

ALAMEDA COUNTY
HEALTH CARE SERVICES



F

AGENCY

DAVID J. KEARS, Agency Director

Certified Mail #: 7002 2030 0006 9574 1785

January 25, 2007

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:

MERRITT ENV CORP
1044 5TH AVE
Oakland, CA 94606

Local ID: RO0000419
Related ID: 3887
RWQCB ID: 21-2323
Global ID: T0600102304

Responsible Party:

MICHAEL LIU
MLSC INVESTMENT LLC
1663 MACARTHUR BLVD
OAKLAND CA 94602-1661

Date First Reported: 11/6/1995

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

Funding for Oversight: LOPF - LOP Funding 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 PAMELA BROWN 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 WICKHAM, JERRY, at this office at (510)567-6791 if you have questions regarding your site.



ARIU LEVI, Chief
Contract Project Director

Date: 1/30/07

Action: Add
Reason: Add current property owner

Attachment A: Responsible Parties Data Sheet

cc: Jenniffer Jordan, SWRCB, D. Drogos, J Wickham

NOR1.rpt - NOR 2006 Revision

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

January 25, 2007

Site Name & Address:

MERRITT ENV CORP
1044 5TH AVE
Oakland, CA 94606

Local ID: RO0000419

Related ID: 3887

RWQCB ID: 21-2323

Global ID: T0600102304

All Responsible Parties

RP has been named a Primary RP - PAMELA H BROWN
PAMELA BROWN
1044 5TH AVENUE | OAKLAND, CA 94606-2832

RP has been named a RP - JEFFREY HAMMOND
MERRITT ENVIRONMENTAL CORP
1044 5TH AVENUE | OAKLAND, CA 94606-2832

RP has been named a RP - MICHAEL LIU
MLSC INVESTMENT LLC
1663 MACARTHUR BLVD | OAKLAND, CA 94602-1661

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:

"Any person who owns or operates an underground storage tank used for the storage of any hazardous substance."

"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."

"Any owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred."

"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.

Existence of Unauthorized Release

An underground storage tank (UST) with an approximate capacity of 1,000 gallons was removed from the site on October 18, 1995. The UST was believed to have been installed some time in the 1950's. Use of the UST was reported to be discontinued at the end of 1994. Petroleum hydrocarbons, which appeared to be aged gasoline, were detected in soil samples collected from the tank pit during UST removal. Subsequent investigation of the site, which included nine soil borings and one groundwater monitoring well, confirmed that fuel hydrocarbons had been released to soil and groundwater in that area of the former UST system.

Responsible Party Identification

Jeffrey Hammond owned the property from February 7, 1989 to September 21, 1989. He is a responsible party for the fuel leak because he was the former property owner where an unauthorized release from a UST occurred (Definition 3). A Notice of Responsibility was issued to Jeffrey Hammond on November 6, 1995.

Pamela Brown owned the property from September 21, 1989 until May 20, 1997. She is a responsible party for the fuel leak because she because she owned and operated the UST before the discontinuation of its use (Definition 2), was the former property owner where an unauthorized release from a UST occurred (Definition 3), and had control of the UST at the time of or following an unauthorized release (Definition 4). A Notice of Responsibility was issued to Pamela Brown on November 6, 1995.

MLSC Investment LLC is the current owner of the property. MLSC Investment LLC is a responsible party for the fuel leak because they are the property owner where an unauthorized release from a UST occurred (Definition 3).

7002 2030 0006 9574 1785

| | |
|--|----|
| U.S. Postal Service™ | |
| CERTIFIED MAIL™ RECEIPT | |
| <i>(Domestic Mail Only; No Insurance Coverage Provided)</i> | |
| For delivery information visit our website at www.usps.com | |
| OFFICIAL USE | |
| Postage | \$ |
| Certified Fee | |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ |
| Postmark Here | |
| Sent To: Michael Liu, MLSC Investment | |
| Street, Apt. No. or PO Box No. 1663 MacArthur Blvd. | |
| City, State, ZIP+4 Oakland, CA 94602-1661 | |
| PS Form 3800, June 2002. See Reverse for Instructions | |

ALAMEDA COUNTY
HEALTH CARE SERVICES



F

AGENCY

DAVID J. KEARS, Agency Director

Certified Mail #: 7002 2030 0006 9574 ~~4785~~
1822
January 25, 2007

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:
MERRITT ENV CORP
1044 5TH AVE
Oakland, CA 94606

Local ID: RO0000419
Related ID: 3887
RWQCB ID: 21-2323
Global ID: T0600102304

Responsible Party:

MICHAEL LIU
MLSC INVESTMENT LLC
1663 MACARTHUR BLVD
OAKLAND CA 94602-1661

Date First Reported: 11/6/1995

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

Funding for Oversight: LOPF - LOP Funding Fund

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Please contact your caseworker WICKHAM, JERRY, at this office at (510)567-6791 if you have questions regarding your site.

