



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

March 12, 2014

Athan Magganas
Bruder, LLC
2550 Appain Way, #201
Pinole, CA 94564

Ali Reza Khashabi
4220 Clayton Road
Clayton, CA 94520

Subject: Technical Report Request, Fuel Leak Case No. RO3066 and GeoTracker Global ID T10000002456, Gas Station/East Bay Smog Center & Auto Repair, 6501 Shattuck Avenue, Oakland, CA 94609

Dear Gentlemen:

Alameda County Environmental Health (ACEH) is closing the above referenced fuel case. As you are aware, numerous site investigations and groundwater monitoring events for underground storage tank leaks have been performed at the subject property to which you are 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 May 13, 2014. ACEH will consider all comments from the public prior to potential case closure. ACEH will provide written notification if any comments are received.

Request for Monitoring Well Destruction Scheduling and Waste Removal

Local Oversight Programs are required by the State's Low Threat Closure Policy (LTCP) to issue a uniform closure letter within 30 days from the end of the public comment period for case closures. Therefore, in order to meet this deadline ACEH requests that waste (as defined by the LTCP) is removed from the site, wells are destroyed, and the Well Decommissioning Report, including appropriate waste profiling and disposal documentation, is submitted within three weeks after the end date of the public comment period. In order to facilitate this tight timeframe, we advise you to schedule well destruction and waste removal activities during the comment period so that you can mobilize to the site quickly. Please contact the Alameda County Public Works Agency at 510-567-6791 or online, to obtain the required permits. After written ACEH concurrence (e-mail or other) that there have been no comments, and provided ACEH receives the required List of Landowners Form as is described above, you would be free to proceed with well decommissioning and waste removal activities. Should we receive any public comments, there would be sufficient time to cancel and/or reschedule the well decommissioning date and avoid incurring a cost from the drilling company. Please provide notification to ACEH by the date identified below, that you have contracted a licensed drilling contractor for the decommissioning of all remaining wells at the site and provide ACEH the date of the scheduled well decommissioning and waste removal activities.

TECHNICAL REPORT REQUEST

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

- **March 14, 2014** – Public Comment Period Begins
- **April 14, 2014** - Return *List of Landowner Form*
File to be named: RO3066_LNDOWNR_F_yyyy-mm-dd
- **April 14, 2014** - Confirmation of Well Decommissioning and Waste Removal Date
- **May 13, 2014** – Public Comment Period Ends
- **2 Weeks after Close of Public Comment Period** – Well Decommissioning and Waste Removal
- **3 Weeks After Close of Public Comment Period** – Submit the *Well Decommissioning Report*
File to be named: RO3066_WELL_DCM_R_yyyy-mm-dd
- **4 Weeks After Close of Public Comment Period** – ACEH issues uniform closure letter if all required documents are 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) 567-6708 or send me an e-mail message at karel.detterman@acgov.org

Sincerely,

Karel Detterman, PG
Hazardous Materials Specialist

Gentlemen
RO0003066
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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: Mansour Sepehr, SOMA Environmental Inc., 6620 Owens Drive, Pleasanton, CA 94588 (Sent via E-mail to: msepehr@somaenv.com)

Ann Clevenger, Planner III, City of Oakland Planning Department, (Sent via E-mail to: AClevenger@oaklandnet.com)

Eric Daniels, Consultant, (Sent via E-mail to: ericjd1963@hotmail.com)

Dilan Roe, ACEH, (sent via e-mail to dilan.roe@acgov.org)

Karel Detterman, ACEH, (sent via e-mail karel.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 .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 <://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 .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.

ATTACHMENT 2

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: East Bay Smog Center & Auto Repair

Address: 6501 Shattuck Avenue

City, State, Zip: Oakland, CA 94609

Record ID #: RO0003066

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

ATTACHMENT 3



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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

**GAS STATION / EAST BAY SMOG CENTER & AUTO REPAIR
6501 SHATTUCK AVENUE, OAKLAND, CA
FUEL LEAK CASE RO0003066
GEOTRACKER GLOBAL ID T10000002456**

March 14, 2014

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. *Due to the residual contamination on site, the site would be closed with site management requirements that require further evaluation if the site is to be redeveloped in the future.*

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 Karel Detterman, ACEH, 1131 Harbor Bay Parkway, Alameda, CA 94502; all comments will be forwarded to the responsible parties. **Comments received by May 13, 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, Karel Detterman at 510-567-6708 or by email at karel.detterman@acgov.org. Please refer to ACEH case RO0003066 in any correspondence.

