

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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January 11, 2008

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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Mr. Daniel Altwarg
Cardanal Properties, LLC
C/o Bartlett, Leader-Picone & Young, LLP
2201 Broadway, Suite 803
Oakland, CA 94612

Mr. Robert Saur
PG&E
Environmental Services Site Remediation
3400 Crow Canyon Road
San Ramon, CA 94583

Mr. Richard Arnold, et al
Gamma Investments
301 Jefferson Street
Oakland, CA 94607

Mr. Ray Garnica
United California Bank
601 South Figueroa
Los Angeles, CA 90017-5704

Subject: Fuel Leak Case No. RO0002949 and Geotracker Global ID T0619758441, Markus Supply Hardware, 632-638 2nd Street, Oakland, CA 94607

Dear Mr. Altwarg, Mr. Saur, Mr. Arnold, and Mr. Garnica:

Alameda County Environmental Health (ACEH) staff has received correspondence from Pacific Gas and Electric Company (PG&E) dated December 13, 2007 that responded to the Notice of Responsibility issued by ACEH on November 28, 2007. PG&E's correspondence requested that ACEH re-consider designation of PG&E as the primary or active responsible party and requested that if PG&E is designated as a primary responsible party, that the designation be limited to two underground storage tanks at the site.

The Notice of Responsibility is a standard form used by Local Oversight Programs for fuel leak cases throughout California. As stated on the Notice of Responsibility form, a primary or active responsible party is identified, "For the purposes of implementing section 25297.15." Health and Safety Code Section 25297.15 requires the primary or active responsible party to notify all current record owners of feet title before the local agency considers cleanup or site closure proposals or issues a closure letter. The identification of a primary or active responsible party on the Notice of Responsibility is not intended to designate additional responsibilities or liabilities beyond the requirements of Health and Safety Code Section 25297.15. The responsible parties identified on the Notice of Responsibility and in the heading above the subject line of this correspondence are jointly and severally liable. Since PG&E has already complied with Health and Safety Code section 25297.15 regarding the initial notification, we do not see a reason to revise the designation of PG&E as the primary or active responsible party at this time. However, if a responsible party other than PG&E has a more active role in implementation of the work, the other responsible party can be designated the primary or active responsible party for the purposes of implementing the notification requirements of section 25297.15. Notifications per Health and Safety Code section 25297.15 are for the case and not individual USTs; therefore, each case has only one primary or active responsible party.

Mr. Daniel Altwarg
Ms. Betty Brunswick
Mr. Richard Arnold
Mr. Ray Garnica
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If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,



Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Ms. Betty Brunswick
PG&E
77 Beal Street, Room 2439C
San Francisco, CA 94105

Mr. Matthew Ryder-Smith
Clearwater Group
229 Tewksbury Avenue
Point Richmond, CA 94801

Donna Drogos, ACEH
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