



Linda S. Adams  
Secretary for  
Environmental Protection

# State Water Resources Control Board

## Division of Financial Assistance

1001 I Street • Sacramento, California 95814  
P.O. Box 944212 • Sacramento, California • 94244-2120  
(916) 341-5714 • FAX (916) 341-5806 • [www.waterboards.ca.gov/cwphone/cstaf](http://www.waterboards.ca.gov/cwphone/cstaf)



Arnold Schwarzenegger  
Governor

JUL 26 2007

Robert and Carolyn Bond,  
Revocable Living Trust  
865 Hallmark Dr.  
Redding, CA 96001

Alameda County

JUL 30 2007

Environmental Health

2007 JUL 30 PM 4:20

Dear Mr. and Mrs. Bond:

UNDERGROUND STORAGE TANK (UST) CLEANUP FUND (FUND), FUND  
MANAGER DECISION (FMD) FOR ELIGIBILITY DETERMINATION:  
CLAIM NO. 018603; FOR SITE ADDRESS: 748 LINCOLN AVE, ALAMEDA

By a letter dated April 24, 2006, you requested an FMD for reconsideration of the Fund Staff Decision dated March 15, 2006, for eligibility to the Fund. Fund Staff denied your claim for noncompliance with the permitting requirements of Chapter 6.7 of the *Health and Safety Code* (H&SC), and you were also denied a waiver of the permitting requirement. In addition, you were denied eligibility under the provisions of Section 25299.54(h)(1), because of the affiliation with the previous owner.

### Decision

Following my review of your letter, the supporting documents in your file, and consultation with Fund technical staff, I have decided to find in your favor and overturn the Fund Staff Decision.

Your claim is accepted for placement on the Priority List in Priority Class "A" with a zero deductible.

### Compliance Review

This completes the initial review. The next step in the claim review process is to conduct a compliance review.

Staff reviews, verifies, and processes claims based on the priority and rank within a priority class. After the State Water Board adopts the Priority List, your claim will remain on the Priority List until your Priority Class and rank are reached. At that time, staff will conduct an extensive Compliance Review at the local regulatory agency or Regional Water Quality Control Board. During this Compliance Review, staff may request additional information needed to verify eligibility. Once the Compliance Review is completed, staff will determine if the claim is valid or must be rejected. If the claim is valid, a Letter of Commitment (LOC) will be issued obligating funds toward the cleanup.

*California Environmental Protection Agency*



Recycled Paper

If staff determine that you have not complied with regulations governing site cleanup, you have not supplied necessary information or documentation, or your claim application contains a material error, the claim will be rejected. In such event, you will be issued a Notice of Intended Removal from the Priority List, informed of the basis for the proposed removal of your claim, and provided an opportunity to correct the condition that is the basis for the proposed removal. Your claim will be barred from further participation in the Fund, if the claim application contains a material error resulting from fraud or misrepresentation.

Recordkeeping: During your cleanup project you should keep complete and well organized records of all corrective action activity and payment transactions. If you are eventually issued a LOC, you will be required to submit: (1) copies of detailed invoices for all corrective action activity performed (including subcontractor invoices); (2) copies of canceled checks used to pay for work shown on the invoices; (3) copies of technical documents (bids, narrative work description, reports), and; (4) evidence that the claimant paid for the work performed (not paid by another party). These documents are necessary for reimbursement and failure to submit them could impact the amount of reimbursement made by the Fund. ***It is not necessary to submit these documents at this time; however, they will definitely be required prior to reimbursement.***

Compliance with Corrective Action Requirements: In order to be reimbursed for your eligible costs of cleanup incurred after December 2, 1991, you must have complied with corrective action requirements of Article 11, Chapter 16, Division 3, Title 23, California Code of Regulations. Article 11 categorized the corrective action process into ***phases***. In addition, Article 11 requires the responsible party to submit an ***investigative workplan/Corrective Action Plan*** (CAP) before performing any work. This phasing process and the workplan/CAP requirements were intended to:

1. help the responsible party undertake the necessary corrective action in a cost-effective, efficient and timely manner;
2. enable the regulatory agency to review and approve the proposed cost-effective corrective action alternative before any corrective action work was performed; and
3. ensure the Fund will only reimburse the most cost-effective corrective action alternative required by the regulatory agency to achieve the minimum cleanup necessary to protect human health, safety and the environment.