BOVE WILLIAM & BUCHEK
Parcel #: 16-1428-26
6524 WHITNEY ST #B
OAKLAND CA 94609

BRUDER LLC
Parcel #: 16-1428-11-2
2550 APPIAN WAY #201
PINOLE CA 94564

BRUMBLE DAVID B &
Parcel #: 16-1426-43
60 MILTON ST
SAN FRANCISCO CA 94112

DECLEENE ALISON L &
Parcel #: 16-1426-44
6508 SHATTUCK AVE
BERKELEY CA 94609

FAUST JOHN B & MCCANNON
Parcel #: 16-1432-33
721 65TH ST
OAKLAND CA 94609

HALL CHRISTOPHER
Parcel #: 16-1428-13
6512 WHITNEY ST
OAKLAND CA 94609

HULSE RONALD P & DEANNA
Parcel #: 16-1427-29
685 HILLCREST CIR
VACAVILLE CA 95688

KAUFMAN LOUISE
Parcel #: 16-1432-36
6431 SHATTUCK AVE
OAKLAND CA 94609

LYONS SYMENTRUS L
Parcel #: 16-1428-16
6528 WHITNEY ST
OAKLAND CA 94609

MALL SIEGFRIED & CLAUDIA
Parcel #: 16-1428-12
12049 RUOTOLO LN
LODI CA 95240

MARTIN IAN C & NORGAARD
Parcel #: 16-1426-15
6500 SHATTUCK AVE #C
OAKLAND CA 94609

MOSS VERSHON M
Parcel #: 16-1432-34
5139 TURNBULL CT
ANTIOCH CA 94531

RESIDENT
Parcel #: 16-1426-17-2
691 FAIRVIEW ST
OAKLAND CA 94609

RESIDENT
Parcel #: 16-1426-15
6500 SHATTUCK AVE
OAKLAND CA 94609

RESIDENT
Parcel #: 16-1426-43
6510 SHATTUCK AVE
OAKLAND CA 94609

RESIDENT
Parcel #: 16-1427-29
6432 SHATTUCK AVE
OAKLAND CA 94609

RESIDENT
Parcel #: 16-1428-11-1
6525 SHATTUCK AVE
OAKLAND CA 94609

RESIDENT
Parcel #: 16-1428-12
6500 WHITNEY ST
OAKLAND CA 94609

RESIDENT
Parcel #: 16-1428-11-2
6501 SHATTUCK AVE
OAKLAND CA 94609

RESIDENT
Parcel #: 16-1428-14
6518 WHITNEY ST
OAKLAND CA 94609

RESIDENT
Parcel #: 16-1428-26
WHITNEY ST #B
OAKLAND CA 94609

RESIDENT
Parcel #: 16-1428-25
6524 WHITNEY ST #A
OAKLAND CA 94609

RESIDENT
Parcel #: 16-1432-2
6427 SHATTUCK AVE
OAKLAND CA 94609

RESIDENT
Parcel #: 16-1432-34
717 65TH ST
OAKLAND CA 94609

RESIDENT
Parcel #: 16-1432-35
6433 SHATTUCK AVE
OAKLAND CA 94609

RESIDENT
Parcel #: 16-1432-36
6431 SHATTUCK AVE #B
OAKLAND CA 94609

SAN HY C ETAL
Parcel #: 16-1432-2
3620 LARRY CT
SAN JOSE CA 95121

SHATTUCK MUSE LLC
Parcel #: 16-1428-11-1
4673 PARK BLVD
OAKLAND CA 94602

SIU SIU F TR
Parcel #: 16-1426-17-2
557 ATHOL AVE
OAKLAND CA 94606

STUART CAITLIN
Parcel #: 16-1428-14
6516 WHITNEY ST
OAKLAND CA 94609

VOJTA JANET A
Parcel #: 16-1432-35
147 MEADOWBROOK DR
SAN FRANCISCO CA 94132

YAQUIANILLESCAS RAFAEL
Parcel #: 16-1428-25
6526 WHITNEY ST #A
OAKLAND CA 94609