed action by the primary or active responsible party. ACDEH is required to notify the primary or active responsible parties of their requirement to certify in writing to the local agency that the notification requirement in the above-mentioned regulation has been satisfied and to provide the local agency with a complete mailing list of all record fee title owners.

To satisfy this requirement, please complete the enclosed *List of Landowners Form*, and provide it to ACDEH by electronic mail attachment or via surface mail - Attention: Keith Nowell- by the date identified below.

Public Participation

Public participation is a requirement for the case closure process. In order to notify potentially affected members of the public of the potential fuel leak case closure, ACDEH requests the preparation of a list of tenant/occupants for the properties identified on the attached parcel map (Attachment 3). The list of tenant/occupants does not need to identify the identity of each tenant/occupant, only their physical address. Included as an attachment is a spreadsheet (Attachment 4) identifying the property owner, mailing address, and associated Assessor's Parcel Number (APN) for the selected parcels. Additionally, agency contacts are included on the attached spreadsheet. Please create a spreadsheet with the addresses of the tenant/occupants and provide the tenant/occupant list to ACDEH, via electronic mail attachment- Attention: Keith Nowell, for our review and approval. An attempt to include a placeholder for each address has been included in the spreadsheet to aid in identification of tenant spaces. Following our review and approval, ACDEH will request that you mail out the document entitled *Invitation to Comment – Potential Case Closure* (Fact Sheet- an example of which is provided as Attachment 5) to the owners, occupants/tenants and agency contacts.

As required by the state, the public notification period is 60 days. The date of the Fact Sheet should allow for a one day buffer following the mailing date. The date for the end of the public comment period is the date of the Fact Sheet plus 59 days. Please include the proposed dates for mailing and start and end of the public comment period for the Fact Sheet in the electronic mail requested above. ACDEH will include the completed updated Fact Sheet as an attachment to our letter authorizing Fact Sheet distribution. Following our authorization for Fact Sheet distribution, please provide our agency, by the date specified below, with confirmation of distribution with accompanying distribution mailing list(s) via electronic mail attachment, Attention: Keith Nowell.

The *Invitation to Comment – Potential Case Closure* requests that landowners or residents submit any comments or questions to ACDEH regarding potential case closure during the 60-day notification period. ACDEH will consider all comments from the public prior to potential case closure. ACDEH will issue a letter informing you of the successful end of the public notification period.

SCHEDULE OF EVENTS

- **April 25, 2018** Fact Sheet Distribution List, provided to ACDEH (via electronic mail, Attention: Keith Nowell)
- April 25, 2018 Return of List of Landowner Form
- April 28, 2018 (Anticipated) Start of Public Comment Period
- **May 9, 2018** Fact Sheet Distribution Confirmation and Distribution List, provided to ACDEH (via electronic mail, Attention: Keith Nowell)
- End of Public Comment Period (Anticipated June 26, 2018) Start of Public Comment Period plus 59 days
- **30 Days** following successful completion of addressing public comments- Closure

Responsible Parties RO0003170 April 18, 2018, Page 3

Should you have any questions, please contact me at (510) 567--6764 or send me an electronic mail message at keith.nowell@acgov.org.

If your email address does not appear on the cover page of this notification ACDEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

Sincerely,

Keith Nowell, PG, CHG Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements/Obligations
Attachment 2 – List of Landowners Form
Attachment 3 – Map Showing Selected Parcels for Distribution List
Attachment 4 – Agency and Landowners Public Notification Distribution List
Attachment 5 – Invitation to Comment – Potential Case Closure (example Fact Sheet)

cc: Jan Schutze, Schutze & Associates, Inc., 44358 South Grimmer Boulevard, Fremont, CA 94538 (Sent via electronic mail to: js@schutze-inc.com)

Dilan Roe, ACDEH, (*Sent via electronic mail to: <u>dilan.roe@acgov.org</u>) Paresh Khatri, ACDEH, (<i>Sent via electronic mail to: <u>paresh.khatri@acgov.org</u>) Keith Nowell, ACDEH (<i>Sent via electronic mail to: <u>keith.nowell@acgov.org</u>)*

GeoTracker, File

Alameda County Environmental Cleanup	REVISION DATE: December 14, 2017				
Oversight Programs	ISSUE DATE: July 25, 2012				
(LOP and SCP)	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, Division3, 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 (<u>http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/</u>)

- 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	Sampl e Period	PDF Report	GEO_ MAPS	Sample ID	Matrix	GEO _Z	GEO _XY	GEO_ BORE	GEO_WEL L	EDF
2016 Subsurface Investigation Report	2016 S1	~	•	Effluent	SO					✓
2012 Site Assessment Work Plan	2012	~	~							
2010 GW Investigation	2008 Q4	✓	✓	SB-10	W	~				✓
Report				SB-10-6	SO					✓
				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	REVISION DATE: NA				
Oversight Programs (LOP and SCP)	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.

