

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

Certified Mail #: 7002 2030 0006 9574 2423

October 03, 2008

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

**NOTICE OF RESPONSIBILITY**

**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**

**Responsible Party:**

**CHARLES ROBITAILLE  
ASPIRE PUBLIC SCHOOLS  
1001 22ND AVENUE  
OAKLAND CA 94606**

**Date First Reported: 3/1/1995**

**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 ASPIRE PUBLIC SCHOOLS 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) 341-5650.

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 KHATRI, PARESH, at this office at (510)777-2478 if you have questions regarding your site.

  
ARIU LEVL, Director  
Contract Project Director

Date: Oct 6, 2008

Action: Add  
Reason: New RP

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**

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**RP has been named a Primary RP - CHARLES ROBITAILLE**

**ASPIRE PUBLIC SCHOOLS**

1001 22ND AVENUE | OAKLAND, CA 94606 | Phone No Phone Number Listed

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**RP has been named a RP - STEPHEN BOYD**

**PACIFIC ELECTRIC MOTOR**

137 FIESTA CIRCLE | ORINDA, CA 94563 | Phone No Phone Number Listed

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**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

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**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).

7002 2030 0006 9574 2423

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For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a> ®	
<b>OFFICIAL USE</b>	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Post	
Sent To	
Street, Apt. or PO Box #	
City, State, .	
Postmark Here	
<b>CHARLES ROBITAILLE</b>	
<b>ASPIRE PUBLIC SCHOOLS</b>	
<b>1001 22<sup>ND</sup> AVENUE</b>	
<b>OAKLAND, CA 94606</b>	
PS Form 3800, June 2002	
See Reverse for Instructions	

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

Certified Mail #: 7002 2020 0006 9574 2416

October 03, 2008

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

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**

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1009 66TH AVE  
Oakland, CA 94621**

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

**Responsible Party:**

**C/O RICHARD R. ANDERSON  
MODAD PROPERTIES LLC  
561 4TH ST  
OAKLAND CA 94607-3558**

**Date First Reported: 3/1/1995**

**Substance: 8006619 Gasoline-Automotive (motor gasoline  
and additives), leaded & unleaded**

**Funding for Oversight: LOPS - LOP State Fund**

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ARIU LEVI, Director  
Contract Project Director

Date: *Oct 6 2008*

Action: Add  
Reason: New RP

Attachment A: Responsible Parties Data Sheet

cc: Jenniffer Jordan, SWRCB, D. Drogos, File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

October 03, 2008

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**All Responsible Parties**

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1001 22ND AVENUE | OAKLAND, CA 94606 | Phone No Phone Number Listed

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**PACIFIC ELECTRIC MOTOR**  
137 FIESTA CIRCLE | ORINDA, CA 94563 | Phone No Phone Number Listed

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**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

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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

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<b>OFFICIAL USE</b>	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage	
Postmark Here	
Sent To	<b>C/O RICHARD R. ANDERSON</b>
Street, A or PO Box	<b>MODAD PROPERTIES, LLC</b>
City, State, Zip	<b>561 4<sup>TH</sup> STREET</b>
	<b>OAKLAND, CA 94607-3558</b>

PS Form 3800, June 2002

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

Certified Mail # Z 196 176 807

03/01/95  
STID# 565

DEPARTMENT OF ENVIRONMENTAL HEALTH  
ALAMEDA COUNTY-ENV. HEALTH DEPT.  
ENVIRONMENTAL PROTECTION DIV.  
1131 HARBOR BAY PKWY., #250  
ALAMEDA CA 94502-6577  
(510)567-6700

**Notice of Requirement to Reimburse**

Mr. Terry Knox  
Pacific Electric Motor Co.  
1009 66th Ave.  
Oakland C A 94621

Responsible Party  
Property Owner

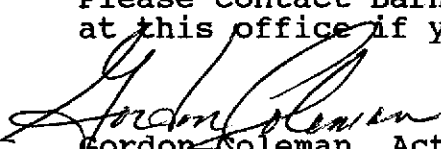
Pacific Electric Motor  
1009 66th Ave  
Oakland , CA 94621

SITE

Date First Reported 03/01/95  
Substance: Gasoline  
Petroleum: (X)Yes

The federal Petroleum Leaking Underground Storage Tank Trust Fund (Federal Trust Fund) provides funding to pay the local and state agency administrative and oversight costs associated with the cleanup of releases from underground storage tanks. The legislature has authorized funds to pay the local and state agency administrative and oversight costs associated with the cleanup of releases from underground storage tanks. The direct and indirect costs of site investigation or remedial action at the above site are funded, in whole or in part, from the Federal Trust Fund. The above individual(s) or entity(ies) have been identified as the party or parties responsible for investigation and cleanup of the above site. **YOU ARE HEREBY NOTIFIED** that pursuant to Title 42 of the United States Code, Section 6991b(h)(6) and Sections 25297.1 and 25360 of the California Health and Safety Code, the above Responsible Party or Parties must reimburse the State Water Resources Control Board not more than 150 percent of the total amount of site specific oversight costs actually incurred while overseeing the cleanup of the above underground storage tank site, and the above Responsible Party or Parties must make full payment of such costs within 30 days of receipt of a detailed invoice from the State Water Resources Control Board.

Please contact Barney CHAN, Hazardous Materials Specialist at this office if you have any questions concerning this matter.

  
Gordon Coleman, Acting Chief  
Contract Project Director

cc: Mike Harper, SWRCB

SWRCB Use:  Add : X Reason: *New Site*

R0411

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

**MR. TERRY KNOX**  
**PACIFIC ELECTRIC MOTOR CO.**  
**1009 66th AVE.**  
**OAKLAND, CA 94621**

*R0411*  
*U802*

5. Signature (Addressee)  
*Terry Knox*

6. Signature (Agent)  
*[Signature]*

4a. Article Number  
**Z 196 176 807**

4b. Service Type

Registered       Insured  
 Certified       COD  
 Express Mail       Return Receipt for Merchandise

7. Date of Delivery  
*3-6-95*

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

PS Form 3811, December 1991 **DOMESTIC RETURN RECEIPT**

Z 196 176 807



**Receipt for Certified Mail**  
 No Insurance Coverage Provided  
 Do not use for International Mail  
 (See Reverse) **B.C.**

PS Form 3800, March 1993

Sent to	
<b>MR. TERRY KNOX</b>	
Street or P.O. Box	
<b>PAC. ELECT. MOTOR CO.</b>	
P.O., State and ZIP Code	
<b>1009 66th Ave.</b>	
<b>OAKLAND, CA 94621</b>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	