In some limited situations ***interim cleanup*** will be necessary to mitigate a demonstrated immediate hazard to public health, or the environment. Program regulations allow the responsible party to undertake interim remedial action after: (1) notifying the regulatory agency of the proposed action, and; (2) complying with any requirements that the regulatory agency may set. Interim remedial action should only be proposed when necessary to mitigate an immediate demonstrated hazard. ***Implementing interim***

***remedial action does not eliminate the requirement for a CAP and an evaluation of the most cost-effective corrective action alternative.***

Three bids: Only corrective action costs required by the regulatory agency to protect human health, safety and the environment can be claimed for reimbursement. You must comply with all regulatory agency time schedules and requirements and you must obtain three bids for any required corrective action. ***If you do not obtain three bids or a waiver of the three-bid requirement, reimbursement is not assured and costs may be rejected as ineligible.***

If you have any questions, please contact Ms. Shari Knieriem at (916) 341-5714.

Sincerely,



Ronald M. Duff, P.E., Fund Manager  
Underground Storage Tank Cleanup Fund

cc: Ms. Donna Drogos  
Alameda County EHD  
1131 Harbor Bay Pkway, 2nd Fl.  
Alameda, CA 94502-6577

**Wickham, Jerry, Env. Health**

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**From:** Yoo, James  
**Sent:** Wednesday, August 16, 2006 4:31 PM  
**To:** Wickham, Jerry, Env. Health  
**Subject:** RE: Well Survey for 1612 Solano Avenue, Albany  
**Attachments:** City of Albany Well.xls

Jerry:

No water supply wells in our data base for the entire City of Albany except for this one unknown well. The City of Albany owns this well and it's listed as ABN which could mean not being used or left in place and not destroyed.

See attached.  
James

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**From:** Wickham, Jerry, Env. Health  
**Sent:** Tuesday, August 15, 2006 8:42 AM  
**To:** Yoo, James  
**Subject:** Well Survey for 1612 Solano Avenue, Albany

James,

Would you please do a well survey for water supply wells within 2,000 feet of 1612 Solano Avenue in Albany?

thanks

*Jerry Wickham*  
Hazardous Materials Specialist  
Alameda County Environmental Health  
1131 Harbor Bay Parkway  
Suite 250  
Alameda, CA 94502-6577  
510-567-6791 phone  
510-337-9335 Fax  
[jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org)

8/18/2006

<u>Tr</u>	<u>Section</u>	<u>Address</u>	<u>Longcity</u>	<u>Owner</u>	<u>Update</u>	<u>Xcoord</u>	<u>Ycoord</u>	<u>Matchleve</u>	<u>Tsrqg</u>	<u>Rec code</u>
1N/4W	34L 1	1247 Marin Ave.	Albany	City of Albany	6/16/1993	1.22E+08	37887904	1	1N/4W 34L	0

<u>Phone</u>	<u>City</u>	<u>Drilldate</u>	<u>Elevation</u>	<u>Totaldepth</u>	<u>Waterdept</u>	<u>Diameter</u>	<u>Use</u>
0	ALB	9/92	0	33	0	0	ABN

**Wickham, Jerry, Env. Health**

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**From:** Delnagro, Rob [Rob.Delnagro@shawgrp.com]  
**Sent:** Wednesday, July 12, 2006 9:10 AM  
**To:** Wickham, Jerry, Env. Health  
**Subject:** RE: RO0002871 Report Upload

Sure thing! I wasnt sure on Pleasanton as I didnt have a case number, but I will upload today.

Rob

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**From:** Wickham, Jerry, Env. Health [mailto:jerry.wickham@acgov.org]  
**Sent:** Wed 7/12/2006 9:08 AM  
**To:** Delnagro, Rob  
**Subject:** RE: RO0002871 Report Upload

Rob,

Please make sure that the analytical data, well data, and reports also get uploaded to Geotracker. I received a hard copy of a report for AT&T at 7240 Johnson Drive. Would you please upload that report as well.

Thanks,  
 Jerry Wickham  
 Hazardous Materials Specialist  
 Alameda County Environmental Health  
 1131 Harbor Bay Parkway  
 Suite 250  
 Alameda, CA 94502-6577  
 510-567-6791 phone  
 510-337-9335 Fax  
 jerry.wickham@acgov.org

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**From:** Delnagro, Rob [mailto:Rob.Delnagro@shawgrp.com]  
**Sent:** Tuesday, July 11, 2006 10:50 AM  
**To:** dehloptoxic, Env. Health  
**Cc:** Wickham, Jerry, Env. Health  
**Subject:** RO0002871 Report Upload

I've uploaded a report for the AT&T 1612 Solano Avenue, Albany site.

Thanks!

