



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

May 27, 2015

Western Dealer Holding Company  
DBA Platinum Energy  
30343 Canwood St., Ste 200  
Agoura Hills, CA 91301-4329  
Attn.: Shane Nolan  
(Sent via E-mail to: [snolan@platinum-energy.net](mailto:snolan@platinum-energy.net))

Phillips 66 Company  
76 Broadway  
Sacramento, CA 95818  
Attn.: Ed Ralston  
(Sent via E-mail to: [Ed.C.Ralston@p66.com](mailto:Ed.C.Ralston@p66.com))

Sam and Wendy Ng  
3220 Lakeshore Avenue  
Oakland, CA 94610

Charanjeer Kaur and Kulwant Minhas  
PO Box 3545  
Yuba City, CA 95992-3545

Subject: Landowner Identification and Public Notification for Case Closure Consideration, Fuel Leak Case No. RO0000229 (GeoTracker Global ID T0600101463), UNOCAL #5325, 3220 Lakeshore Avenue, Oakland, CA 94610

Dear Responsible Parties:

Alameda County Environmental Health (ACEH) is considering the above referenced site for potential case closure. As you are 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 parties.

#### **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 send to ACEH as an email attachment or by land mail by the date identified below.

#### **Site Management Requirements**

This fuel leak case has been evaluated for closure consistent with the State Water Resource Control Board Low-Threat Underground Storage Tank Closure Policy (LTCP). Under the current land use as an active fueling station, the site is not required to meet media-specific criteria for vapor intrusion to indoor air. Therefore, case closure will be granted for the current commercial land use as an active fueling station.

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. ACEH will re-evaluate the case upon receipt of approved development/construction plans.

Excavation or construction activities in areas of residual contamination require planning and implementation of appropriate health and safety procedures by the responsible party prior to and during excavation and construction activities.

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

### **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, ACEH will distribute the attached *Notification of Potential Case Closure* to addresses in the immediate vicinity. The *Invitation to Comment - Potential Case Closure* requests that landowners or residents submit any comments or questions to ACEH regarding potential case closure. ACEH will consider all comments from the public prior to potential case closure. The *Invitation to Comment - Potential Case Closure* notice is included as an attachment. ACEH will provide you with written notification if any comments are received during the following Public Comment Period:

- **May 28, 2015** – Public Comment Period Begins
- **July 27, 2015** – Public Comment Period Ends (Tentative Date)

Please return the completed List of Landowner form as an email attachment or by land mail to ensure that the current landowner is included in this process. Should the current landowner not be included on the header of this document, the public comment period will be extended appropriately to allow for the mandatory 60-day comment period.

### **Monitoring Well Destruction and Waste Removal Activities**

After public comments have been addressed you will be requested to destroy site monitoring wells 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: Keith Nowell), and upload technical reports to the ACEH ftp site (Attention: Keith Nowell), and to the State Water Resources Control Board's Geotracker website, in accordance with the following specified file naming convention and schedule:

- **June 11, 2015** – Return of *List of Landowner Form*

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

If your email address does not appear on the cover page of this notification ACEH 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 and  
Electronic Report Upload (ftp) Instructions

Attachment 2 - *List of Landowners Form*

Attachment 3 - *Invitation to Comment - Potential Case Closure and Distribution List*

cc: Dennis Dettloff, Antea Group, 11050 White Rock Rd., Suite 110 Rancho Cordova, CA 95670  
(Sent via E-mail to: [ddettloff@anteagroup.com](mailto:ddettloff@anteagroup.com))

Mark Arniola, City of Oakland Public Works Environmental Services, 250 Frank H. Ogawa Plaza,  
Suite 4314, Oakland, CA 94612 (Sent via E-mail to: [marniola@oaklandnet.com](mailto:marniola@oaklandnet.com))

Susan Hugo, Alameda County Department of Environmental Health, 1131 Harbor Bay Parkway,  
Alameda, CA 94502-6577 (Sent via E-mail to: [susan.hugo@acgov.org](mailto:susan.hugo@acgov.org))

Dilan Roe, ACEH, (sent via e-mail to [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))

Keith Nowell, ACEH, (sent via e-mail [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org))

Geotracker, Electronic File

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>REVISION DATE:</b> May 15, 2014
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities.

