

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

2007 FEB 08 AM 8:51

Certified Mail #: 7002 2030 0006 9574 1778  
January 10, 2007

ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-8935

**NOTICE OF RESPONSIBILITY**

Site Name & Address:

**REGAL #120 / EAST BAY SURGERY CENTER  
3875 TELEGRAPH AVE  
OAKLAND, CA 94609**

Local ID: **RO0002875**  
Related ID: **NA**  
RWQCB ID:  
Global ID: **T06019716388**

Responsible Party:

**DAN HALL  
WICKLAND PROPERTIES  
PO BOX 13648  
SACRAMENTO CA 95853-4648**

Date First Reported: **2/7/2005**  
Substance: **12034,8006619 Multiple Releases**  
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 WICKLAND PROPERTIES 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.

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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: 1/10/07

Action: Add  
Reason: Add

ALAMEDA COUNTY  
HEALTH CARE SERVICES



F

AGENCY

DAVID J. KEARS, Agency Director

Certified Mail #: 7002 2030 0006 9574 1778

January 10, 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:**

**REGAL #120 / EAST BAY SURGERY CENTER  
3875 TELEGRAPH AVE  
OAKLAND, CA 94609**

**Local ID: RO0002875  
Related ID: NA  
RWQCB ID:  
Global ID: T06019716388**

**Responsible Party:**

**DAN HALL  
WICKLAND PROPERTIES  
PO BOX 13648  
SACRAMENTO CA 95853-4648**

**Date First Reported: 2/7/2005**

**Substance: 12034,8006619 Multiple Releases**

**Funding for Oversight: LOPF - LOP Funding Fund**

**Multiple RPs?: Yes**

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ARIU LEVI, Chief  
Contract Project Director

Date: 1/16/07

Action: Add  
Reason: Add

Attachment A: Responsible Parties Data Sheet

cc: Jenniffer Jordan, SWRCB, D. Drogos,

NOR1.rpt - NOR 2006 Revision

ALAMEDA COUNTY ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

January 10, 2007

Site Name & Address:

REGAL #120 / EAST BAY SURGERY CENTER  
3875 TELEGRAPH AVE  
OAKLAND, CA 94609

Local ID: RO0002875

Related ID: NA

RWQCB ID:

Global ID: T06019716388

**All Responsible Parties**

---

RP has been named a Primary RP - DAN HALL  
WICKLAND PROPERTIES  
PO BOX 13648 | SACRAMENTO, CA 95853-4648

---

RP has been named a RP - LARRY FUSCH  
THE SURGERY CENTER  
3875 TELEGRAPH AVENUE | OAKLAND, CA 94609 | Phone (510) 547-2244

---

RP has been named a RP - ROBERT PETRINA  
EBSC LP C/O ALTA BATES SUMMIT MED CTR  
350 HAWTHORNE AVE, SUITE G100 | OAKLAND, CA 94609-3108

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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.

Existence of Unauthorized Release

On February 7, 2005, an Underground Storage Tank Unauthorized Release/Contamination Site Report was submitted for The Surgery Center site at 3875 Telegraph Avenue. During a Phase II Environmental Site Assessment, total petroleum hydrocarbons as gasoline were detected in soil at concentrations up to 670 milligrams per kilogram and were detected in groundwater at concentrations up to 130,000 micrograms per liter. The petroleum contamination is within and downgradient of the area occupied until 1985 by Regal gas station #102.

Responsible Party Identification

Wickland Oil owned the USTs and property and operated the USTs until the service station was demolished and the site sold in 1985. Wickland Properties, which is a successor to Wickland Oil, is the primary responsible party because the unauthorized release occurred during the time that Wickland Oil was the owner of property where an unauthorized release occurred (Definition 3) and had control of USTs at the time of or following an unauthorized release (Definition 4).

East Bay Surgery Center LP c/o Alta Bates Summit Medical Center is a responsible party because they are the current owner of the property where an unauthorized release has occurred (Definition 3).

The Surgery Center is a responsible party because they were the former owner of the property (from 1984 to 1992) where an unauthorized release has occurred (Definition 3).

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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark  
Here

Sent To  
 Street, Apt. No., or PO Box No. Don Hall, Wickland Properties  
P.O. Box 13648  
 City, State, ZIP+4 Sacramento, CA 95853-4648

PS Form 3800, June 2002

See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- 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.

