



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

October 16, 2014

Leo and Kay Macias
1109 Brown Avenue
Lafayette, CA 94596

Robert and Rusty Moody
132 Rudgear Drive
Walnut Creek, CA 94596-6316

David and Vinitha Watson, Trustees
1328 Windemere Avenue
Menlo Park, CA 94025

Zoo Studios, LLC
1035 7th Street #8
Oakland, CA 94607

Subject: Landowner and Public Participation Notification for Case Closure Consideration for Fuel Leak Case No. RO0000036 and GeoTracker Global ID T0600101646, Vend Mart Property, 1035 7th Street, Oakland, CA 94607

Dear Ladies and Gentlemen:

Alameda County Environmental Health (ACEH) has reviewed the fuel case file for the above referenced site for potential case closure under the recent Low Threat Closure Policy (LTCP). As you may be aware a site investigation and groundwater monitoring for underground storage tank leaks has been performed at the subject property to which you are named as the primary or active responsible party.

List of Landowners Form

Pursuant to Section 25297.15 (a) of the California Health and Safety Code, Alameda County Environmental Health (ACEH), 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 notified of the proposed action by the primary or active responsible party. ACEH is required to notify the primary or active responsible party 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 mail it back to ACEH by the date identified below.

Site Management Requirements

ACEH staff has evaluated the case file and believes the case may be eligible for closure. Closure would be under a commercial land use scenario with site management requirements, as residual soil contamination remains in soil beneath the site. Additionally, soil concentration data for the upper five feet of soil are not documented as samples were not collected during investigations and naphthalene was not an analyte at the site.

If a change in land use to any residential, commercial other than as a commercial fueling station, or conservative land use, or if any redevelopment occurs, Alameda County Environmental health (ACEH) must be notified as required by Government Code Section 65850.2.2. Due to the potential for vapor intrusion to indoor air for future buildings, ACEH will re-evaluate the case upon receipt of approved development/construction plans.

This site is to be entered into the City of Oakland Permit Tracking System due to the residual contamination on site.

Excavation or construction activities in areas of residual contamination require planning and implementation of appropriate health and safety procedures by the responsible party (or current property owner/developer) prior to and during excavation and construction activities.

Public Participation

Public participation is a requirement for the Corrective Action Plan and case closure process. In order to notify potentially affected members of the public of the potential fuel leak case closure, ACEH has distributed the attached *Notification of Potential Case Closure* to addresses in the immediate vicinity. The *Notification of Potential Case Closure* requests that landowners or residents submit any comments or questions to ACEH regarding potential case closure by December 22, 2014. ACEH will consider all comments from the public prior to potential case closure.

Monitoring Well Destruction and Waste Removal Activities

After public comments have been addressed you will be requested to destroy site monitoring well and remove any remaining investigation, remediation, and well destruction derived waste from the site.

ACEH will request the well destruction in a separate letter following the conclusion of the public notification period.

TECHNICAL REPORT REQUEST

Please submit reports to Alameda County Environmental Health (Attention: mark Detterman), and upload technical reports to the ACEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with the following specified file naming convention and schedule:

- **October 20, 2014** – Public Comment Period Begins
- **November 17, 2014** – Return of *List of Landowner Form*
- **December 22, 2014** – Public Comment Period Ends

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,

Mark E. Detterman, PG, CEG
Senior Hazardous Materials Specialist

Enclosures: Attachment A – *Invitation to Comment – Potential Case Closure*
Attachment B – Mailing List
Attachment C – List of Landowners Form

cc: James Gribi, Gribi Associates, 1090 Adams Street, Suite K, Benicia, CA 94510
(sent via electronic mail to: JGribi@gribiassociates.com)

Dilan Roe (sent via electronic mail to dilan.roe@acgov.org)
Mark Detterman, ACEH, (sent via electronic mail to mark.detterman@acgov.org)
Geotracker, Electronic File