Rob

Rob Delnagro, P.G.  
 Project Manager  
 Shaw Environmental and Infrastructure  
 4005 Port Chicago Highway

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



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ENVIRONMENTAL HEALTH SERVICES

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

February 21, 2006

Ms. Louise Delano  
SBCSI-EM  
308 South Akard Street, Room 900  
Dallas, TX 75202

Subject: Fuel Leak Case N [REDACTED] SBC, 1612 Solano Avenue, Albany, CA – Work Plan Approval

Dear Ms. Delano:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site and the report entitled, "Letter Work Plan for Proposed Soil and Groundwater Investigation, SBC Facility, 1612 Solano Avenue, Albany, California," dated January 26, 2006. The Work Plan proposes five direct-push soil borings around a former 4,000-gallon diesel fuel underground storage tank (UST). ACEH concurs with the proposed scope of work described in the Work Plan.

We request that you perform the proposed work and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org)) prior to the start of field activities.

**TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Mr. Jerry Wickham), according to the following schedule:

- **June 23, 2006** – Soil and Groundwater Investigation Report

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

**ELECTRONIC SUBMITTAL OF REPORTS**

Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org).

#### PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

#### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

#### UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

Ms. Louise Delano  
February 21, 2006  
Page 3

**AGENCY OVERSIGHT**

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

If you have any questions, please call me at (510) 567-6791.

Sincerely,

A handwritten signature in black ink that reads "Jerry Wickham". The signature is written in a cursive, flowing style.

Jerry Wickham, P.G.  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Robert Delnagro  
Shaw Environmental, Inc.  
4005 Port Chicago Highway  
Concord, CA 94520

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

R02871

**Wickham, Jerry, Env. Health**

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**From:** Wickham, Jerry, Env. Health  
**Sent:** Tuesday, January 10, 2006 8:10 AM  
**To:** 'Delnagro, Rob'  
**Subject:** RE: SBC/AT&T facility - 1612 Solano Avenue, Albany

Thanks for the new contact information. The due date for case R00002871 is extended to January 31, 2006.

Regards,  
*Jerry Wickham*  
Hazardous Materials Specialist  
Alameda County Environmental Health  
1131 Harbor Bay Parkway  
Suite 250  
Alameda, CA 94502-6577  
510-567-6791 phone  
510-337-9335 Fax  
[jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org)

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**From:** Delnagro, Rob [<mailto:Rob.Delnagro@shawgrp.com>]  
**Sent:** Monday, January 09, 2006 5:04 PM  
**To:** Wickham, Jerry, Env. Health  
**Subject:** SBC/AT&T facility - 1612 Solano Avenue, Albany

Mr. Wickham –  
Sorry about this last-minute request for an extension to a January 12, 2006 due date for a work plan. SBC/AT&T has been going through some merger pains, with some work orders lost in the shuffle, and the person your letter was addressed to no longer works there. This unfortunately has caused some delays in getting stuff through the system.

To make a long story short, we are on track now, but can SBC get a 2-week extension on getting the work plan reviewed and submitted to your office?

Also, the new go-to person for SBC is now:

Louise Delano  
SBC Services, Inc.  
308 South Akard Street  
Room 900  
Dallas, Texas 75202-5399

I hate to ask - we typically are on things, this one just got delayed!

Thanks!  
Rob

**Rob Delnagro, P.G.**  
Project Manager  
Shaw Environmental and Infrastructure  
4005 Port Chicago Highway  
Concord, California 94520  
925.288.2103 direct

1/10/2006

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



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ENVIRONMENTAL HEALTH SERVICES

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

October 21, 2005

Ms. Rebecca Greier Horton  
Environmental Management  
SBC Services, Inc.  
Three SBC Plaza, #900  
Dallas, TX 75202

Subject: Fuel Leak Case No. [REDACTED] SBC, 1612 Solano Avenue, Albany, CA

Dear Ms. Horton:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site and the report entitled, "Underground Storage Tank Removal and Installation Report," dated July 2004. The report summarizes the results from the removal of a 4,000-gallon diesel fuel tank. Total petroleum hydrocarbons as diesel (TPHD) were detected in the two soil samples collected beneath the former tank at concentrations of 160 and 1.4 milligrams per kilogram (mg/kg), respectively. We request that you characterize the extent of the fuel release in order to assess whether a significant impact has occurred to soil or groundwater at the site.

Please submit a work plan detailing your proposal to define the extent of soil contamination and to assess whether groundwater has been impacted by **January 12, 2006**. This report is being requested pursuant to the Regional Water Quality Control Board's (Regional Board) authority under Section 13267 of the California Water Code.

