

ALAMEDA COUNTY
HEALTH CARE SERVICES



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AGENCY
DAVID J. KEARS, Agency Director

Certified Mail #: 70022030000695742294

June 23, 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:

ENCINAL MARINA LTD
2099 GRAND AVE
ALAMEDA, CA 94501

Local ID: RO0002911
Related ID: NA
RWQCB ID: 01-0565
Global ID: T0600100518

Responsible Party:

ANDY MCKINNLEY
ENCINAL MARINA LTD
2099 GRAND STREET
ALAMEDA CA 94501

Date First Reported: 1/31/2006

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 GRAND HARBOR FUEL 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 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 PLUNKETT, STEVEN, at this office at (510)383-1767 if you have questions regarding your site.


ARIU LEVI, Director
Contract Project Director

Date: 6/24/08

Action: Add
Reason: NEW

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

June 23, 2008

Site Name & Address:

**ENCINAL MARINA LTD
2099 GRAND AVE
ALAMEDA, CA 94501**

Local ID: RO0002911

Related ID: NA

RWQCB ID: 01-0565

Global ID: T0600100518

All Responsible Parties

RP has been named a Primary RP - MARK GIBSON

GRAND HARBOR FUEL INC

2099 GRAND STREET | ALAMEDA, CA 94501 | Phone (510) 784-8900

RP has been named a RP - ANDY MCKINNLEY

ENCINAL MARINA LTD

2099 GRAND STREET | ALAMEDA, CA 94501 | Phone (510) 865-1200

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)

June 23, 2008

Responsible Party Identification

Existence of Unauthorized Release

In October 2005, one 12,000 gallon UST was removed and soil samples were collected during the UST removal and excavation. An unauthorized release was documented on November 7, 2005. Results from the soil sampling detected Total Petroleum Hydrocarbon as gasoline (TPHg) at concentrations of up to 450 milligrams per kilogram (ppm), TPHd at concentrations of up to 200 ppm and lead at concentrations of up to 12 ppm, respectively. In addition, a grab groundwater sample was collected from the excavation pit detected TPHg and TPHd at concentrations of up to 210 parts per billion (ppb) and 5,500 ppb TPHd.

Responsible Party Identification

Grand Harbor Fuel Inc. is the primary responsible party because the unauthorized release of a hazardous substance from an underground storage tank occurred while Grand Harbor Fuel Inc. operated an underground storage tank used for the storage of any hazardous substance (definition 1) and Grand Harbor Fuel Inc. had control over an underground storage tank at the time of an unauthorized release (definition 4).

Encinal Marina Ltd. Is a responsible party because they are the owner of a property where an unauthorized release of a hazardous substance from an underground storage tank has occurred (definition 3)

7002 2030 0006 9574 2294

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City, State, ZIP	
PS Form 3800, June 2002	
See Reverse for Instructions	

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

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Certified Mail #: 70022030000695742287

June 23, 2008

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2099 GRAND AVE
ALAMEDA, CA 94501**

**Local ID: RO0002911
Related ID: NA
RWQCB ID: 01-0565
Global ID: T0600100518**

Responsible Party:

**MARK GIBSON
GRAND HARBOR FUEL INC
2099 GRAND STREET
ALAMEDA CA 94501**

Date First Reported: 1/31/08

Substance: 8006619 Ga

Funding for Oversight: LO

Multiple RPs?: No

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ARIEH LEVI, Director
Contract Project Director

Date: *6/24/08*

Action: Add
Reason: NEW

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

June 23, 2008

Responsible Party Identification

Existence of Unauthorized Release

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ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

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RP has been named a RP - ANDY MCKINNLEY
ENCINAL MARINA LTD
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Mark Gibson
Grand Harbor Fuel Inc.
2099 Grand Street
Alameda, CA 94501

PS Form 3800, June 2002 See Reverse for Instructions