



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

December 16, 2010

Mr. Charles Miller (*Sent via E-mail to: [chuck.miller@danskinvestments.com](mailto:chuck.miller@danskinvestments.com)*)  
Moller Investment Group  
6951 Collins Drive, Suite E-11  
Moorpark, CA 93021

Drake Builders  
1616 Tremont Street  
Galveston, TX 77550

MacArthur Boulevard Associates  
c/o Mr. John Jay, Management Agent (*Sent via E-mail to: [johnjay@jayphares.com](mailto:johnjay@jayphares.com)*)  
10700 MacArthur Boulevard, Suite 200  
Oakland, CA 94605

Subject: Landowner Notification for Case Closure Consideration for Fuel Leak Case No. RO0000232 and Geotracker Global ID T0600101808, USA Petroleum, 10700 MacArthur Boulevard, Oakland, CA 94605

Dear Mr. Miller, Mr. Jay, and Drake Builders:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the most recently submitted report entitled, "*Results of Post-Excavation Soil Gas Survey and Request for Environmental Case Closure,*" dated November 12, 2010 (Report). The Report, which was prepared on behalf of Moller Investment Group by Stratus Environmental, Inc., presents the results of soil vapor sampling performed to confirm the effectiveness of soil excavation. Based on the results of soil excavation and confirmation soil vapor sampling, ACEH has prepared a case closure summary, which is currently under review by this agency for potential case closure. Additional investigation, groundwater monitoring, or submittal of further information is not necessary at this time unless requested by ACEH during or following closure review.

Pursuant to Section 25297.15 (a), 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 the above-mentioned requirement, please complete the enclosed "List of Landowners Form," and mail it back to ACEH within thirty (30) days from the date of this letter. Also your comments must be considered prior to the proposed cleanup or closure. Please respond within 30 days from the date of this letter for your comments to be considered.

Responsible Parties  
RO0000232  
December 16, 2010, Page 2

If you have any questions, please call me at 510-567-6791 or send me an electronic mail message at [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org).

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297  
Senior Hazardous Materials Specialist

Enclosure: List of Landowners Form

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032  
(Sent via E-mail to: [lgriffin@oaklandnet.com](mailto:lgriffin@oaklandnet.com))

Ken Phares, Jay-Phares Corporation, 10700 MacArthur Boulevard, Suite 200, Oakland, CA 94605 (Sent via E-mail to: [kphares@ix.netcom.com](mailto:kphares@ix.netcom.com))

Aubrey Rose, City of Oakland Planning & Zoning Division, 250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612 (Sent via E-mail to: [arose@oaklandnet.com](mailto:arose@oaklandnet.com))

Scott Bittinger, Stratus Environmental, 3330 Cameron Park Drive, Ste. 550, Cameron Park, CA 95682  
(Sent via E-mail to: [sbittinger@stratusinc.net](mailto:sbittinger@stratusinc.net))

Gowri Kowtha, Stratus Environmental, 3330 Cameron Park Drive, Ste. 550, Cameron Park, CA 95682  
(Sent via E-mail to: [gkowtha@stratusinc.net](mailto:gkowtha@stratusinc.net))

Peter McIntyre, AEI Consultants, 2500 Camino Diablo, Suite 100, Walnut Creek CA 94597 (Sent via E-mail to: [pmcintyre@aeiconsultants.com](mailto:pmcintyre@aeiconsultants.com))

Donna Drogos, ACEH (Sent via E-mail to: [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))  
Jerry Wickham, ACEH (Sent via E-mail to: [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org))

Geotracker, File

## 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: USA Petroleum  
Address: 10700 MacArthur Boulevard  
City, State, Zip: Oakland, CA 94605  
Record ID #: RO0000232

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: Mr. Charles Miller, Moller Investment Group  
Address: 6951 Collins Drive, Suite E-11  
City, State, Zip: Moorpark, CA 93021  
E-mail Address: [chuck.miller@danskinvestments.com](mailto:chuck.miller@danskinvestments.com)

Name: Drake Builders  
Address: 1616 Tremont Street  
City, State, Zip: Galveston, TX 77550  
E-mail Address: \_\_\_\_\_

Name: MacArthur Boulevard Associates, c/o Mr. John Jay, Management Agent  
Address: 10700 MacArthur Boulevard, Suite 200  
City, State, Zip: Oakland, CA 94605  
E-mail Address: [johnjay@jayphares.com](mailto:johnjay@jayphares.com)

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