**REQUEST FOR INFORMATION**

ACEH's case files for the subject site contains only the report entitled, "Underground Storage Tank Removal and Installation Report," dated July 2004. We request that you submit copies of any other reports you have documenting additional investigation activities or other work related to this UST system/site with the work plan requested below.

**TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Mr. Jerry Wickham), according to the following schedule:

- **January 12, 2006** – Investigation Work Plan

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

#### ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic%20reporting)).

#### PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

#### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

#### LANDOWNER NOTIFICATION REQUIREMENTS

Pursuant to California Health & Safety Code Section 25297.15, the active or primary responsible party for a fuel leak case must inform all current property owners of the site of cleanup actions or requests for closure. Furthermore, ACEH may not consider any cleanup proposals or requests for case closure without assurance that this notification requirement has been met. Additionally, the active or primary responsible party is required to forward to ACEH a complete mailing list of all record fee title holders to the site. If you have not already submitted a list of record fee title owners in response to the Notice of Responsibility, dated August 17, 2005, we require that you

submit a complete mailing list of all record fee title owners of the site by **December 1, 2005**, which states, at a minimum, the following:

A. *In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (name of primary responsible party), certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:*

- OR -

B. *In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (name of primary responsible party), certify that I am the sole landowner for the above site.*

*(Note: Complete item A if there are multiple site landowners. If you are the sole site landowner, skip item A and complete item B.)*

In the future, for you to meet these requirements when submitting cleanup proposals or requests for case closure, ACEH requires that you:

1. Notify all current record owners of fee title to the site of any cleanup proposals or requests for case closure;
2. Submit a letter to ACEH which certifies that the notification requirement in 25297.15(a) of the Health and Safety Code has been met;
3. Forward to ACEH a copy of your complete mailing list of all record fee title holders to the site; and
4. Update your mailing list of all record fee title holders, and repeat the process outlined above prior to submittal of any additional *Corrective Action Plan* or your *Request for Case Closure*.

Your written certification to ACEH (Item 2 above) must state, at a minimum, the following:

A. *In accordance with Section 25297.15(a) of the Health & Safety Code, I, (name of primary responsible party), certify that I have notified all responsible landowners of the enclosed proposed action. (Check space for applicable proposed action(s)):*

☐ *cleanup proposal (Corrective Action Plan)*

☐ *request for case closure*

☐ *local agency intention to make a determination that no further action is required*

☐ *local agency intention to issue a closure letter*

- OR -

B. *In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (name of primary responsible party), certify that I am the sole landowner for the above site.*

**(Note: Complete item A if there are multiple site landowners. If you are the sole site landowner, skip item A and complete item B.)**

**UNDERGROUND STORAGE TANK CLEANUP FUND**

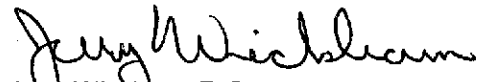
Please be aware that you may be eligible for reimbursement of the costs of investigation from the California Underground Storage Tank Cleanup Fund (Fund). In some cases, a deductible amount may apply. If you believe you meet the eligibility requirements, I strongly encourage you to call the Fund for an application.

**AGENCY OVERSIGHT**

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham, P.G.  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

RO2871



Shaw Environmental, Inc.

4005 Port Chicago Highway  
Concord, California 94520-1120  
Phone: 925.288.9898  
Fax: 925.288.0888

September 8, 2005

Mr. Jerry Wickham  
Alameda County Health Care Services Agency  
Environmental Health Services  
1131 Harbor Bay Parkway, Suite 250  
Alameda, California 94502-6577

Alameda County  
SEP 13 2005  
Environmental Health

**Subject: Current Owners Record of Fee Title, SBC Facility, 1612 Solano Avenue, Albany, California, Case ID RO0002871**


Dear Mr. Wickham:

At the request of SBC, Shaw Environmental, Inc. (Shaw) identified the current owner of record fee title to the above-mentioned SBC facility. This work was performed in response to the letter from the Alameda County Health Care Services Agency (ACHSA) dated August 17, 2005 which requested identification of the current property owner prior to determining if no further action is required following removal of a 4,000-gallon diesel underground storage tank from the property in May 2004.

According to the Historical Chain-of-Title Report, the property was acquired by Pacific Telegraph and Telephone Company (now SBC) in October 1937. Please note that the site may have previously been located within the City of Berkeley limits, however, the property is presently within the City of Albany limits. A copy of the Historical Chain-of-Title Report is attached.

If you have any questions or comments, please do not hesitate to contact the undersigned at (925) 288-2103.

Sincerely,

  
Rob Delnagro, P.G.  
Project Manager

cc:  
Ms. Monique Durham – SBC  
Mr. James Kendrick – Newfields, Inc.

