

Re 2559

Alameda County

JAN 25 2005



Environmental Health

January 24, 2006
Project 62402797

Don Hwang
Hazardous Materials Specialist
Alameda County Department of Environmental Health
1131 Harbor Bay Parkway
Alameda, California 94502-6577

Dear Mr. Hwang:

**Subject: Verification of Property Ownership
Earthgrains Baking Companies, Inc.
955 Kennedy Street
Oakland, California 94606**

On behalf of Earthgrains Baking Companies, Inc. (Earthgrains), PSC Environmental Services (PSC) is providing verification of property ownership for the subject site. The Alameda County Department of Environmental Health (Alameda County) issued a *Notice of Responsibility* to Earthgrains dated August 19, 2003 for the investigation and clean-up of the site (Attachment A).

Earthgrains is owned by Sara Lee Bakery Group, Inc., a division of Sara Lee Corporation, and is listed as the property owner on the *Unified Program Consolidated Form* dated April 8, 2005 (Attachment B). Sara Lee Corporation uses an Irrevocable Standby Letter of Credit as their financial assurance mechanism and lists the site on their 2006 *Underground Storage Tanks (UST) - Certification of Financial Responsibility* (Attachment C).

PSC is now partnering with ETIC Engineering (ETIC) to provide environmental consulting and remediation services and ETIC will submit a site investigation work plan to Alameda County in April 2006. Upon review and approval of the work plan, ETIC will perform a site investigation to assess the magnitude and extent of petroleum-hydrocarbon impact at the site. PSC requests that Alameda County recognize Earthgrains as the Responsible Party and send future regulatory correspondence to the following parties:

Send Original:

**Melvin Siegel
Environmental Manager
Earthgrains Baking Companies, Inc.
955 Kennedy Street
Oakland, California 94606**

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Mr. Don Hwang
January 24, 2006

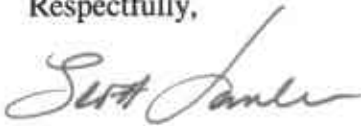
Send Copies:

Scott Jander
Project Manager
PSC Environmental Services
210 West Sand Bank Road
Columbia, Illinois 62236

Thomas Neely, PG
Project Manager
ETIC Engineering
2285 Morello Avenue
Pleasant Hill, California 94523

If you have any questions concerning the property ownership or site investigation work plan, then please contact me at (618) 281-1546.

Respectfully,



Scott Jander
Project Manager

Attachments: A - Notice of Responsibility
B - Unified Program Consolidated Form
C - UST Certification of Financial Responsibility

cc: Melvin Siegel (Earthgrains)
Thomas Neely (ETIC)

Attachment A
Notice of Responsibility

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

Certified Mail # 7002 0510 0000 2178 5879
August 19, 2003

Notice of Responsibility

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 260
Alameda, CA 94502-6577
(510) 587-8700
FAX (510) 337-9335

Record ID: R00002569
Sara Lee Bakery
955 Kenedy Street
Oakland, CA 94606

SITE

Date First Reported 4/15/2003
Substance: Gasoline
Funding (Federal or State): F
Multiple RPs?: N


Theresa Lanctot
Sara Lee Bakery Group Inc
8500 Maryland Ave
St Louis MO 63105-3668

Responsible Party (RP)
Property Owner

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 Sara Lee Bakery Group Inc. 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 which 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) 227-4349 or telephone (916) 227-4408.

Pursuant to section 25299.37(c) (7) 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 Amir Gholami, Hazardous Materials Specialist at this office at (510) 567-6700 for further information about the site designation process.


Ariu Levi, Chief
Contract Project Director

Please Circle One Add/Delete Change

Reason: NEW CASE

✓ C: Luanne Rolland, SWRCB
Amir K. Gholami, Hazardous Materials Specialist

Attachment B
Unified Program Consolidated Form

Attachment C

UST Certification of Financial Responsibility

**UNDERGROUND STORAGE TANKS
CERTIFICATION OF FINANCIAL RESPONSIBILITY**

December 2, 2005



Sara Lee Corporation hereby certifies that it is in compliance with the requirements of Subchapter I – Solid Wastes, 40 CFR Part 280 – Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks, Subpart H – Financial Responsibility.

The financial assurance mechanism used to demonstrate our financial responsibility under 40 CFR §280.99 is the Irrevocable Standby Letter of Credit (LOC) No. 00365325 issued to Sara Lee Corporation by Bank One on November 27, 1998. As provided by Bank One's notification of Automatic Extension dated June 25, 2004 LOC No. 00365325 expiration has been automatically extended to November 27, 2006.

The identified financial coverage provides \$1,000,000 per occurrence and \$2,000,000 in aggregate for taking corrective action and/or compensating third parties for bodily injury and property damage caused by accidental releases.


George D. Johnson
Director, Corporate Environmental
Affairs

12/2/2005
Date

SCHEDULE A

LETTER OF CREDIT NO. 00365325

**SARA LEE CORPORATION
UNDERGROUND STORAGE TANK
LOCATIONS**

Date: 12/2005

| <u>STATE</u> | <u>DIVISION</u> | <u>SITE(S)</u> | <u>TOTAL NUMBER OF TANKS IN STATE</u> | <u>STATE CITATION</u> | <u>ASSURED BY THIS FINANCIAL INSTRUMENT</u> |
|--------------|-----------------------------------|---|---|---|---|
| Alabama | Sara Lee Bakery Group | 1110 South Bell Street Dothan, Alabama 36301 (1 Active Tank) 7200 West Governors Drive Huntsville, Alabama 35807 (Remediation Site) 1201 N. Beltline Highway Mobile, Alabama (Remediation Site) | 1 | ADEM Admin. Code, Section 335-6-15-.46 | Yes |
| Arizona | Sara Lee Bakery Group | 738 West Van Buren Street Phoenix, Arizona 85007 (1 Active Tank) | 1 | HB 2273, adopting Subtitle I RCRA | Yes |
| California | Sara Lee Bakery Group | 955 Kennedy Street Oakland, California 94606 (Remediation Site) 3211 6 th Avenue Sacramento, California 95817 (1 Active Tank) 2651 Airport Way Stockton, California 95202 (Remediation Site) 1801 Sommersville Road Antioch, California 94509 (Remediation Site) 791 Vista Del Monte Concord, California 94520 (Remediation Site) 171 South Center Street Stockton, California 95202 (Remediation Site) | 1 | CA Code of Regulations Title 23, Division 3, Chapter 16 | Yes |
| Colorado | Sara Lee Bakery Group | 7300 Brighton Boulevard Commerce City, Colorado 80022 (2 Active Tanks) | 2 | OIS Administers Programs | Yes |
| Florida | The Harwood Companies, Inc. | 3355 Enterprise Avenue Ft. Lauderdale, Florida 3331 (1 Active Tank) | 1 | Title 17 Chapter 17-761 (BR) | Yes |

(BR) By Reference