## REQUIREMENTS

- **Please do not submit reports as attachments to electronic mail.**
- Entire report including cover letter must be submitted to the ftp site as **a single portable document format (PDF) with no password protection.**
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- **Signature pages and perjury statements must be included and have either original or electronic signature.**
- **Do not password protect the document.** Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:

RO#\_Report Name\_Year-Month-Date (e.g., RO#5555\_WorkPlan\_2005-06-14)

## Submission Instructions

- 1) Obtain User Name and Password
  - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
    - i) Send an e-mail to [deh.loptoxic@acgov.org](mailto:deh.loptoxic@acgov.org)
  - b) In the subject line of your request, be sure to include "**ftp PASSWORD REQUEST**" and in the body of your request, include the **Contact Information, Site Addresses**, and the **Case Numbers (RO# available in Geotracker) you will be posting for.**
- 2) Upload Files to the ftp Site
  - a) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
    - (i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
  - b) Click on Page located on the Command bar on upper right side of window, and then scroll down to Open FTP Site in Windows Explorer.
  - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
  - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
  - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
  - a) Send email to [deh.loptoxic@acgov.org](mailto:deh.loptoxic@acgov.org) notify us that you have placed a report on our ftp site.
  - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name @acgov.org. (e.g., firstname.lastname@acgov.org)
  - c) The subject line of the e-mail must start with the RO# followed by **Report Upload**. (e.g., Subject: RO1234 Report Upload) If site is a new case without an RO#, use the street address instead.
  - d) If your document meets the above requirements and you follow the submission instructions, you will receive a notification by email indicating that your document was successfully uploaded to the ftp site.

## Attachment 1

### Responsible Party(ies) Legal Requirements / Obligations

#### REPORT REQUESTS

These reports are being requested 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 in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

#### ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of reports in electronic form. The electronic copy replaces paper copies and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) GeoTracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the GeoTracker database over the Internet. Beginning July 1, 2005, these same reporting requirements were added to Spills, Leaks, Investigations, and Cleanup (SLIC) sites. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites is required in GeoTracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.waterboards.ca.gov/water\\_issues/programs/ust/electronic\\_submittal/](http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)).

#### PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

#### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) 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 registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

#### UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

#### AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional 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.

**ATTACHMENT 2**

**List of Landowners Form**

# 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: UNOCAL #5325  
Address: 3220 Lakeshore Avenue  
City, State, Zip: Oakland, CA 94610  
Record ID #: RO0000229

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

**ATTACHMENT 3**

**Potential Case Closure Notification  
and  
Mailing List**



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

**INVITATION TO COMMENT – POTENTIAL CASE CLOSURE**

**UNOCAL #5325  
3220 LAKESHORE AVENUE  
FUEL LEAK CASE RO0000229  
GEOTRACKER GLOBAL ID T0600101463**

**May 28, 2015**

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 Keith Nowell at the address below; all comments will be forwarded to the responsible parties. Comments **received by July 27, 2015** 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, Keith Nowell at 510-567-6764 or by email at [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org). Please refer to ACEH case RO0000229 in any correspondence.