Alameda County  
SEP 13 2005  
Environmental Health

**Attachment 1**  
**Historical Chain-of-Title**  
**Report**



2055 East Rio Salado Parkway, Suite 201  
Tempe, Arizona 85281

Phone: (480) 967-6752

Fax Number: (480) 966-9422

Web Site: [www.netronline.com](http://www.netronline.com)

## **HISTORICAL CHAIN OF TITLE REPORT**

SBC  
1612 SOLANO AVENUE  
BERKELEY, CALIFORNIA

Submitted to:

ENVIRONMENTAL DATA RESOURCES, INC.  
C/O  
SHAW ENVIRONMENTAL AND INFRASTRUCTURE, INC.  
4005 Port Chicago Highway  
Concord, California 94520  
(925) 288-2119

Attention: Rob Delnagro

Project No. N05-1287

Wednesday, September 07, 2005

**NETR- Real Estate Research & Information** hereby submits the following ASTM historical chain-of-title to the land described below, subject to the leases/miscellaneous shown in

Section 2. Title to the estate or interest covered by this report appears to be vested in:

PACIFIC TELEPHONE AND TELEGRAPH COMPANY

The following is the current property legal description:

All those certain pieces or parcels of land being Lots 1, 2, 24, and 25 in Block 19 as shown on the map entitled "Northbrae, Berkeley, California" filed 04-08-1907, lying and situate in the City of Berkeley, County of Alameda, State of California.

Assessor's Parcel Number: 065-2625-026

## 1. HISTORICAL CHAIN OF TITLE

1. GRANT DEED:

RECORDED: 10-21-1937  
GRANTOR: C. C. Charles, also known as Charles C. Charles and  
Cora A. Charles, husband and wife  
GRANTEE: Pacific Telephone and Telegraph Company  
INSTRUMENT: KH87516

2. GRANT DEED:

RECORDED: 10-22-1937  
GRANTOR: Tobias Hubke  
GRANTEE: Pacific Telephone and Telegraph Company  
INSTRUMENT: KH57007

3. GRANT DEED:

RECORDED: 10-27-1937  
GRANTOR: Harry A. Brandt and Marie Brandt  
GRANTEE: Pacific Telephone and Telegraph Company  
INSTRUMENT: KH58500

### **3. LIMITATION**

This report was prepared for the use of Environmental Data Resources, Inc., and Shaw Environmental and Infrastructure, Inc., exclusively. This report is neither a guarantee of title, a commitment to insure, or a policy of title insurance. NETR- Real Estate Research & Information does not guarantee nor include any warranty of any kind whether expressed or implied, about the validity of all information included in this report since this information is retrieved as it is recorded from the various agencies that make it available. The total liability is limited to the fee paid for this report.

# Alameda County CUPA Program

## Contaminated Site Case Transfer Form

### Referral To:

Date	September 21, 2004
Agency	Alameda County Environmental Health, 1131 Harbor Bay Parkway, Alameda, CA 94502
Attention	Donna L. Drogos, LOP/SLIC Program Manager

### Site Information:

Site Responsible Party(s)	
Site Name	SBC
Site Address	1612 Solano Avenue, Albany CA 94607
Site Phone	n/a
Site Contractor/Consultant (if available)	Shaw Environmental
Site DBA	

### Site Conditions:

<b>UST</b>			
USTs removed? # removed: <u>1</u> Date removed: <b>May 14, 2004</b>	Yes	<input checked="" type="checkbox"/>	No <input type="checkbox"/>
Contents (circle): gasoline <u>diesel</u> waste oil heating oil solvents kerosene stoddard solvent other (specify) _____	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
Observations of system (holes, leaks)?	Yes	<input type="checkbox"/>	No <input checked="" type="checkbox"/>
Observed contamination (free product, smell, soil/water discoloration)?	Yes	<input checked="" type="checkbox"/>	No <input type="checkbox"/>
Detectable concentrations of soil and/or groundwater contamination?	Yes	<input checked="" type="checkbox"/>	No <input type="checkbox"/>
<input checked="" type="checkbox"/> Highest Concentration Detected in Soil Contaminant (specify) _____ TPHd _____ Concentration <u>160</u> ppm			
<input type="checkbox"/> Highest Concentration Detected in Water Contaminant (specify) _____ NA _____ Concentration _____ ppb			
Unauthorized Release Form filed?	Yes	<input checked="" type="checkbox"/>	No <input type="checkbox"/>
Future intended use if known? Specify <u>continued current use</u>	Yes	<input checked="" type="checkbox"/>	No <input type="checkbox"/>
<b>NON-UST</b>			
Former industrial use?	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
Detectable concentrations of soil and/or groundwater contamination?	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
o Highest Concentration Detected in Soil Contaminant (specify) _____ Concentration _____ ppm			
o Highest Concentration Detected in Water Contaminant (specify) _____ Concentration _____ ppb			
Future intended use if known? Specify _____	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
<i>If available, attach pertinent reports</i>			

