

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**  
AGENCY  
ALEX BRISCOE, Director



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

July 5, 2012

Ms. Shari London  
ConocoPhillips  
3900 Kilroy Airport Way  
Long Beach, CA 90806 (*Sent via*  
*E-mail to: Shari.A.London@conocophillips.com*)

Mr. Mohammad Ahmadi  
Lafayette Investment Group, LLC  
587 Ygnacio Valley Road  
Walnut Creek, CA 94596

Ms. Elizabeth Bochnak  
64 Glenwild Rd.  
Madison, NJ 07940

Subject: Landowner Notification and Public Participation, Fuel Leak Case No. RO0002967 (Global ID # T0619732490), Unocal #1028 / ConocoPhillips #251028 5300 Broadway, Oakland, CA 94618

Dear Ms. London, Mr. Ahmadi, and Ms. Bochnak:

As you are aware, an investigation resulting from underground storage tank leaks was performed at the subject property to which you are named as the primary or active responsible party. 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 this 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, if any, 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.

Additionally, pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16, §2728, ACEH requires notification to the public of the proposed case closure for the site. To that end, we request that you distribute the Fact Sheet (attached) to the attached mailing list. Following distribution of the Fact Sheet, please provide verification that the Fact Sheet was distributed by standard U.S. Mail no later than July 16, 2012.

At the end of the 30-day public comment period, ACEH may request that you address the public comments received. If no public comments are received, ACEH will close the open case.

**TECHNICAL REPORT REQUEST**

Please submit technical reports to ACEH (Attention: Barbara Jakub), according to the following schedule:

- **July 16, 2012** – Send out Fact Sheet
- **July 20, 2012** – Verification that Fact Sheet was distributed to the attached mailing list and persons on cc list at the end of this correspondence and Landowner Notification Form

Should you have any questions, please contact me at (510) 639-1287 or send me an electronic mail message at [barbara.jakub@acgov.org](mailto:barbara.jakub@acgov.org).

Sincerely,

Barbara J. Jakub, P.G.  
Senior Hazardous Materials Specialist

Enclosures: Draft Public Notification of Potential Case Closure  
Mailing List for Fact Sheet  
List of Landowners Form  
Responsible Party(ies) Legal Requirements/Obligations  
ACEH Electronic Report Upload (ftp) Instructions

cc: Lia Holden, 312 Percy Road, San Jose, CA 95138 (*Sent via E-mail to:*  
[Lia.Holden@anteagroup.com](mailto:Lia.Holden@anteagroup.com))  
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))  
Donna Drogos, ACEH, (*Sent via E-mail to:* [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))  
Barbara Jakub, ACEH, (*Sent via E-mail to:* [barbara.jakub@acgov.org](mailto:barbara.jakub@acgov.org))  
Geotracker, e-File



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**PUBLIC NOTIFICATION OF POTENTIAL CLOSURE OF FUEL LEAK CASE**  
**5300 Broadway, Oakland**  
**July 16, 2012**

**Site Name: Unocal #1028/ConocoPhillips #251028**  
**Site Location: 5300 Broadway, Oakland, CA 94618**  
**Fuel Leak Case RO0002967 and Geotracker Global ID T0619732490**

**Summary** – This fact sheet has been prepared to inform community members and other interested parties of proposed case closure for a fuel leak case at 5300 Broadway in Oakland, California. Site investigation has been completed by ConocoPhillips and it does not appear that the fuel release presents a risk to human health. The Site is currently operated by an independent gasoline station operator but was formerly ConocoPhillips. The current site owner purchased the USTs currently in place along with the property. Before the site was purchased, a site investigation was performed to determine if

contamination resulting from the in place tanks was present. Additional monitoring determined that the residual contamination does not appear to pose a risk to the public at the site or at surrounding properties.

**Next Step** – The public is invited to review and comment on the potential closure of the fuel leak case. The entire case file can be viewed over the internet on the ACEH website at <http://www.acgov.org/aceh/lop/ust.htm> or at the State of California Water Resources Control Board Geotracker website <http://geotracker.swrcb.ca.gov>. Please send written comments to Barbara Jakub at the address below; all comments will be forwarded to the responsible party. **Comments received by August 16, 2012** will be considered and responded to prior to a final determination on the proposed case closure.