LIST OF LANDOWNERS FORM

County of Alameda Environmental Health Services Environmental Protection 1131 Harbor Bay Parkway Alameda, CA 94502-6577

CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR:

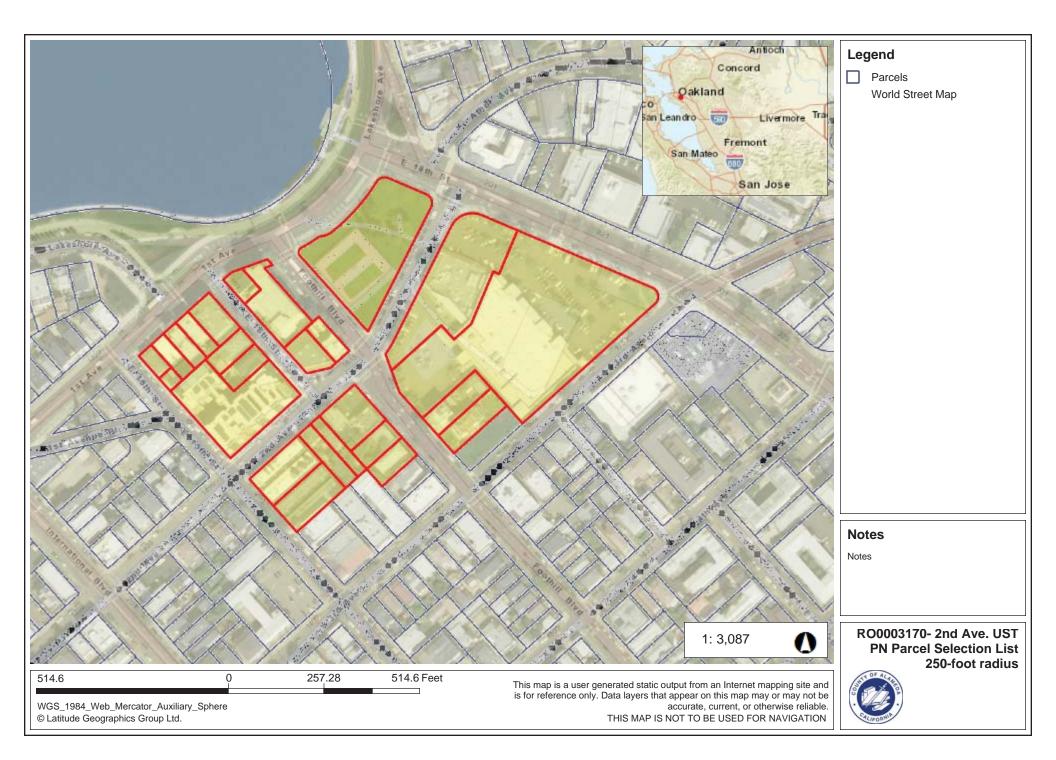
Site Name:	SECOND AVENUE UST
Address:	1607 2 ND AVENUE
City, State,	Zip: OAKLAND, CA 94606
Record ID #	#: RO0003170

Please fill out item 1 if there are multiple site landowners (attach an extra sheet if necessary). If you are the sole site landowner, skip item 1 and fill out item 2.

Name:
Address:
City, State, Zip:
E-mail Address:
Name:
Address:
City, State, Zip:
E-mail Address:
Name:
Address:
City, State, Zip:
E-mail Address:

2. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I _____, certify that I am the sole landowner for the above site.