Transferred as: LOP ☒ SLIC ☐

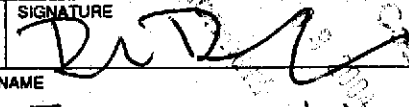
Level of Update requested: ☐ distribution list ☒ all meetings ☐ all site visits ☐ closure sign off ☐ all the above

Transfer requested by Inspector: [Signature] Date: September 21, 2004

Transfer accepted by (ACEH): [Signature] Date: 10/13/04

**Attached are the ULR received August 3, 2004 and one copy of the final report received July 28, 2004.**

# UNDERGROUND STORAGE TANK UNAUTHORIZED RELEASE (LEAK) / CONTAMINATION SITE REPORT

<b>EMERGENCY</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<b>HAS STATE OFFICE OF EMERGENCY SERVICES REPORT BEEN FILED?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO		<b>FOR LOCAL AGENCY USE ONLY</b> I HEREBY CERTIFY THAT I HAVE DISTRIBUTED THIS INFORMATION ACCORDING TO THE DISTRIBUTION SHOWN ON THE INSTRUCTION SHEET ON THE BACK PAGE OF THIS FORM.		
<b>REPORT DATE</b> 01/07/2004		<b>CASE #</b> 19257288-2103		<b>SIGNED</b> _____ <b>DATE</b> _____		
REPORTED BY	<b>NAME OF INDIVIDUAL FILING REPORT</b> Robert DeInagro		<b>PHONE</b> (925) 288-2103		<b>SIGNATURE</b> 	
	<b>REPRESENTING</b> <input checked="" type="checkbox"/> OWNER/OPERATOR <input type="checkbox"/> REGIONAL BOARD <input type="checkbox"/> LOCAL AGENCY <input type="checkbox"/> OTHER _____		<b>COMPANY OR AGENCY NAME</b> Shaw Environmental, Inc.			
	<b>ADDRESS</b> 4005 Port Chicago Highway Concord CA 94520					
RESPONSIBLE PARTY	<b>NAME</b> SBC <input type="checkbox"/> UNKNOWN		<b>CONTACT PERSON</b> James Stehr		<b>PHONE</b> (925) 283-8866	
	<b>ADDRESS</b> 2600 Camino Ramon San Ramon CA 94583		<b>ADDRESS</b> 4005 Port Chicago Highway Concord CA 94520			
SITE LOCATION	<b>FACILITY NAME (IF APPLICABLE)</b> SBC - Albany		<b>OPERATOR</b> Albany, CA		<b>PHONE</b> ( ) ( )	
	<b>ADDRESS</b> 1612 Solano Ave. Albany, CA Alameda		<b>ADDRESS</b> 4005 Port Chicago Highway Concord CA 94520			
	<b>CROSS STREET</b> Ventura Ave.					
IMPLEMENTING AGENCIES	<b>LOCAL AGENCY</b> Alameda County Health Care Agency		<b>CONTACT PERSON</b> Robert Weston		<b>PHONE</b> (510) 567-6781	
	<b>REGIONAL BOARD</b> _____		<b>PHONE</b> ( ) ( )			
SUBSTANCES INVOLVED	<b>(1) NAME</b> diesel fuel				<b>QUANTITY LOST (GALLONS)</b> <input checked="" type="checkbox"/> UNKNOWN	
	<b>(2)</b> _____				<input type="checkbox"/> UNKNOWN	
DISCOVERY/ABATEMENT	<b>DATE DISCOVERED</b> 01/05/2004		<b>HOW DISCOVERED</b> <input type="checkbox"/> INVENTORY CONTROL <input type="checkbox"/> SUBSURFACE MONITORING <input type="checkbox"/> NUISANCE CONDITIONS <input type="checkbox"/> TANK TEST <input checked="" type="checkbox"/> TANK REMOVAL <input type="checkbox"/> OTHER _____			
