

ALAMEDA COUNTY
HEALTH CARE SERVICES



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AGENCY
DAVID J. KEARS, Agency Director

Certified Mail #: 7006 3450 0000 0503 1400

July 13, 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:

CHEVRON #9-8861 (INDEPENDENT)
2145 35TH AVE
OAKLAND, CA 946013124

Local ID: **RO0002945**
Related ID: **NA**
RWQCB ID:
Global ID: **T0619778840**

Responsible Party:

JAMES L & ELIZABETH CARVER

3300 WAR PAINT CIRCLE
RENO NV 89506-9750

Date First Reported: 3/22/2007

Substance: 7440020,7440473,8006619,8052413 Multiple Releases

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 SALISBURY AVE ASSOCIATES LLC 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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ARIU LEVI, Director
Contract Project Director

Date: 7/13/07

Action: Add
Reason: NEW CASE

Attachment A: Responsible Parties Data Sheet

cc: Jenniffer Jordan, SWRCB, D. Drogos

7006 3450 0000 0503 1455

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James L & Elizabeth Carver
3300 War Paint Circle
Reno, NV 89506-9750

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

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All Responsible Parties

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SALISBURY AVE ASSOCIATES LLC
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ACEH has named the responsible parties for this site as detailed below.

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

July 13, 2007

Responsible Party Identification

Existence of an Unauthorized Release

The property is located on the southwest corner of 35th Avenue and Salisbury Street in Oakland and is parcel number 27-879-15-2 with the addresses of 2145 and 2151 35th Avenue. The two addresses were vacant or used for single-family homes until approximately 1933, when an auto repair facility was located on both properties. The property was listed as Rio Grande Service Station by 1945 and Bob Moore Auto Service in 1955. In 1962 the site was designated as John Madler Chevron Service. In 1967, John Madler Automotive and Service Auto Repair is listed at 2151 35th Ave. and Standard Station is listed at 2145 35th Ave. Chevron records indicate they delivered gas to the facility (Chevron station 8861) between 1958 and 1972. 1950 Sanborn maps indicates "gas and oil" on the eastern portion of the site. A permit to remove a 500 gallon fuel oil tank was filed with the OFD in 1999, however no tank was found in the area excavated. Analytical results from one soil sample collected by the contractor were ND for petroleum hydrocarbons. Based upon interviews with Mr. James Carver, former property owner, he stated that he removed two gasoline tanks with City of Oakland oversight in 1984, however, no tank removal report was ever issued and the contractor is no longer in business. On 2/23/07 four soil samples and one grab groundwater sample was collected from locations of the former gasoline tank pit. Up to 2100 ppm TPHg, 1200 ppm TPH as stoddard solvent, 360 ppm TPHd and 27 ppm TPHmo was detected in soil samples and up to 87,000 ppb TPHg, 71,000 ppb TPH stoddard solvent, 69,000 ppb TEPH as diesel, 1800 ppb TPHmo and 250 ppb benzene was detected in the grab groundwater sample confirming a release had occurred.

Responsible Party Identification

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1. John and Thelma Madler owned the property from at least 1969 to 1986, during which time the gasoline tanks were present and operating according to Chevron records, therefore, they are RPs according to definitions number 1, 2, 3 and 4.
2. James and Elizabeth Carver owned the property from December 5, 1990 to January 26, 2000. They are, therefore, RPs according to definition 3.
3. David Lervan TR and Plez Middleton TR owned the property from January 26, 2000 to March 9, 2000 at which time Plez Middleton TR assumed sole ownership. Therefore the two individual trustees are RPs according to definition 3 and they have been named separately.
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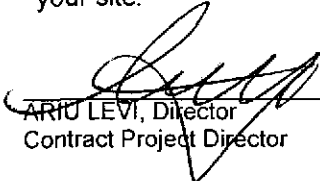
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Contract Project Director

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cc: Jenniffer Jordan, SWRCB, D. Drogos

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David Lervan Trustree
2709 Golden Rain Road
Walnut Creek, CA 94595-1980

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

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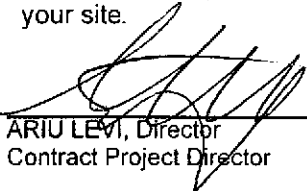
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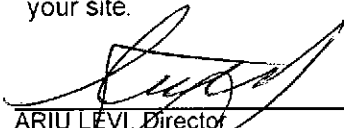
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ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

July 13, 2007

Site Name & Address:

CHEVRON #9-8861 (INDEPENDENT)
2145 35TH AVE
OAKLAND, CA 946013124

Local ID: RO0002945

Related ID: NA

RWQCB ID:

Global ID: T0619778840

All Responsible Parties

RP has been named a Primary RP - PETER ROBERTSON
SALISBURY AVE ASSOCIATES LLC
2917 MACARTHUR BLVD #3F | OAKLAND, CA 94602 | Phone (510) 517-8650

