

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



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Certified Mail #: 7002 2030 0006 9574 1945

November 28, 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:

**MARCUS SUPPLY HARDWARE
632-638 2ND ST
OAKLAND, CA 94607**

**Local ID: RO0002949
Related ID: NA
RWQCB ID: NA
Global ID: T0619758441**

Responsible Party:

**DANIEL ALTWARG
CARDANAL PARTNERS LLC
C/O BARTLETTLEADERPICONEYOUNG,
2201 BROADWAY #803
OAKLAND CA 94612**

Date First Reported: 2/27/2007

**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 PG&E 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 WICKHAM, JERRY, at this office at (510)567-6791 if you have questions regarding your site.

AriU Levi, Director
Contract Project Director

Date: 11/28/07

Action: Add
Reason: New case

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

November 28, 2007

Site Name & Address:

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Local ID: RO0002949
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RWQCB ID: NA
Global ID: T0619758441

All Responsible Parties

RP has been named a Primary RP - BETTY BRUNSWICK

PG&E

77 BEAL ST RM 2439C | SAN FRANCISCO, CA 94105 | Phone (415) 973-1642

RP has been named a RP - DANIEL ALTWARG

CARDANAL PARTNERS LLC

C/O BARTLETTLEADERPICONEYOUNG, 2201 BROADWAY #803 | OAKLAND, CA 94612 | Phone (510) 772-7625

RP has been named a RP - ARNOLD RICHARD ETAL

GAMMA INVESTMENTS

301 JEFFERSON STREET | OAKLAND, CA 94607-3537 | Phone No Phone Number Listed

RP has been named a RP - RAY GARNICA

UNITED CALIFORNIA BANK

601 SOUTH FIGUEROA | LOS ANGELES, CA 90017-5704 | Phone No Phone Number Listed

RP has been named a RP - UNK2803 UNK2803

MULLER BROTHERS

ADDRESS UNKNOWN | OAKLAND, CA 94607 | Phone No Phone Number Listed

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)

November 28, 2007

Responsible Party Identification

Existence of Unauthorized Release

Soil borings were advanced around five underground storage tanks (USTs) on February 2, 2007 as part of a soil and groundwater investigation prior to closing the USTs in place. The USTs were closed in place beneath the sidewalk adjacent to 626 Second Street in Oakland between May 2 and May 25, 2007. Total petroleum hydrocarbons as gasoline (TPHg) was detected in one of 12 soil samples at a concentration of 89 micrograms per kilogram. Total petroleum hydrocarbons as diesel (TPHd) was detected in each of the 12 soil samples collected at concentrations up to 31 micrograms per kilogram. TPHg and TPHd were detected in groundwater samples collected from the soil borings at concentrations up to 35,000 and 8,100 micrograms per liter, respectively. The age of the USTs is unknown; however, one of the USTs may have been installed as early as 1935. Two of the USTs were installed by Pacific Gas & Electric Company between 1952 and 1963 for storing and dispensing gasoline.

Responsible Party Identification

Pacific Gas & Electric Company (PG&E) was a tenant at the property from 1952 through 1963 and installed and operated two of the USTs for dispensing gasoline. PG&E is the primary responsible party because PG&E owned and operated two of the USTs immediately before the discontinuation of their use (Definition 2), and had control of USTs at the time of or following an unauthorized release (Definition 4).

The Muller Brothers, address unknown, owned the property from until 1961. The Muller Brothers leased the property to PG&E from 1952 until 1961. The Muller Brothers are responsible parties because they owned property where an unauthorized release from a UST has occurred (Definition 3).

United California Bank, successor by merger to First Western Bank and Trust, successor to Central Bank, owned the property from sometime after 1961 until January 28, 1964. Union California Bank is a responsible party because they owned property where an unauthorized release from a UST has occurred (Definition 3).

Gamma Investments, a general partnership, owned the property from June 18, 1987 until October 13, 1997. Gamma Investments is a responsible party because they owned property where an unauthorized release from a UST has occurred (Definition 3).

Cardanal Properties, LLC purchased the property on October 13, 1997 and is the currently property owner. Cardanal Properties, LLC is a responsible party because they are the current owner of a property where an unauthorized release from a UST has occurred (Definition 3).

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Daniel Altwarg
Cardanal Partners LLC
c/o Bartlettleaderpiconeyoung
2201 Broadway # 803
Oakland, CA 94612

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

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November 28, 2007

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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NOTICE OF RESPONSIBILITY

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632-638 2ND ST
OAKLAND, CA 94607**

**Local ID: RO0002949
Related ID: NA
RWQCB ID: NA
Global ID: T0619758441**

Responsible Party:

**RAY GARNICA
UNITED CALIFORNIA BANK
601 SOUTH FIGUEROA
LOS ANGELES CA 90017-5704**

Date First Reported: 2/27/2007

**Substance: 8006619 Gasoline-Automotive (motor gasoline
and additives), leaded & unleaded**

Funding for Oversight: LOPS - LOP State 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 LEVIN, Director
Contract Project Director

Date: 11/28/07

Action: Add
Reason: New case

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

November 28, 2007

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All Responsible Parties

RP has been named a Primary RP - **BETTY BRUNSWICK**
PG&E

77 BEAL ST RM 2439C | SAN FRANCISCO, CA 94105 | Phone (415) 973-1642

RP has been named a RP - **DANIEL ALTWARG**

CARDANAL PARTNERS LLC

C/O BARTLETTLEADERPICONEYOUNG, 2201 BROADWAY #803 | OAKLAND, CA 94612 | Phone (510) 772-7625

RP has been named a RP - **ARNOLD RICHARD ETAL**

GAMMA INVESTMENTS

301 JEFFERSON STREET | OAKLAND, CA 94607-3537 | Phone No Phone Number Listed

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ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

November 28, 2007

Responsible Party Identification

Existence of Unauthorized Release

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HEALTH CARE SERVICES



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ARIU LEV, Director
Contract Project Director

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Reason: New case

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

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