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INVITATION TO COMMENT – POTENTIAL CASE CLOSURE

**VEND MART PROPERTY
1035 7th STREET, OAKLAND, CA
FUEL LEAK CASE RO0000036
GEOTRACKER GLOBAL ID T0600101646**

October 16, 2014

The above referenced site is a fuel leak case that is under the regulatory oversight of the Alameda County Environmental Health (ACEH) 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, ACEH is considering closure of the fuel leak case. *Due to the residual contamination on site, the site would be closed with site management requirements that require further evaluation if the site is to be redeveloped in the future.*

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 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>). Please send written comments to Mark Detterman at the address below; all comments will be forwarded to the responsible parties. Comments **received by December 20, 2014** 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 ACEH caseworker, Mark Detterman at 510-567-6876 or by email at mark.detterman@acgov.org. Please refer to ACEH case RO0000036 in any correspondence.

HARPER STEPHEN D & POWELL CINDY D TR
PARCEL #: 4-21-3-2
1091 MISSION CIR
FAIRFIELD CA 94534-7441

KDF CITY TOWERS LP
PARCEL #: 4-19-1-9
1301 DOVE ST #720
NEWPORT BEACH CA 92660-2470

MORH HOUSING ASSOCIATES
PARCEL #: 4-19-1-6
2211 MICHELSON DR #830
IRVINE CA 92612-0302

OAKLAND BUSINESS ASSOCIATION
PARCEL #: 4-19-3-3
3005 COOLIDGE AVE
OAKLAND CA 94602-2719

OCCUPANT
PARCEL #: 4-19-4-3
1035 7TH ST
OAKLAND CA 94607

OCCUPANT
PARCEL #: 4-19-5-4
1075 7TH ST
OAKLAND CA 94607

OCCUPANT
PARCEL #: 4-19-5-3
7TH ST
OAKLAND CA 94607

OCCUPANT
PARCEL #: 4-19-2-3
1009 7TH ST
OAKLAND CA 94607

OCCUPANT
PARCEL #: 4-19-3-3
1005 7TH ST
OAKLAND CA 94607

OCCUPANT
PARCEL #: 4-19-1-6
1039 8TH ST
OAKLAND CA 94607

OCCUPANT
PARCEL #: 4-19-1-9
1050 7TH ST
OAKLAND CA 94607

OCCUPANT
PARCEL #: 4-21-4
330 CHESTNUT ST
OAKLAND CA 94607

OCCUPANT
PARCEL #: 4-21-3-2
333 FILBERT ST
OAKLAND CA 94607

RED STAR INDUSTRIAL SERVICE
PARCEL #: 4-21-4
PO BOX 7891
BURBANK CA 91510-7891

SPRINT SPECTRUM LP 2722-1-7-POR1
PARCEL #: 4-19-5-4
4683 CHABOT DR #100
PLEASANTON CA 94588-3863

SPRINT SPECTRUM LP 2722-1-7-POR1
PARCEL #: 4-19-5-3
4683 CHABOT DR #100
PLEASANTON CA 94588-3863

WATSON VINITHA & DAVID TRS
PARCEL #: 4-19-4-3
5805 MENDOCINO AVE
OAKLAND CA 94618-1808

WONG JOE C & EMILY C TRS
PARCEL #: 4-19-2-3
4015 39TH AVE
OAKLAND CA 94619-2203

East Bay Municipal Utility District
Chandra Johannesson
P.O. Box 24055,
Oakland, CA 94623

cjohanne@ebmud.com

City Of Oakland Fire Department
Leroy Griffin
150 Frank H. Ogawa Plaza Suite 3341
Oakland CA 94612

lgriffin@oaklandnet.com

Cherie McCaulou
Engineering Geologist
Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay St, Ste 1400
Oakland, CA 94612

cmccaulou@waterboards.co.gov

LIST OF LANDOWNERS FORM

County of Alameda
Environmental Health Services
Environmental Protection
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR:

Site Name: Vend Mart Property
Address: 1035 7th Street
City, State, Zip: Oakland, CA 94707
Record ID #: RO0000036

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.

1. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I, _____ (name of primary responsible party), certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:

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,

Signature of Primary Responsible Party Printed Name Date E-mail Address