	<b>DATE DISCHARGE BEGAN</b> _____ <input checked="" type="checkbox"/> UNKNOWN		<b>METHOD USED TO STOP DISCHARGE (CHECK ALL THAT APPLY)</b> <input type="checkbox"/> REMOVE CONTENTS <input checked="" type="checkbox"/> CLOSE TANK & REMOVE <input type="checkbox"/> REPAIR PIPING <input type="checkbox"/> REPAIR TANK <input type="checkbox"/> CLOSE TANK & FILL IN PLACE <input type="checkbox"/> CHANGE PROCEDURE <input type="checkbox"/> REPLACE TANK <input type="checkbox"/> OTHER _____			
	<b>HAS DISCHARGE BEEN STOPPED?</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, DATE 01/05/2004					
SOURCE/ CAUSE	<b>SOURCE OF DISCHARGE</b> <input type="checkbox"/> TANK LEAK <input checked="" type="checkbox"/> UNKNOWN <input type="checkbox"/> PIPING LEAK <input type="checkbox"/> OTHER _____		<b>CAUSE(S)</b> <input type="checkbox"/> OVERFILL <input type="checkbox"/> RUPTURE/FAILURE <input type="checkbox"/> SPILL <input type="checkbox"/> CORROSION <input checked="" type="checkbox"/> UNKNOWN <input type="checkbox"/> OTHER _____			
	<b>CHECK ONE ONLY</b> <input type="checkbox"/> UNDETERMINED <input checked="" type="checkbox"/> SOIL ONLY <input type="checkbox"/> GROUNDWATER <input type="checkbox"/> DRINKING WATER - (CHECK ONLY IF WATER WELLS HAVE ACTUALLY BEEN AFFECTED)					
CURRENT STATUS	<b>CHECK ONE ONLY</b> <input checked="" type="checkbox"/> NO ACTION TAKEN <input type="checkbox"/> PRELIMINARY SITE ASSESSMENT WORKPLAN SUBMITTED <input type="checkbox"/> POLLUTION CHARACTERIZATION <input type="checkbox"/> LEAK BEING CONFIRMED <input type="checkbox"/> PRELIMINARY SITE ASSESSMENT UNDERWAY <input type="checkbox"/> POST CLEANUP MONITORING IN PROGRESS <input type="checkbox"/> REMEDIATION PLAN <input type="checkbox"/> CASE CLOSED (CLEANUP COMPLETED OR UNNECESSARY) <input type="checkbox"/> CLEANUP UNDERWAY					
	<b>CHECK APPROPRIATE ACTION(S)</b> <input type="checkbox"/> CAP SITE (CD) <input type="checkbox"/> EXCAVATE & DISPOSE (ED) <input type="checkbox"/> REMOVE FREE PRODUCT (FP) <input type="checkbox"/> ENHANCED BIO DEGRADATION (IT) <input type="checkbox"/> CONTAINMENT BARRIER (CB) <input type="checkbox"/> EXCAVATE & TREAT (ET) <input type="checkbox"/> PUMP & TREAT GROUNDWATER (GT) <input type="checkbox"/> REPLACE SUPPLY (RS) <input type="checkbox"/> VACUUM EXTRACT (VE) <input checked="" type="checkbox"/> NO ACTION REQUIRED (NA) <input type="checkbox"/> TREATMENT AT HOOKUP (HU) <input type="checkbox"/> VENT SOIL (VS) <input type="checkbox"/> OTHER (OT) _____					
COMMENTS						