Date: 1/30/07

ARIU LEVI, Chief
Contract Project Director

Action: Add
Reason: Add current property owner

Attachment A: Responsible Parties Data Sheet

cc: Jenniffer Jordan, SWRCB, D. Drogos, J Wickham

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

January 25, 2007

Site Name & Address:

MERRITT ENV CORP
1044 5TH AVE
Oakland, CA 94606

Local ID: RO0000419
Related ID: 3887
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PAMELA BROWN
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- "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.

Existence of Unauthorized Release

An underground storage tank (UST) with an approximate capacity of 1,000 gallons was removed from the site on October 18, 1995. The UST was believed to have been installed some time in the 1950's. Use of the UST was reported to be discontinued at the end of 1994. Petroleum hydrocarbons, which appeared to be aged gasoline, were detected in soil samples collected from the tank pit during UST removal. Subsequent investigation of the site, which included nine soil borings and one groundwater monitoring well, confirmed that fuel hydrocarbons had been released to soil and groundwater in that area of the former UST system.

Responsible Party Identification

Jeffrey Hammond owned the property from February 7, 1989 to September 21, 1989. He is a responsible party for the fuel leak because he was the former property owner where an unauthorized release from a UST occurred (Definition 3). A Notice of Responsibility was issued to Jeffrey Hammond on November 6, 1995.

Pamela Brown owned the property from September 21, 1989 until May 20, 1997. She is a responsible party for the fuel leak because she because she owned and operated the UST before the discontinuation of its use (Definition 2), was the former property owner where an unauthorized release from a UST occurred (Definition 3), and had control of the UST at the time of or following an unauthorized release (Definition 4). A Notice of Responsibility was issued to Pamela Brown on November 6, 1995.

MLSC Investment LLC is the current owner of the property. MLSC Investment LLC is a responsible party for the fuel leak because they are the property owner where an unauthorized release from a UST occurred (Definition 3).

7002 2030 0006 9574 1822

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|--|----|
| U.S. Postal Service™ | |
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| <i>(Domestic Mail Only; No Insurance Coverage Provided)</i> | |
| For delivery information visit our website at www.usps.com | |
| OFFICIAL USE | |
| Postage | \$ |
| Certified Fee | |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ |
| Postmark Here | |
| Sent To <i>Michael Liu, MLSC Investment</i> | |
| Street, Apt. No., or PO Box No. <i>1663 MacArthur Blvd.</i> | |
| City, State, ZIP+4 <i>Oakland, CA 94602-1661</i> | |
| PS Form 3800, June 2002 See Reverse for Instructions | |

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

Certified Mail #: 7002 2030 0006 9574 ~~4785~~

January 25, 2007

1522

ENVIRONMENTAL HEALTH SERVICES

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1131 Harbor Bay Parkway, Suite 250
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(510) 567-6700
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Date First Reported: 11/6/1995

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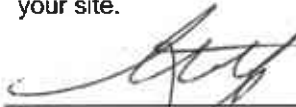
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ARIU LEVI, Chief
Contract Project Director

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cc: Jenniffer Jordan, SWRCB, D. Drogos, J Wickham

NOR1 rpt - NOR 2006 Revision

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

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MLSC Investment LLC is the current owner of the property. MLSC Investment LLC is a responsible party for the fuel leak because they are the property owner where an unauthorized release from a UST occurred (Definition 3).

| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
|--|--|
| <ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. | <p>A. Signature  <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery <u>4-27-07</u></p> |
| <p>1. Article Addressed to:</p> <p>Michael Liu MLSC Investment LLC 1663 MacArthur Blvd. Oakland, CA 94602-1661</p> | <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p> <p style="font-size: 2em; opacity: 0.5; text-align: center;">RECEIVED</p> |
| <p>2. Article Number <small>(Transfer from outside label)</small></p> | <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> |
| <p>7002 2030 0006 9574 1822</p> <p>m Receipt 102595-02-M-1540</p> | |



cc4580

ALAMEDA COUNTY
HEALTH CARE SERVICES AGENCY
Department Of Environmental Health
Environmental Protection Division
1131 Harbor Bay Parkway
Alameda, CA 94502-6577

CERTIFIED MAIL™



7002 2030 0006 9574 1822

 **ENCLAVE**

LN
3/7/07

MICHAEL LIU
MLSC INVESTMENT LLC
1663 MACARTHUR BLVD.

