



Certified Mail #:

October 9, 2017

NOTICE OF RESPONSIBILITY

Site Name & Address:

**PALACE GARAGE
14336 WASHINGTON AVENUE
SAN LEANDRO, CA 94578**

**Local ID: RO0000208
Related ID: NA
RWQCB ID: NA
Global ID: T0600101043**

Responsible Party:

**LUCIA AND MORRIS DONNELLY; AND
DOLORES AND J.W. KERRY
463 ELSIE AVENUE
SAN LEANDRO, CA 94577**

Date First Reported: 2/1/1991
Substance: • 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
Funding for Oversight: LOPS - LOP State Fund
Multiple RPs?: Yes

Pursuant to sections 25297.1 and 25297.15 of the Health and Safety Code, you are hereby notified that the above site has been placed in the Local Oversight Program and the individual(s) or entity(ies) shown above, or on the attached list, has (have) been identified as the party(ies) responsible for investigation and cleanup of the above site. Section 25297.15 further requires the primary or active Responsible Party to notify all current record owners of fee title before the local agency considers cleanup or site closure proposals or issues a closure letter. For purposes of implementing section 25297.15, this agency has identified LUCIA AND MORRIS DONNELLY, AND DOLORES AND J. W. KERRY as the primary or active Responsible Party. It is the responsibility of the primary or active Responsible Party to submit a letter to this agency, within 20 calendar days of receipt of this notice that identifies all current record owners of fee title. It is also the responsibility of the primary or active Responsible Party to certify to the local agency that the required notifications have been made at the time a cleanup or site closure proposal is made or before the local agency makes a determination that no further action is required. If property ownership changes in the future, you must notify this local agency within 20 calendar days from when you are informed of the change.

Any action or inaction by this local agency associated with corrective action, including responsible party identification, is subject to petition to the State Water Resources Control Board. Petitions must be filed within 30 days from the date of the action/inaction. To obtain petition procedures, please FAX your request to the State Water Board at (916) 341-5808 or telephone (916) 341-5752.

Pursuant to section 25296.10(c)(6) of the Health and Safety Code, a responsible party may request the designation of an administering agency when required to conduct corrective action. Please contact this office for further information about the designation process.

Please contact your caseworker MARK DETTERMAN at this office at (510) 567-6876 if you have questions regarding your site.

 Date: 10-11-2017

RONALD BROWDER, Director
Contract Project Director

Action: Update
Reason: ADD

Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File



Certified Mail #: 7014 2120 0000 5558 9924

October 9, 2017

NOTICE OF RESPONSIBILITY

Site Name & Address:

**PALACE GARAGE
14336 WASHINGTON AVENUE
SAN LEANDRO, CA 94578**

**Local ID: RO0000208
Related ID: NA
RWQCB ID: NA
Global ID: T0600101043**

Responsible Party:

**MORRIS DONNELLY; AND
DOLORES AND JEFFREY KERRY
1121 BROOKVALE DRIVE
SAN LEANDRO, CA 94577**

Date First Reported: 2/1/1991
Substance: • 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
Funding for Oversight: LOPS - LOP State Fund
Multiple RPs?: Yes

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RONALD BROWDER, Director
Contract Project Director

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Reason: ADD

Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File



Certified Mail #: 7014 2120 0000 5558 9931

October 9, 2017

NOTICE OF RESPONSIBILITY

Site Name & Address:

**PALACE GARAGE
14336 WASHINGTON AVENUE
SAN LEANDRO, CA 94578**

**Local ID: RO0000208
Related ID: NA
RWQCB ID: NA
Global ID: T0600101043**

Responsible Party:

**DOLORES AND JEFFREY KERRY TRUST
AND JAMES DONNELLY, ET.AL.
19655 NORTH RIPON ROAD
RIPON, CA 95366**

**Date First Reported: 2/1/1991
Substance: • 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
Funding for Oversight: LOPS - LOP State Fund
Multiple RPs?: Yes**

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Contract Project Director

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Reason: ADD

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cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File



Certified Mail #: 7014 2120 0000 5558 9948

October 9, 2017

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14336 WASHINGTON AVENUE
SAN LEANDRO, CA 94578**

**Local ID: RO0000208
Related ID: NA
RWQCB ID: NA
Global ID: T0600101043**

Responsible Party:

**GERALD DONNELLY TRUST
AND DOLORES AND JEFFREY KERRY
38822 FARWELL DRIVE, APT. 18E
FREMONT, CA 94536**

**Date First Reported: 2/1/1991
Substance: • 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
Funding for Oversight: LOPS - LOP State Fund
Multiple RPs?: Yes**

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Reason: ADD

Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File

ALAMEDA COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

October 9, 2017

Site Name & Address:

PALACE GARAGE
14336 WASHINGTON AVENUE
SAN LEANDRO, CA 94578

Local ID: RO0000208
Related ID: NA
RWQCB ID: NA
Global ID: T0600101043

All Responsible Parties

RP has been named a Primary RP – LUCIA AND MORRIS DONNELLY, AND DOLORES AND J.W. KERRY

463 ELSIE AVENUE | SAN LEANDRO, CA 94577 | No Phone Number Listed

RP has been named a Primary RP – MORRIS DONNELLY TRUST AND DOLORES AND JEFFREY KERRY, ET.AL.

1121 BROOKVALE DRIVE | SAN LEANDRO, CA 94577 | No Phone Number Listed

RP has been named a Primary RP – DOLORES AND JEFFREY KERRY TRUST, AND JAMES DONNELLY, ET.AL.

19655 NORTH RIPON ROAD | RIPON, CA 95366 | No Phone Number Listed

RP has been named a Primary RP – GERALD DONNELLY TRUST, AND DOLORES AND JEFFRY ET.AL.

38822 FARWELL DRIVE, APT 18E | FREMONT, CA 94536 | No Phone Number Listed

Responsible Party Identification Background

Alameda County Department of Environmental Health (ACDEH) names a "Responsible Party," as defined under 23 C.C.R Sec. 2720. Section 2720 defines a responsible party four ways. An RP can be:

1. "Any person who owns or operates an underground storage tank used for the storage of any hazardous substance."
2. "In the case of any underground storage tank no longer in use, any person who owned or operated the underground storage tank immediately before the discontinuation of its use."
3. "Any owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred."
4. "Any person who had or has control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance."

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

October 9, 2017

Existence of Unauthorized Release

On February 11, 1991, one 550-gallon underground storage tank (UST) was removed from the site. Four visible holes were observed near the tip of the UST during removal, including a ¼-inch and one ½-inch hole. A soil sample collected from beneath the tank detected a concentration of 19 milligrams per kilogram (mg/kg) Total Petroleum Hydrocarbons as gasoline (TPHg) and concentrations of benzene, toluene, ethylbenzene, and total xylenes (BTEX). A soil sample collected from the stockpile detected a concentration of 1,900 mg/kg TPHg, 1.2 mg/kg benzene, 14.0 mg/kg toluene, 11.0 mg/kg ethylbenzene, and 67.0 mg/kg total xylenes. These data indicate that an unauthorized release has occurred at the site.

Responsible Party Identification

Lucia and Morris Donnelly, and Dolores and J.W. Kerry purchased or received the property on September 13, 1984, and are Responsible Parties for site because they owned a UST used for the storage of a hazardous substance (Definition 1), owned the property where an unauthorized release of a hazardous substance occurred (Definition 3), and they had control over a UST at the time of or following an unauthorized release of a hazardous substance (Definition 4). Morris Donnelly and Dolores and Jeffrey Kerry, maintained the property under differing name configurations between May 31, 2005 and October 25, 2006.

The Morris Donnelly Trust and Dolores and Jeffrey Kerry, et.al. received or purchased the property on October 25, 2006. Ownership of the property was maintained by the trust until November 19, 2010. The Morris Donnelly Trust and Dolores and Jeffrey Kerry, et.al. are Responsible Parties because owned the property where an unauthorized release of a hazardous substance occurred (Definition 3).

The Dolores and Jeffrey Kerry Trust, and James Donnelly et.al. received or purchased the property November 19, 2010. They are Responsible Parties because owned the property where an unauthorized release of a hazardous substance occurred (Definition 3).

The Gerald Donnelly Trust, and Dolores and Jeffrey Kerry, et.al. received or purchased the property on March 21, 2011. They are Responsible Parties because owned the property where an unauthorized release of a hazardous substance occurred (Definition 3).