Sincerely,



Parcel_APN	Name	StreetAddress	Unit	City	Zip	Zip_4
20-180-1	CHOW WAN K TR	989 WEBSTER ST	349	OAKLAND CA	94607	4285
20-180-1	OCCUPANT	211 FOOTHILL BLVD		OAKLAND CA	94606	
20-180-2	LAGIOS MARKOS J & ATHENA M TRS	505 WESTFIELD WAY		OAKLAND CA	94619	2341
20-180-2	OCCUPANT	219 FOOTHILL BLVD		OAKLAND CA	94606	
20-180-3	AUBURN PACIFIC GROUP LLC	PO BOX 471795		SAN FRANCISCO CA	94147	1795
20-180-3	OCCUPANT	231 FOOTHILL BLVD		OAKLAND CA	94606	
20-180-10-1	2ND AVENUE APARTMENTS LLC	2572 21ST ST		SACRAMENTO CA	95818	2523
20-180-10-1	OCCUPANT	220 E 15TH ST		OAKLAND CA	94606	2020
20-180-10-2	2ND AVENUE APARTMENTS LLC	2572 21ST ST		SACRAMENTO CA	95818	2523
20-180-10-2	OCCUPANT	200 E 15TH ST		OAKLAND CA	94606	2323
20-180-10-2	COLIN MARK R & BARBARA A TRS	5201 MASONIC AVE		OAKLAND CA	94608 94618	2631
						2631
20-180-11		1532 2ND AVE		OAKLAND CA	94606	
20-180-12	BENEVEDES EILEEN L	2074 DALTON WAY		UNION CITY CA	94587	
20-180-12	OCCUPANT	1536 2ND AVE		OAKLAND CA	94606	
20-181-1	FIRST & 16 LP	2240 BLAKE ST	99	BERKELEY CA	94704	2754
20-181-1	OCCUPANT	105 E 16TH ST		OAKLAND CA	94606	
20-181-2	ASH CO	385 GRAND AVE	200	OAKLAND CA	94610	4816
20-181-2	OCCUPANT	121 E 16TH ST		OAKLAND CA	94606	
20-181-3	PEPER DAVE & MARK	125 E 16TH ST	A	OAKLAND CA	94606	1720
20-181-3	OCCUPANT	127 E 16TH ST		OAKLAND CA	94606	
20-181-12	TON VANSON & JULIE M	1520 1ST AVE		OAKLAND CA	94606	1694
20-181-12	OCCUPANT	1520 1ST AV		OAKLAND	94606	
20-181-14	KACHADOURIAN KEVIN G ETAL	1508 1ST AVE		OAKLAND CA	94606	1667
20-181-14	OCCUPANT	1508 1ST AV 1	1	OAKLAND	94606	
20-181-15	E B HOUSES LLC	105 STEPHANIE CT		ALAMO CA	94507	1227
20-181-15	OCCUPANT	1516 1ST AVE		OAKLAND CA	94606	
20-181-16-1	CITY OF OAKLAND HOUSING	1801 HARRISON ST	2ND	OAKLAND CA	94612	3465
20-181-16-1	OCCUPANT	1507 2ND AVE	2.10	OAKLAND CA	94606	0.000
20-181-17	CHI ANTHONY & ROSE	6131 ARLINGTON BLVD		RICHMOND CA	94805	1203
20-181-17	OCCUPANT	100 E 15TH ST		OAKLAND CA	94606	1200
20-181-17	OCCUPANT	102 E 15TH ST		OAKLAND	94606	
20-181-17	OCCUPANT	108 E 15TH ST		OAKLAND	94606	
20-181-17	OCCUPANT			OAKLAND	94606 94606	
20-181-17	OCCUPANT	104 E 15TH ST		OAKLAND	94606 94606	
		106 E 15TH ST				4747
20-181-18	WU STEVEN & LILY F TRS	112 E 15TH ST		OAKLAND CA	94606	1717
20-181-18	OCCUPANT	114 E 15TH ST		OAKLAND	94606	0010
20-182-1	CITY OF OAKLAND	250 FRANK H OGAWA PLZ	4	OAKLAND CA	94612	2010
20-182-1	OCCUPANT	FOOTHILL BLVD		OAKLAND CA	94608	
20-182-2	PARK DENNY TR	7 JORDAN E		IRVINE CA	92612	2332
20-182-2	OCCUPANT	1615 2ND AVE		OAKLAND CA	94606	
20-182-3	1607 2ND AVE LLC	425 7TH ST	A	OAKLAND CA	94607	3911
20-182-3	OCCUPANT	1607 2ND AVE		OAKLAND CA	94606	
20-182-3	OCCUPANT	1607 2ND AV		OAKLAND	94606	
20-182-3	OCCUPANT	1601 2ND AV		OAKLAND	94606	
20-182-3	OCCUPANT	1603 2ND AV		OAKLAND	94606	
20-182-3	OCCUPANT	1605 2ND AV		OAKLAND	94606	
20-182-6-4	INTERDONOMINATIONAL GOSPEL CHAPEL	1600 LAKESHORE AVE		OAKLAND CA	94606	1684
20-182-6-4	OCCUPANT	1630 LAKESHORE AVE		OAKLAND CA	94606	
20-182-7-5	ROSE SHARON PARTNERS LP	1350 COLUMBIA ST	802	SAN DIEGO CA	92101	3456
20-182-7-5	OCCUPANT	118 E 16TH ST		OAKLAND CA	94606	
20-183-3	LE KEVIN	238 FOOTHILL BLVD		OAKLAND CA	94606	1723
20-183-3	OCCUPANT	238 FOOTHILL BL		OAKLAND	94606	
20-183-4	CHEUNG MICHAEL & HELEN TRS	3 LA SALLE AVE		PIEDMONT CA	94611	3530
20-183-4	OCCUPANT	232 FOOTHILL BLVD		OAKLAND CA	94606	
20-183-6-2	MERRITT STREET LLC	480 3RD ST		OAKLAND CA	94607	3834
20-183-6-2	OCCUPANT	237 E 18TH ST		OAKLAND CA	94606	
20-183-6-2	OCCUPANT	207 E 18TH ST		OAKLAND	94606	
20-183-6-2	OCCUPANT	203 E 18TH ST		OAKLAND	94606	
20-183-6-3	MERRITT STREET LLC	480 3RD ST		OAKLAND CA	94607	3834
20-183-6-3	OCCUPANT	237 E 18TH ST		OAKLAND CA	94607 94606	5054
20-183-6-3	OCCUPANT	247 E 18TH ST			94606 94606	
20-103-0-3	COUCEANT	277 L 10111 31		OAKLAND	34000	

