

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
ALEX BRISCOE, Agency Director



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

November 21, 2013

Mr. Kil Pang, et. al.
3568 Bittern Place
Fremont, CA 94555

Chief Auto Plaza LP
49 York Pl
Moraga, CA 94556

John and Rose McPhee, Trs.
49 York Place
Moraga, CA 94556

Mr. Thomas Meek
c/o Dick Ballard, Inc.
PO Box 371
Walnut Creek, CA 94597

Independent Development Co, Inc.
15435 Jeffery Road
Irvine, CA 92618

Investment Enterprise Co
2727 Newport Blvd, Suite 200
Newport Beach, CA 92663

Carl and Wanda Kuper
Carl Kuper Motors
16660 East 14th Street
San Leandro, CA 94578

Ms. Catalina Espino Devine
Chevron Environmental Management Co.
6101 Bollinger Canyon Road
San Ramon, CA 94583
(sent via electronic mail to espino@chevron.com)

Subject: Technical Report Request, Fuel Leak Case No. RO0002997 and GeoTracker Global ID T10000001069, 167th Gas Station (former Texaco), 16690 E 14th Street, San Leandro, CA 94578

Dear Ladies and Gentlemen:

The subject case is under closure review by Alameda County Environmental Health (ACEH). As you are aware, site investigations for underground storage tank leaks have been performed at the subject property to which you have been named as the primary or active responsible party.

List of Landowners Form

Pursuant to Section 25297.15 (a), Alameda County Environmental Health (ACEH), the local agency, shall not consider cleanup or site closure proposals from the primary or active responsible party, issue a closure letter, or make a determination that no further action is required with respect to a site upon which there was an unauthorized release of hazardous substances from an underground storage tank subject to this chapter unless all current record owners of fee title to the site of the proposed action have been notified of the proposed action by the primary or active responsible party. ACEH is required to notify the primary or active responsible party of their requirement to certify in writing to the local agency that the notification requirement in the above-mentioned regulation has been satisfied and to provide the local agency with a complete mailing list of all record fee title owners.

To satisfy this requirement, please complete the enclosed *List of Landowners Form*, and mail or e-mail it back to ACEH by the date identified below. Also your comments, if any, must be considered prior to the proposed closure. Please respond within 30 days from the date of this letter for your comments to be considered.

Public Participation

Public participation is a requirement for the case closure process. In order to notify potentially affected members of the public of the potential fuel leak case closure, ACEH has distributed the attached *Notification of Potential Case Closure* to addresses in the immediate vicinity. The *Invitation to Comment - Potential Case Closure* requests that landowners or residents submit any comments or questions to ACEH regarding potential case closure by January 14, 2014. ACEH will consider all comments from the public prior to potential case closure. ACEH will provide written notification if any comments are received.

TECHNICAL REPORT REQUEST

Please submit the following documents to Alameda County Environmental Health (Attention: Mark Detterman), according to the following schedule:

- **November 25, 2014** – Public Comment Period Begins
- **December 31, 2013** - Return *List of Landowner Form*
File to be named: RO2997_LNDOWNR_F_yyyy-mm-dd
- **January 25, 2014** – Public Comment Period Ends
- **4 Weeks After Close of Public Comment Period** – ACEH issues uniform closure letter if required documents (*List of Landowner Form*) is submitted

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>. Should you have any questions, please contact me at (510) 567-6876 or send me an e-mail message at mark.detterman@acgov.org.

Sincerely,



Digitally signed by Mark Detterman
DN: cn=Mark Detterman, o, ou,
email=mark.detterman@acgov.org, c=US
Date: 2013.11.21 16:29:40 -08'00'

Mark Detterman, PG, CEG
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements/Obligations and Electronic Report Upload (ftp) Instructions

Attachment 2 - *List of Landowners Form*

Attachment 3 – *Invitation to Comment - Potential Case Closure* and Mailing List

cc: Dilan Roe, ACEH, (sent via e-mail to dilan.roe@acgov.org)
Mark Detterman (sent via electronic mail to mark.detterman@acgov.org)
GeoTracker, Electronic File

Attachment 1

Responsible Party(ies) Legal Requirements/Obligations

REPORT/DATA REQUESTS

These reports/data are being requested pursuant to Division 7 of the California Water Code (Water Quality), Chapter 6.7 of Division 20 of the California Health and Safety Code (Underground Storage of Hazardous Substances), and Chapter 16 of Division 3 of Title 23 of the California Code of Regulations (Underground Storage Tank Regulations).