# UNDERGROUND STORAGE TANK UNAUTHORIZED RELEASE (LEAK) / CONTAMINATION SITE REPORT

## EMERGENCY

☐ YES ☒ NO

HAS STATE OFFICE OF EMERGENCY SERVICES  
REPORT BEEN FILED? ☐ YES ☐ NO

## FOR LOCAL AGENCY USE ONLY

I HEREBY CERTIFY THAT I HAVE DISTRIBUTED THIS INFORMATION ACCORDING TO THE  
DISTRIBUTION SHOWN ON THE INSTRUCTION SHEET ON THE BACK PAGE OF THIS FORM.

## REPORT DATE

7/3/04

## CASE #

SIGNED

DATE

REPORTED BY	NAME OF INDIVIDUAL FILING REPORT Robert DeNigro		PHONE (925) 887-1113	SIGNATURE 
	REPRESENTING <input checked="" type="checkbox"/> OWNER/OPERATOR <input type="checkbox"/> REGIONAL BOARD <input type="checkbox"/> LOCAL AGENCY <input type="checkbox"/> OTHER		COMPANY OR AGENCY NAME Shore Environmental Inc.	
RESPONSIBLE PARTY	ADDRESS 4005 Port Chicago Highway STREET		CITY Concord	STATE CA
	NAME SBC		CONTACT PERSON James Stein	PHONE (925) 713-1666
SITE LOCATION	ADDRESS 2600 Camino Fomori STREET		CITY San Ramon	STATE CA
	FACILITY NAME (IF APPLICABLE) SBC - Albany		OPERATOR	PHONE ( )
IMPLEMENTING AGENCIES	ADDRESS 1612 Solano Ave. STREET		CITY Albany	STATE CA
	CROSS STREET Ventura Ave.		CITY Alameda	STATE CA
SUBSTANCES INVOLVED	LOCAL AGENCY Alameda County Health Department		CONTACT PERSON Robert Weston	PHONE (925) 713-1666
	REGIONAL BOARD		PHONE ( )	
DISCOVERY/ABATEMENT	(1) NAME diesel fuel		QUANTITY LOST (GALLONS) <input checked="" type="checkbox"/> UNKNOWN	
	(2)		<input type="checkbox"/> UNKNOWN	
SOURCE/CAUSE	DATE DISCOVERED 7/3/04		HOW DISCOVERED <input type="checkbox"/> INVENTORY CONTROL <input type="checkbox"/> SUBSURFACE MONITORING <input type="checkbox"/> NUISANCE CONDITIONS <input type="checkbox"/> TANK TEST <input checked="" type="checkbox"/> TANK REMOVAL <input type="checkbox"/> OTHER	
	DATE DISCHARGE BEGAN M M D D Y Y <input checked="" type="checkbox"/> UNKNOWN		METHOD USED TO STOP DISCHARGE (CHECK ALL THAT APPLY) <input type="checkbox"/> REMOVE CONTENTS <input checked="" type="checkbox"/> CLOSE TANK & REMOVE <input type="checkbox"/> REPAIR PIPING <input type="checkbox"/> REPAIR TANK <input type="checkbox"/> CLOSE TANK & FILL IN PLACE <input type="checkbox"/> CHANGE PROCEDURE <input type="checkbox"/> REPLACE TANK <input type="checkbox"/> OTHER	
CASE TYPE	SOURCE OF DISCHARGE <input type="checkbox"/> TANK LEAK <input checked="" type="checkbox"/> UNKNOWN <input type="checkbox"/> PIPING LEAK <input type="checkbox"/> OTHER		CAUSE(S) <input type="checkbox"/> OVERFILL <input type="checkbox"/> RUPTURE/FAILURE <input type="checkbox"/> SPILL <input type="checkbox"/> CORROSION <input checked="" type="checkbox"/> UNKNOWN <input type="checkbox"/> OTHER	
	CHECK ONE ONLY <input type="checkbox"/> UNDETERMINED <input checked="" type="checkbox"/> SOIL ONLY <input type="checkbox"/> GROUNDWATER <input type="checkbox"/> DRINKING WATER - (CHECK ONLY IF WATER WELLS HAVE ACTUALLY BEEN AFFECTED)			
CURRENT STATUS	CHECK ONE ONLY <input checked="" type="checkbox"/> NO ACTION TAKEN <input type="checkbox"/> PRELIMINARY SITE ASSESSMENT WORKPLAN SUBMITTED <input type="checkbox"/> POLLUTION CHARACTERIZATION <input type="checkbox"/> LEAK BEING CONFIRMED <input type="checkbox"/> PRELIMINARY SITE ASSESSMENT UNDERWAY <input type="checkbox"/> POST CLEANUP MONITORING IN PROGRESS <input type="checkbox"/> REMEDIATION PLAN <input type="checkbox"/> CASE CLOSED (CLEANUP COMPLETED OR UNNECESSARY) <input type="checkbox"/> CLEANUP UNDERWAY			
	CHECK APPROPRIATE ACTION(S) (SEE BACK FOR DETAILS) <input type="checkbox"/> CAP SITE (CD) <input type="checkbox"/> EXCAVATE & DISPOSE (ED) <input type="checkbox"/> REMOVE FREE PRODUCT (FP) <input type="checkbox"/> ENHANCED BIO DEGRADATION (IT) <input type="checkbox"/> CONTAINMENT BARRIER (CB) <input type="checkbox"/> EXCAVATE & TREAT (ET) <input type="checkbox"/> PUMP & TREAT GROUNDWATER (GT) <input type="checkbox"/> REPLACE SUPPLY (RS) <input type="checkbox"/> VACUUM EXTRACT (VE) <input checked="" type="checkbox"/> NO ACTION REQUIRED (NA) <input type="checkbox"/> TREATMENT AT HOOKUP (HU) <input type="checkbox"/> VENT SOIL (VS) <input type="checkbox"/> OTHER (OT)			
COMMENTS				