20-183-6-3	OCCUPANT	265 E 18TH ST		OAKLAND	94606			
	OAKLAND PUBLIC WORKS	250 FRANK OGAWA PLAZA	SUITE 5301	OAKLAND, CA	94612		ATTN: MARK ARNIOLA marniola@oaklandnet.com	marniola@oaklandnet.com
	EAST BAY MUNICIPAL UTILITY DISTRICT	P.O. BOX 24055	MS 702	OAKLAND CA	94623	1055	ATTN: CHANDRA JOHANNESSON cjohanne@ebmud.com	cjohanne@ebmud.com
	SAN FRANCISCO BAY REGIONAL WATER QUALITY CONTROL BOARD	1515 CLAY ST., STE 1400		OAKLAND CA	94612		ATTN: LAURENT MEILLIER laurent.meillier@waterboards.ca.gov	laurent.meillier@waterboards.ca.gov
	ALAMEDA COUNTY CERTIFIED UNIFIED PROGRAM AGENCY	1131 HARBOR BAY PARKWAY		ALAMEDA CA	94502	6577	ATTN: SUSAN HUGO susan.hugo@acgov.org	susan.hugo@acgov.org

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY COLLEEN CHAWLA, Agency Director



INVITATION TO COMMENT – POTENTIAL CASE CLOSURE

SECOND AVENUE UST 1607 2ND AVENUE, OAKLAND, CALIFORNIA FUEL LEAK CASE RO0003170 GEOTRACKER GLOBAL ID T10000006756

April 28, 2018

The above referenced site is a fuel leak case that is under the regulatory oversight of the Alameda County Department of Environmental Health (ACDEH) Local Oversight Program for the investigation and cleanup of a release of petroleum hydrocarbons from an underground storage tank system. Site investigation and cleanup activities have been completed and the site has been evaluated in accordance with the State Water Resources Control Board Low-Threat Closure Policy. The site appears to meet all of the criteria in the Low-Threat Closure Policy. Therefore, ACDEH is considering closure of the fuel leak case.

The public is invited to review and comment on the potential closure of the fuel leak case. This notice is being sent to the current occupants and landowners of the site and adjacent properties and other known interested parties. The entire case file can be viewed over the Internet on the ACDEH 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). Please send written comments to Keith Nowell at the address below; all comments will be forwarded to the responsible parties. Comments received by **June 26, 2018** will be considered and responded to prior to a final determination on the proposed case closure.

If you have comments or questions regarding this site, please contact the ACDEH caseworker, Keith Nowell at 510-567-6746 or by email at <u>keith.nowell@acgov.org</u>. Please refer to ACDEH case RO0003170 in any correspondence.