1. Article Addressed to:

Don Hall  
Wickland Properties  
P.O. Box 13648  
Sacramento, CA 95853-4648

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 Will Twitchell  Agent  
 Addressee

B. Received by (Printed Name) Will Twitchell C. Date of Delivery 2/7/05

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number  
 (Transfer from service label)

7002 2030 0006 9574 1778

Certified Mail #70022030000695741686

December 19, 2006

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**  
**REGAL #120 / EAST BAY SURGERY CENTER**  
**3875 TELEGRAPH AVE**  
**OAKLAND, CA 94609**

**Local ID:** RO0002875  
**Related ID:** NA  
**RWQCB ID:**  
**Global ID:** T06019716388

Responsible Party:

**JOHN MARGOWSKI**  
**WICKLAND OIL**  
**3640 AMERICAN RIVER DRIVE**  
**SACRAMENTO CA 95864-5901**

**Date First Reported:** 2/7/2005  
**Substance:** 12034,8006619 Multiple Releases  
**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 WICKLAND OIL 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.

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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: 12/13/06

Action: Add  
Reason:

**SENDER: COMPLETE THIS SECTION**

- 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.

1. Article Addressed to:

John Margowski  
Wickland Oil  
3640 American River Drive  
Sacramento, CA 95864-5901

9 Wd 9002 330 02

2. Article Number

6 15 011110

7002 2030 0006 9574 1686

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- Agent  
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

- D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)

- Yes

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Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark  
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Sent To

John Margowski, Wickland Oil  
Street, Apt. No., or PO Box No. 3640 American River Drive  
City, State, ZIP+4 Sacramento, CA 95864-5901

PS Form 3800, June 2002

See Reverse for Instructions

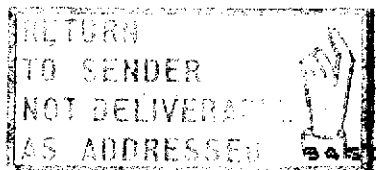


ALAMEDA COUNTY  
HEALTH CARE SERVICES AGENCY  
Environmental Health Services Administration  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

4580

Jerry Wickham

John Margowski  
Wickland Oil  
3460 American River Drive  
Sacramento CA 95864-5901



94502-6540-31 0039



Certified Mail #7002203000061693

December 19, 2006

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**  
**REGAL #120 / EAST BAY SURGERY CENTER**  
**3875 TELEGRAPH AVE**  
**OAKLAND, CA 94609**

**Local ID: RO0002875**  
**Related ID: NA**  
**RWQCB ID:**  
**Global ID: T06019716388**

Responsible Party:

**ROBERT PETRINA**  
**EBSC LP C/O ALTA BATES SUMMIT MED**  
**350 HAWTHORNE AVE, SUITE G100**  
**OAKLAND CA 94609-3108**

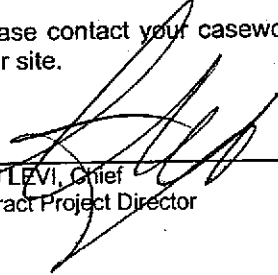
**Date First Reported: 2/7/2005**  
**Substance: 12034,8006619 Multiple Releases**  
**Funding for Oversight: LOPF - LOP Funding Fund**  
**Multiple RPs?: Yes**

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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: 12/19/06

Action: Add  
Reason:

F

ALAMEDA COUNTY  
HEALTH CARE SERVICES



7

AGENCY

DAVID J. KEARS, Agency Director

Certified Mail # 7002 2030 0006 9574 0832  
September 12, 2005

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

Record ID: R00002875  
The Surgery Center  
3875 Telegraph Ave.  
Oakland, CA 94609

SITE

Date First Reported: 02/07/05  
Substance: Gasoline  
Funding (Federal or State): F  
Multiple RPs?: N


Larry Fusch  
The Surgery Center  
3875 Telegraph Ave.  
Oakland CA, 94609

Responsible Party (RP)  
Property Owner

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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 Donald Hwang, Hazardous Materials Specialist, at this office at (510) 567-6876 for further information about the site designation process.

  
Ariu Levi, Chief  
Contract Project Director  
Date: 9/12/05

Please Circle One  Add  Delete  Change  
Reason: NEW SITE

c: Jenniffer Jordan, SWRCB  
Donna Drogos, Hazardous Materials Specialist



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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

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*R02875*

Larry Fusch  
The Surgery Center  
3875 Telegraph Ave.  
Oakland, CA 94609

PS Form 3800, June 2002

See Reverse for Instructions