RP has been named a RP - JAMES L & ELIZABETH CARVER

3300 WAR PAINT CIRCLE | RENO, NV 89506-9750 | Phone No Phone Number Listed

RP has been named a RP - DAVID LERVAN TRUSTEE

2709 GOLDEN RAIN RD | WALNUT CREEK, CA 94595-1980 | Phone No Phone Number Listed

RP has been named a RP - PLEZ MIDDLETON TRUSTEE

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RP has been named a RP - MARIA CAMPOS

1465 FRUITVALE AVE | OAKLAND, CA 94601-2320 | Phone No Phone Number Listed

RP has been named a RP - JOHN & THELMA MADLER

1030 DUTTON AVE | SAN LEANDRO, CA 94577-2158 | Phone No Phone Number Listed

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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)

July 13, 2007

Responsible Party Identification

Existence of an Unauthorized Release

The property is located on the southwest corner of 35th Avenue and Salisbury Street in Oakland and is parcel number 27-879-15-2 with the addresses of 2145 and 2151 35th Avenue. The two addresses were vacant or used for single-family homes until approximately 1933, when an auto repair facility was located on both properties. The property was listed as Rio Grande Service Station by 1945 and Bob Moore Auto Service in 1955. In 1962 the site was designated as John Madler Chevron Service. In 1967, John Madler Automotive and Service Auto Repair is listed at 2151 35th Ave. and Standard Station is listed at 2145 35th Ave. Chevron records indicate they delivered gas to the facility (Chevron station 8861) between 1958 and 1972. 1950 Sanborn maps indicates "gas and oil" on the eastern portion of the site. A permit to remove a 500 gallon fuel oil tank was filed with the OFD in 1999, however no tank was found in the area excavated. Analytical results from one soil sample collected by the contractor were ND for petroleum hydrocarbons. Based upon interviews with Mr. James Carver, former property owner, he stated that he removed two gasoline tanks with City of Oakland oversight in 1984, however, no tank removal report was ever issued and the contractor is no longer in business. On 2/23/07 four soil samples and one grab groundwater sample was collected from locations of the former gasoline tank pit. Up to 2100 ppm TPHg, 1200 ppm TPH as stoddard solvent, 360 ppm TPHd and 27 ppm TPHmo was detected in soil samples and up to 87,000 ppb TPHg, 71,000 ppb TPH stoddard solvent, 69,000 ppb TEPH as diesel, 1800 ppb TPHmo and 250 ppb benzene was detected in the grab groundwater sample confirming a release had occurred.

Responsible Party Identification

It appears that as early as 1950 by the Sanborn map or by at least 1958, gasoline was being supplied to USTs at this site. It is unclear when the leak occurred or when the tanks were no longer in use, although there is evidence the gasoline tanks were removed in 1984.

1. John and Thelma Madler owned the property from at least 1969 to 1986, during which time the gasoline tanks were present and operating according to Chevron records, therefore, they are RPs according to definitions number 1, 2,3 and 4.
2. James and Elizabeth Carver owned the property from December 5, 1990 to January 26, 2000. They are, therefore, RPs according to definition 3.
3. David Lervan TR and Plez Middleton TR owned the property from January 26, 2000 to March 9, 2000 at which time Plez Middleton TR assumed sole ownership. Therefore the two individual trustees are RPs according to definition 3 and they have been named separately.
4. Maria Campos bought the property on March 15, 2000 and owned it until May 18, 2007. She is a RP according to definition 3.
5. Salisbury Avenue Associates, LLC bought the property from Maria Campos on May 18, 2007 and are a RP according to definition 3.

ALAMEDA COUNTY
HEALTH CARE SERVICES



F

AGENCY
DAVID J. KEARS, Agency Director

Certified Mail #: 7006 3450 0000 0503 1448

July 13, 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:

CHEVRON #9-8861 (INDEPENDENT)
2145 35TH AVE
OAKLAND, CA 946013124

Local ID: **RO0002945**
Related ID: **NA**
RWQCB ID:
Global ID: **T0619778840**

Responsible Party:

PETER ROBERTSON
SALISBURY AVE ASSOCIATES LLC
2917 MACARTHUR BLVD #3F
OAKLAND CA 94602

Date First Reported: 3/22/2007

Substance: 7440020,7440473,8006619,8052413 Multiple
Releases

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 SALISBURY AVE ASSOCIATES LLC 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 CHAN, BARNEY, at this office at (510)567-6765 if you have questions regarding your site.


ARIU LEVI, Director
Contract Project Director

Date: 7/13/07

Action: Add
Reason: NEW CASE

Attachment A: Responsible Parties Data Sheet

cc: Jenniffer Jordan, SWRCB, D. Drogos

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

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July 13, 2007

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Peter Robertson
Salisbury Ave. Associates LLC
2917 MacArthur Boulevard #3F
Oakland, CA 94602

PS Form 3800, August 2006

See Reverse for Instructions

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

F

Certified Mail #: 7006 3450 0000 0503 1455

July 13, 2007

ENVIRONMENTAL HEALTH SERVICES
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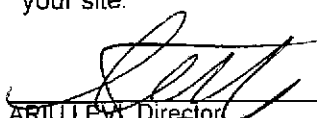
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PS Form 3800, August 2006

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