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (Local Oversight Program [LOP] for unauthorized releases from petroleum Underground Storage Tanks [USTs], and Site Cleanup Program [SCP] for unauthorized releases of non-petroleum hazardous substances) require submission of reports in electronic format pursuant to Chapter 3 of Division 7, Sections 13195 and 13197.5 of the California Water Code, and Chapter 30, Articles 1 and 2, Sections 3890 to 3895 of Division 3 of Title 23 of the California Code of Regulations (23 CCR). Instructions for submission of electronic documents to the ACEH FTP site are provided on the attached "Electronic Report Upload Instructions."

Submission of reports to the ACEH FTP site is in addition to requirements for electronic submittal of information (ESI) to the State Water Resources Control Board's (SWRCB) Geotracker website. In April 2001, the SWRCB adopted 23 CCR, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1 (Electronic Submission of Laboratory Data for UST Reports). Article 12 required electronic submittal of analytical laboratory data submitted in a report to a regulatory agency (effective September 1, 2001), and surveyed locations (latitude, longitude and elevation) of groundwater monitoring wells (effective January 1, 2002) in Electronic Deliverable Format (EDF) to Geotracker. Article 12 was subsequently repealed in 2004 and replaced with Article 30 (Electronic Submittal of Information) which expanded the ESI requirements to include electronic submittal of any report or data required by a regulatory agency from a cleanup site. The expanded ESI submittal requirements for petroleum UST sites subject to the requirements of 23 CCR, Division, 3, Chapter 16, Article 11, became effective December 16, 2004. All other electronic submittals required pursuant to Chapter 30 became effective January 1, 2005. Please visit the SWRCB website for more information on these requirements: (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/).

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 7835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, late reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: July 25, 2012
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (petroleum UST and SCP) require submission of all reports in electronic form to the county's FTP site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities.

REQUIREMENTS

- **Please do not submit reports as attachments to electronic mail.**
- Entire report including cover letter must be submitted to the ftp site as a **single Portable Document Format (PDF) with no password protection.**
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- **Signature pages and perjury statements must be included and have either original or electronic signature.**
- **Do not password protect the document.** Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:

RO#_Report Name_Year-Month-Date (e.g., RO#5555_WorkPlan_2005-06-14)

Submission Instructions

- 1) Obtain User Name and Password
 - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
 - i) Send an e-mail to deh.loptoxic@acgov.org
 - b) In the subject line of your request, be sure to include "**ftp PASSWORD REQUEST**" and in the body of your request, include the **Contact Information, Site Addresses,** and the **Case Numbers (RO# available in Geotracker) you will be posting for.**
- 2) Upload Files to the ftp Site
 - a) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
 - (i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) Click on Page located on the Command bar on upper right side of window, and then scroll down to Open FTP Site in Windows Explorer.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
 - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
 - a) Send email to deh.loptoxic@acgov.org notify us that you have placed a report on our ftp site.
 - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name @acgov.org. (e.g., firstname.lastname@acgov.org)
 - c) The subject line of the e-mail must start with the RO# followed by **Report Upload.** (e.g., Subject: RO1234 Report Upload) If site is a new case without an RO#, use the street address instead.
 - d) If your document meets the above requirements and you follow the submission instructions, you will receive a notification by email indicating that your document was successfully uploaded to the ftp site.

LIST OF LANDOWNERS FORM

County of Alameda
Environmental Health Services
Environmental Protection
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR:

Site Name: 167th Gas Station (former Texaco)
Address: 16690 E 14th Street
City, State, Zip: San Leandro, CA 94578
Record ID #: RO0002997

Please fill out item 1 if there are multiple site landowners (attach an extra sheet if necessary). If you are the sole site landowner, skip item 1 and fill out item 2.

1. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I, _____ (name of primary responsible party), certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:

Name: _____
Address: _____
City, State, Zip: _____
E-mail Address: _____

Name: _____
Address: _____
City, State, Zip: _____
E-mail Address: _____

Name: _____
Address: _____
City, State, Zip: _____
E-mail Address: _____

2. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I _____, certify that I am the sole landowner for the above site.

Sincerely,

Signature of Primary Responsible Party	Printed Name	Date	E-mail Address
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ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

INVITATION TO COMMENT – POTENTIAL CASE CLOSURE

**167th Gas Station (former Texaco)
16690 E 14th Street, San Leandro, CA 94578
FUEL LEAK CASE RO0002997
GEOTRACKER GLOBAL ID T10000001069**

November 21, 2013

The above referenced site is a fuel leak case that is under the regulatory oversight of the Alameda County Environmental Health (ACEH) Local Oversight Program for the investigation and cleanup of a release of petroleum hydrocarbons from an underground storage tank system. Site investigation and cleanup activities have been completed and the site has been evaluated in accordance with the State Water Resources Control Board Low-Threat Closure Policy. The site appears to meet all of the criteria in the Low-threat Closure Policy. Therefore, ACEH is considering closure of the fuel leak case.

