

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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July 18, 2008

Mark Hersh
City of Oakland
Department of Public Works
250 Frank H. Ogawa Plaza, Suite 5301
Oakland, CA 94612

Linda Hothem
Linda Hothem Trust
104 Caledonia Street, #C
Sausalito, CA 94965-1952

Subject: Fuel Leak Case No. RO0000379 and Geotracker Global ID T0600101442, City of Oakland, 670 98th Avenue, Oakland, CA 94603

Dear Mr. Hersh and Ms. Hothem:

In a Notice of Responsibility dated October 6, 1992, the City of Oakland was notified that the above referenced site had been placed in the Local Oversight Program and that the City of Oakland was named as Responsible Parties for the fuel leak case. Linda Hothem Trust purchased the property in 2004 and has been named an additional Responsible Party for the fuel leak case as defined under 23 C.C.R. Sec. 2720. Please see Attachment A – Responsible Parties Data Sheet, which identifies all Responsible Parties and provides background on the unauthorized release and Responsible Party Identification.

If you have any questions, please call me at (510) 777-2478.

Sincerely,

Paresh C. Khatri
Hazardous Materials Specialist

Attachment A – Responsible Parties Data Sheet

cc: Donna Drogos, ACEH
Paresh Khatri, ACEH
File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

July 18, 2008

Site Name & Address:

**CITY OF OAKLAND
670 98TH AVE
Oakland, CA 94603**

Local ID: RO0000379

Related ID: 3686

RWQCB ID: 01-1567

Global ID: T0600101442

All Responsible Parties

RP has been named a Primary RP - MARK GOMEZ

CITY OF OAKLAND

250 FRANK OGAWA PLAZA STE #5301 | OAKLAND, CA 94612-2034 | Phone (510) 238-7314

RP has been named a RP - LINDA HOTHEM

LINDA HOTHEM TRUST

104 CALEDONIA ST #C | SAUSALITO, CA 94965 | Phone No Phone Number Listed

Responsible Party Identification Background

Alameda County Environmental Health (ACEH) names a "Responsible Party," as defined under 23 C.C.R. Sec. 2720. Section 2720 defines a responsible party 4 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."

ACEH has named the responsible parties for this site as detailed below.

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

July 18, 2008

Responsible Party Identification

Existence of Unauthorized Release

In 1989, during widening of 98th Avenue, workers encountered contamination while excavating a water line trench at the site. Soil samples collected from the trench were found to contain up to 350 mg/kg total petroleum hydrocarbons (TPH).

Responsible Party Identification

The City of Oakland has owned the property from May 1985 to March 2004. The City of Oakland is a responsible party because it owned the property where an unauthorized release of a hazardous substance from an underground storage tank has occurred (definition 3). On October 6, 1992, the City of Oakland was sent a Notice of Responsibility for the subject site.

Linda Hothem Trust purchased the property in March 2004. Linda Hothem Trust is a responsible party because it owns the property where an unauthorized release of a hazardous substance occurred (definition 3).