CITY OF OAKLAND  
PARCEL #: 11-836-41-4  
250 FRANK H OGAWA PLZ #4  
OAKLAND CA 94612-2010

PLATINUM ENERGY  
30343 CANWOOD ST., SUITE 200  
AGOURA HILLS, CA 91301  
ATTN.: SHANE NOLAN

THREE IN ONE LLC  
PARCEL #: 11-837-84  
480 3RD ST  
OAKLAND CA 94607-3834

OCCUPANT  
PARCEL #: 11-837-84  
677 RAND AVE  
OAKLAND CA 94610

SAIDIAN NISSAN & CAROL M TRS  
PARCEL #: 11-838-19  
5733 MEDALLION CT  
CASTRO VALLEY CA 94552-1708

OCCUPANT  
PARCEL #: 11-838-19  
3259 LAKESHORE AVE  
OAKLAND CA 94610

HILL CLARENCE H TR  
PARCEL #: 11-838-20  
2480 W CRESCENT AVE  
VISALIA CA 93291-4308

OCCUPANT  
PARCEL #: 11-838-20  
3247 LAKESHORE AVE  
OAKLAND CA 94610

JPMORGAN CHASE BANK  
PARCEL #: 11-838-21  
1111 POLARIS PKWY #1J  
COLUMBUS OH 43240-2050

OCCUPANT  
PARCEL #: 11-838-21  
3241 LAKESHORE AVE  
OAKLAND CA 94610

1027 A STREET LLC  
PARCEL #: 11-838-22  
360 17TH ST #204  
OAKLAND CA 94612-3340

OCCUPANT  
PARCEL #: 11-838-22  
3233 LAKESHORE AVE  
OAKLAND CA 94610

LIU JIM K & MAE O  
PARCEL #: 11-838-23  
516 ZENITH RIDGE DR  
DANVILLE CA 94506-1355

OCCUPANT  
PARCEL #: 11-838-23  
3225 LAKESHORE AVE  
OAKLAND CA 94610

GARDNER TERRY L  
PARCEL #: 11-838-24  
PO BOX 30003  
OAKLAND CA 94604-6103

OCCUPANT  
PARCEL #: 11-838-24  
3219 LAKESHORE AVE  
OAKLAND CA 94610

JACK & SYLVIA DUDUM FAMILY LP  
PARCEL #: 11-838-25  
1330 N BROADWAY #C  
WALNUT CREEK CA 94596-4646

OCCUPANT  
PARCEL #: 11-838-25  
3209 LAKESHORE AVE  
OAKLAND CA 94610

FWS HIGHLAND LLC  
PARCEL #: 23-418-1  
99 S HILL DR  
BRISBANE CA 94005-1274

OCCUPANT  
PARCEL #: 23-418-1  
3026 LAKESHORE AVE  
OAKLAND CA 94610

CITY OF OAKLAND  
PARCEL #: 23-418-36  
250 FRANK H OGAWA PLZ #4  
OAKLAND CA 94612-2010

OCCUPANT  
PARCEL #: 23-418-36  
EXCELSIOR CT  
OAKLAND CA 94610

CITY OF OAKLAND  
PARCEL #: 23-424-8-1  
250 FRANK H OGAWA PLZ #4  
OAKLAND CA 94612-2010

OCCUPANT  
PARCEL #: 23-424-8-1  
721 WESLEY WAY  
OAKLAND CA 94610

KAUR CHARANJEER & MINHAS KULWANT  
PARCEL #: 23-424-16  
PO BOX 3545  
YUBA CITY CA 95992-3545

OCCUPANT  
PARCEL #: 23-424-16  
574 LAKE PARK AVE  
OAKLAND CA 94610

NG SAM S & WENDY W  
PARCEL #: 23-424-18-1  
3200 LAKESHORE AVE  
OAKLAND CA 94610

CONOCOPHILLIPS  
76 BROADWAY  
SACRAMENTO CA 95818  
ATTN.: ED RALSTON

ROSE JEFFREY TR  
PARCEL #: 23-424-20  
3118 TENNESSEE ST NE  
ALBUQUERQUE NM 87110-2433

OCCUPANT  
PARCEL #: 23-424-20  
3240 LAKESHORE AVE  
OAKLAND CA 94610

KRUSE ROY & KATHRYN J TRS &  
FRUDDEN JON H TR ETAL  
303 SACRAMENTO ST #4  
SAN FRANCISCO CA 94111-3613

OCCUPANT  
PARCEL #: 23-424-22-1  
3250 LAKESHORE AVE  
OAKLAND CA 94610

OCCUPANT  
PARCEL #: 11-838-24  
3217 LAKE SHORE AV  
OAKLAND CA 94610

OCCUPANT  
PARCEL #: 11-838-24  
3211 LAKE SHORE AV  
OAKLAND CA 94610

OCCUPANT  
PARCEL #: 11-838-24  
3215 LAKE SHORE AV  
OAKLAND CA 94610

OCCUPANT  
PARCEL #: 11-838-25  
3201 LAKESHORE AVE  
OAKLAND CA 94610

SF BAY RWQCB  
1515 CLAY STREET  
OAKLAND CA 94610  
ATTN.: CHERIE MCCAULOU

ALAMEDA COUNTY PUBLIC WORKS  
CLEAN WATER PROGRAM  
399 ELMHURST STREET  
HAYWARD CA 94544  
ATTN.: KWABLAH ATTIOGBE

ALAMEDA COUNTY COMMUNITY DEVELOPMENT  
AGENCY PLANNING DEPARTMENT  
224 WEST WINTON AVENUE  
HAYWARD CA 94544-1215  
ATTN.: SANDRA RIVERA

ALAMEDA COUNTY PUBLIC WORKS  
BUILDING INSPECTION DIVISION  
399 ELMHURST STREET ROOM 140  
HAYWARD CA 94544

EAST BAY MUNICIPAL UTILITY DISTRICT  
INDUSTRIAL DISCHARGE SECTION  
P.O. BOX 24055 MS 702  
OAKLAND CA 94623-1055  
ATTN.: CHANDRA JOHANNESSON

CITY OF OAKLAND PUBLIC WORKS  
ENVIRONMENTAL SERVICES  
250 FRANK H. OGAWA PLAZA SUITE 5301  
ATTN.: MARK ARNIOLA

EAST BAY MUNICIPAL UTILITY DISTRICT  
WATER SUPPLY IMPROVEMENTS DIVISION  
P.O. BOX 24055 MS 42  
OAKLAND CA 94623-1055  
ATTN.: KENNETH K. MINN