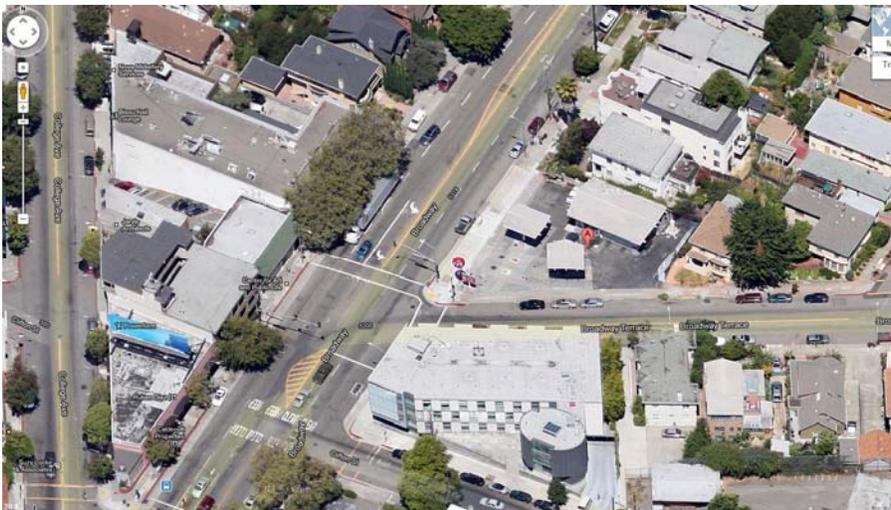


Figure 1: Site Map with Vicinity

Additional information:  
Contact Barbara Jakub of the Alameda County Department of Environmental Health, 1131 Harbor Bay Parkway, Alameda, CA 94502 510-639-1287 [barbara.jakub@acgov.org](mailto:barbara.jakub@acgov.org).