This notice is being sent to the current landowner in compliance with Health and Safety Code Section 25295.40. It is also being sent to the current occupants and landowners of adjacent properties and known interested parties for this site.

The public is invited to review and comment on the potential closure of the fuel leak case. The entire case file can be viewed over the Internet on the ACEH website (<http://www.acgov.org/aceh/lop/ust.htm>) or the State of California Water Resources Control Board GeoTracker website (<http://geotracker.swrcb.ca.gov>). Please send written comments to Mark Detterman at the address below; all comments will be forwarded to the responsible parties. **Comments received by January 25, 2014 will be considered and responded to prior to a final determination on the proposed case closure.**

If you have comments or questions regarding this site, please contact the ACEH caseworker, Mark Detterman at 510-567-6876 or by email at mark.detterman@acgov.org. Please refer to ACEH case RO0002997 in any correspondence.

COUNTY OF ALAMEDA
Parcel #: 80-78-26-14
224 W WINTON AVE #108
HAYWARD CA 94544

KHAN MOHAMMED S & AIINA
Parcel #: 80B-301-2
16718 MELODY WAY
SAN LEANDRO CA 94578

KHAN MOHAMMED S & AIINA
Parcel #: 80B-301-1
16719 E 14TH ST
SAN LEANDRO CA 94578

KUZNI LARRY TR
Parcel #: 80A-100-33-2
21454 KNUPPE PL
CASTRO VALLEY CA 94552

LIPPITT HELEN & BAUER
Parcel #: 80-78-26-3
PO BOX 2947
CASTRO VALLEY CA 94546

MADRID SILVESTRE
Parcel #: 80B-300-11
3888 STAR RIDGE RD
HAYWARD CA 94542

NEUNZIG DAVID A & KAREN
Parcel #: 80A-100-33-1
10433 DUKE DR
GILROY CA 95020

PANG KIL N ETAL
Parcel #: 80-78-26-13
3568 BITTERN PL
FREMONT CA 94555

RESIDENT
Parcel #: 80-78-26-3
1435 167TH AVE
SAN LEANDRO CA 94578

RESIDENT
Parcel #: 80-78-26-13
16690 E 14TH ST
SAN LEANDRO CA 94578

RESIDENT
Parcel #: 80-78-26-14
16640 E 14TH ST
SAN LEANDRO CA 94578

RESIDENT
Parcel #: 80B-300-14
16661 E 14TH ST
SAN LEANDRO CA 94578

RESIDENT
Parcel #: 80B-300-11
16611 E 14TH ST
SAN LEANDRO CA 94578

RESIDENT
Parcel #: 80B-300-12
16649 E 14TH ST
SAN LEANDRO CA 94578

RESIDENT
Parcel #: 80B-300-13
16695 E 14TH ST
SAN LEANDRO CA 94578

RESIDENT
Parcel #: 80B-300-15
1350 ELGIN ST
SAN LEANDRO CA 94578

RESIDENT
Parcel #: 80B-301-1
16702 MELODY WAY
SAN LEANDRO CA 94578

RESIDENT
Parcel #: 80A-100-33-1
16714 E 14TH ST
SAN LEANDRO CA 94578

RESIDENT
Parcel #: 80A-100-33-2
1426 167TH AVE
SAN LEANDRO CA 94578

ROSS CHRISTINA L TR
Parcel #: 80B-300-12
4594 EWING RD
CASTRO VALLEY CA 94546

ROSS CHRISTINA L TR
Parcel #: 80B-300-15
4594 EWING RD
CASTRO VALLEY CA 94546

SCHNEIDER JEANNE K &
Parcel #: 80B-300-14
425 BELVEDERE ST
SAN FRANCISCO CA 94117

SUJANTO JIMMY & LIONG
Parcel #: 80B-300-13
2965 COLLEGE AVE
BERKELEY CA 94705



ALAMEDA COUNTY
 HEALTH CARE SERVICES AGENCY
 DEPARTMENT OF ENVIRONMENTAL HEALTH
 Suite 200
 1131 Harbor Bay Parkway
 Alameda, CA 94502-6577

Alameda County

DEC 03 2013

Environmental Health

CARL & WANDA KUPER
 CARL KUPER MOTORS
 16660 EAST 14TH STREET
 SAN LEANDRO, CA 94770

957 FE 1009 0012/

RETURN TO SENDER
 NOT DELIVERABLE AS ADDRESSEE
 UNABLE TO FORWARD

EC1 94502654021

*0205-05709