APR 03 2007



NIXIE 945 1 30 03/29/07

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

BC: 94502634031 *2605-01824-29-28



ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, DIRECTOR

Certified Mail # P 072 565 860
11/06/95 - STID# 3887

Alameda County
Environmental Protection Division
1131 Harbor Bay Parkway, Room 25
Alameda CA 94502-6577
(510) 567-6700

Notice of Requirement to Reimburse

Ms. Pamela Brown

1044 5th Ave.
Oakland CA 94606

Responsible Party #1
Property Owner

(510) 567-6700

Mr. Jeffrey Hammond
Merritt Environmental Corp
1044 5th Ave.
Oakland CA 94606

Responsible Party #2
Property Owner

Merritt Env Corp
1044 5th Ave
Oakland, CA 94606

SITE

Date First Reported 11/06/95
Substance: Gasoline
Petroleum: (X) Yes
Source: f

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 overseeing 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 Section 25297.1 of the California Health and Safety Code, the above Responsible Party or Parties must reimburse the State Water Resources Control Board (SWRCB) not more than 150 percent of the total amount of site specific oversight costs actually incurred while overseeing the cleanup of the above referenced 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 SWRCB.

Any action or inaction by this local agency associated with corrective action, including responsible party identification, is subject to petition to the SWRCB. Petitions must be filed within 30 days from the date of the action/inaction. To obtain petition procedures, please fax your request to Roni Riley at the SWRCB at (916) 227-4349 or telephone (916) 227-4408. 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

c: Mike Harper, SWRCB

Please Circle One: Add Delete Change

Reason: New Site

Standard Form UST03(6/93) ; Report: ReimRP 5/95

BC
#3887 P 072 565 860

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

| | | |
|--|--|------------------|
| Sent to | | Ms. Pamela Brown |
| Street and No. | | 1044 5th Avenue |
| P. O., State and ZIP Code | | Oakland CA 94606 |
| Postage | | \$ |
| Certified Fee | | |
| Special Delivery Fee | | |
| Restricted Delivery Fee | | |
| Return Receipt showing to whom and Date Delivered | | |
| Return Receipt showing to whom Date, and Address of Delivery | | |
| TOTAL Postage and Fees | | \$ |
| Postmark or Date | | |

PS Form 3800, June 1985

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, DIRECTOR

Certified Mail # P 072 565 859
11/06/95 - STID# 3887

Alameda County
Environmental Protection Division
1131 Harbor Bay Parkway, Room 250
Alameda CA 94502-6577
(510) 567-6700

Notice of Requirement to Reimburse

Ms. Pamela Brown

1044 5th Ave.
Oakland CA 94606

Responsible Party #1
Property Owner

Alameda, CA 94502-6577
(510) 567-6700

Mr. Jeffrey [redacted] and
Merritt Environmental Corp
1044 5th Ave.
Oakland CA 94606

Responsible Party #2
Property Owner

Merritt Env Corp
1044 5th Ave
Oakland, CA 94606

SITE

Date First Reported 11/06/95
Substance: Gasoline
Petroleum: (X) Yes
Source: f

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Gordon Coleman, Acting Chief
Contract Project Director

c: Mike Harper, SWRCB

Please Circle One: Add Delete Change

Reason: New Site

Standard Form UST03(6/93) ; Report: ReimRP 5/95

#3887 ✓

BC P 072 565 859

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

| | |
|--|----|
| Sent to Mr. Jeffrey Hammond | |
| Street and No. 1044 5th Avenue | |
| P.O., State and ZIP Code Oakland CA 94606 | |
| Postage | \$ |
| Certified Fee | |
| Special Delivery Fee | |
| Restricted Delivery Fee | |
| Return Receipt showing to whom and Date Delivered | |
| Return Receipt showing to whom, Date and Address of Delivery | |
| TOTAL Postage and Fees | \$ |
| Postmark or Date | |

PS Form 3800, June 1985