BRUNN PATRICIA  
Parcel #: 48A-7031-21  
5233 BROADWAY TER  
OAKLAND CA 94618

CALIFORNIA COLLEGE OF  
Parcel #: 48A-7031-22  
1111 8TH ST  
SAN FRANCISCO CA 94107

CALIFORNIA COLLEGE OF  
Parcel #: 14-1248-34  
1111 8TH ST  
SAN FRANCISCO CA 94107

CALIFORNIA COLLEGE OF  
Parcel #: 14-1248-35  
450 IRWIN ST  
SAN FRANCISCO CA 94107

CALIFORNIA COLLEGE OF  
Parcel #: 14-1248-36  
1111 8TH ST  
SAN FRANCISCO CA 94107

CALIFORNIA COLLEGE OF  
Parcel #: 14-1248-37  
1111 8TH ST  
SAN FRANCISCO CA 94107

CALIFORNIA COLLEGE OF  
Parcel #: 14-1248-38  
1111 8TH ST  
SAN FRANCISCO CA 94107

CALIFORNIA COLLEGE OF  
Parcel #: 14-1248-39  
1111 8TH  
SAN FRANCISCO CA 94107

CALIFORNIA COLLEGE OF  
Parcel #: 14-1248-40  
1111 8TH ST  
SAN FRANCISCO CA 94107

CALIFORNIA COLLEGE OF  
Parcel #: 14-1248-41  
1111 8TH ST  
SAN FRANCISCO CA 94107

CALIFORNIA COLLEGE OF  
Parcel #: 14-1248-42  
1111 EIGHTH ST  
SAN FRANCISCO CA 94107

CALIFORNIA COLLEGE OF  
Parcel #: 14-1248-43  
1111 8TH ST  
SAN FRANCISCO CA 94107

CALIFORNIA COLLEGE OF  
Parcel #: 14-1246-2  
1111 8TH ST  
SAN FRANCISCO CA 94107

COULARS MARIJKE H  
Parcel #: 48A-7035-22  
5330 BROADWAY  
OAKLAND CA 94618

DEHAVEN SARAH  
Parcel #: 48A-7035-20  
1872 BRENTWOOD RD  
OAKLAND CA 94602

DICK BLICK REALTY INC  
Parcel #: 14-1248-11-1  
1849 GREEN BAY RD #310  
HIGHLAND PARK IL 60035

GIACOMELLI DAVID B &  
Parcel #: 48A-7035-17  
5228 BROADWAY TER #3  
OAKLAND CA 94618

ISOLA AGOSTINO TR  
Parcel #: 48A-7035-16  
5307 THOMAS AVE  
OAKLAND CA 94618

KUMMER TODD  
Parcel #: 14-1248-9  
5317 BROADWAY  
OAKLAND CA 94618

LAFAYETTE INVESTMENT  
Parcel #: 48A-7035-19-1  
587 YGNACIO VALLEY RD  
WALNUT CREEK CA 94596

PASTRON SEYMOUR TRUSTS  
Parcel #: 14-1248-12  
5283 BROADWAY  
OAKLAND CA 94618

PRESANT KENNETH D &  
Parcel #: 48A-7031-20  
5235 BROADWAY TER  
OAKLAND CA 94618

RESIDENT  
Parcel #: 48A-7035-21  
5324 BROADWAY  
OAKLAND CA 94618

RESIDENT  
Parcel #: 48A-7031-22  
5217 BROADWAY TER  
OAKLAND CA 94618

RESIDENT  
Parcel #: 48A-7035-20  
5320 BROADWAY  
OAKLAND CA 94618

RESIDENT  
Parcel #: 48A-7035-19-1  
5300 BROADWAY  
OAKLAND CA 94618

RESIDENT  
Parcel #: 14-1248-34  
5270 COLLEGE AVE  
OAKLAND CA 94618

RESIDENT  
Parcel #: 14-1248-35  
5270 COLLEGE AVE  
OAKLAND CA 94618

RESIDENT  
Parcel #: 14-1248-36  
5270 COLLEGE AVE  
OAKLAND CA 94618

RESIDENT  
Parcel #: 14-1248-37  
5270 COLLEGE AVE  
OAKLAND CA 94618

RESIDENT  
Parcel #: 14-1248-38  
5270 COLLEGE AVE  
OAKLAND CA 94618

RESIDENT  
Parcel #: 14-1248-39  
5270 COLLEGE AVE  
OAKLAND CA 94618

RESIDENT  
Parcel #: 14-1248-40  
5270 COLLEGE AVE  
OAKLAND CA 94618

RESIDENT  
Parcel #: 14-1248-41  
5270 COLLEGE AVE  
OAKLAND CA 94618

RESIDENT  
Parcel #: 14-1248-42  
5270 COLLEGE AVE  
OAKLAND CA 94618

RESIDENT  
Parcel #: 14-1248-43  
5270 COLLEGE AVE  
OAKLAND CA 94618

RESIDENT  
Parcel #: 14-1246-2  
5276 BROADWAY  
OAKLAND CA 94618

RESIDENT  
Parcel #: 14-1248-11-1  
5301 BROADWAY  
OAKLAND CA 94618

RESIDENT  
Parcel #: 48A-7035-17  
5228 BROADWAY TER  
OAKLAND CA 94618

TOM BRIAN  
Parcel #: 48A-7035-21  
3 CRAIG AVE  
PIEDMONT CA 94611

VONBERGEN JULIE & ROGER  
Parcel #: 48A-7035-18  
5222 BROADWAY TER  
OAKLAND CA 94618

ZUPARKO CAROLYNN H &  
Parcel #: 48A-7035-15  
5315 THOMAS AVE  
OAKLAND CA 94618

## 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 #1028 / ConocoPhillips #251028  
Address: 5300 Broadway  
City, State, Zip: Oakland, CA 94618  
Record ID #: RO0002967

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 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.

<b>Oversight Programs (LOP and SLIC)</b>	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 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.