

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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October 3, 2008

Stephen Boyd
Pacific Electric Motor Company
137 Fiesta Circle
Orinda, CA 94563-4350

Subject: Fuel Leak Case No. RO0000411 and Geotracker Global ID T0600101950, Pacific Electric Motor, 1009 66th Avenue, Oakland, CA 94621 – Additional Responsible Parties

Dear Mr. Boyd:

In a Notice of Responsibility dated March 1, 1995, Pacific Electric Motor was notified that the above referenced site had been placed in the Local Oversight Program and that Pacific Electric Motor was named as Responsible Party for the fuel leak case. Modad Properties and Aspire Public Schools purchased the property and have 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

October 03, 2008

Site Name & Address:

PACIFIC ELECTRIC MOTOR
1009 66TH AVE
Oakland, CA 94621

Local ID: RO0000411
Related ID: 565
RWQCB ID: 01-2124
Global ID: T0600101950

All Responsible Parties

RP has been named a Primary RP - CHARLES ROBITAILLE
ASPIRE PUBLIC SCHOOLS
1001 22ND AVENUE | OAKLAND, CA 94606 | Phone No Phone Number Listed

RP has been named a RP - STEPHEN BOYD
PACIFIC ELECTRIC MOTOR
137 FIESTA CIRCLE | ORINDA, CA 94563 | Phone No Phone Number Listed

RP has been named a RP - C/O RICHARD R ANDERSON
MODAD PROPERTIES LLC
561 4TH ST | OAKLAND, CA 94607-3558 | 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)

October 03, 2008

Responsible Party Identification

Existence of Unauthorized Release

On February 16, 1995, one 2,000-gallon gasoline underground storage tank was removed from the site. Following UST removal activities, a Preliminary Site Investigation was conducted at the site. Soil and groundwater impact was detected from previous release of gasoline fuel.

Responsible Party Identification

Pacific Electric Motor owned the subject property from circa March 1969 until January 2001. Pacific Electric Motor is a responsible party because it owned the USTs (definition 1), operated the USTs for storage of hazardous substances (definition 2), owned the property where an unauthorized release of a hazardous substance from an underground storage tank has occurred (definition 3), and had control over the USTs at the time of or following an unauthorized release of a hazardous substance (definition 4).

Modad Properties, LLC purchased the property in January 2001. Modad Properties, LLC is a responsible party because it owns the property where an unauthorized release of a hazardous substance occurred (definition 3).

Aspire Public Schools purchased the property in June 2008. Aspire Public Schools is a responsible party because it owns the property where an unauthorized release of a hazardous substance occurred (definition 3).