



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

July 8, 2015

Kyle Milligan and Susan Casentini Trust
388 Belmont Street
Oakland, CA 94610-4821
(sent by e-mail to casentini20@hotmail.com)

Subject: Public Notification of Potential Case Closure for Fuel Leak Case No. RO0003125 and GeoTracker Global ID T10000005131, Milligan & Casentini Property, 385 26th Street, Oakland, CA 94612

Dear Ms. Casentini and Mr. Milligan:

Alameda County Environmental Health (ACEH) is reviewing the fuel leak case file for the above referenced site for potential case closure. 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. Thank you for submitting the completed *List of Landowners Form* requested in ACEH's June 18, 2015 Directive Letter.

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 will distribute 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. ACEH will consider all comments from the public prior to potential case closure. ACEH will provide you with written notification if any comments are received during the following Public Comment Period:

- **July 8, 2015** – Public Comment Period Begins
- **September 11, 2015** – Public Comment Period Ends

Waste Removal Activities

Because documentation of waste removal activities is required by the Low Threat Closure Policy, please provide documentation of any investigation derived waste from the site by the end of the public comment period.

Ms. Casentini and Mr. Milligan
RO0003125
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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

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

Attachment 2 - Invitation to Comment - Potential Case Closure and Address List

cc: Tim Cook, Cook Environmental Services Inc. (sent via e-mail to: tcook@cookenvironmental.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 REQUESTS

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of reports in electronic form. The electronic copy replaces paper copies and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) GeoTracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the GeoTracker database over the Internet. Beginning July 1, 2005, these same reporting requirements were added to Spills, Leaks, Investigations, and Cleanup (SLIC) sites. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites is required in GeoTracker (in PDF format). 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, 6835, 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, later 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 SLIC)	REVISION DATE: May 15, 2014
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) 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.

ATTACHMENT 2



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INVITATION TO COMMENT – POTENTIAL CASE CLOSURE

**MILLIGAN & CASENTINI PROPERTY
385 26TH STREET
OAKLAND, CA 94612
FUEL LEAK CASE RO0003125
GEOTRACKER GLOBAL ID T10000005131**

July 8, 2015

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.

The public is invited to review and comment on the potential closure of the fuel leak case. . This notice is being sent to the current occupants and landowners of the site and adjacent properties and other known interested parties. 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.waterboards.ca.gov>). Please send written comments to Karel Detterman at the address below; all comments will be forwarded to the responsible parties. Comments **received by September 11, 2015** 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 RO0003125 in any correspondence.

Sort_APN	Parcel_APN	Name	StreetAddress	Unit	City	Zip	Zip_4	
009 068400408	9-684-4-8	ISHI REAL ESTATE PARTNERSHIP LP	718 MASONIC AVE		SAN FRANCISCO CA	94117	1228	
009 0683003900	9-683-39	MILLIGAN KYLE & CASENTINI SUSAN TRS	388 BELMONT ST		OAKLAND CA	94610	4821	
009 0683004000	9-683-40	MILLIGAN KYLE & CASENTINI SUSAN TRS	388 BELMONT ST		OAKLAND CA	94610	4821	
009 068300802	9-683-8-2	NG ALBERT & CHU YVONNE	1120 CAMELLIA CT		SAN LEANDRO CA	94577	1475	
009 0683003900	9-683-39	OCCUPANT	385 26TH ST		OAKLAND CA	94612		
009 0683004000	9-683-40	OCCUPANT	26TH ST		OAKLAND CA	94612		
009 068400408	9-684-4-8	OCCUPANT	401 27TH ST		OAKLAND CA	94612		
009 068300802	9-683-8-2	OCCUPANT	440 25TH ST		OAKLAND CA	94612		
009 0683003800	9-683-38	OCCUPANT	401 26TH ST		OAKLAND CA	94612		
009 0683003800	9-683-38	UPTOWN LLC	391 26TH ST		OAKLAND CA	94612		
009 0683004100	9-683-41	UYEYAMA JOHN L & SARAH H TRS	379 26TH ST		OAKLAND CA	94612		
009 0683009000	9-683-9	UPTOWN L L C	401 26TH ST		OAKLAND CA	94612	2410	
009 068300701	9-683-7-1	BARBARA LLEWELLYN REAL ESTATE HOLDING COMPANY LLC	100 OVERHILL RD		ORINDA CA	94563	3111	
		SAN FRANCISCO BAY REGIONAL WATER QUALITY CONTROL BOARD	1515 CLAY STREET	SUITE 1400	OAKAND CA	94612		CHERIE MCCAULOU
		EAST BAY MUNICIPAL UTILITY DISTRICT INDUSTRIAL DISCHARGE SECTION	P.O. BOX 24055	MS 702	OAKLAND CA	94623	1055	CHANDRA JOHANNESSEN
		CITY OF OAKLAND PUBLIC WORKS ENVIRONMENTAL SERVICES	250 FRANK H. OGAWA PLAZA	SUITE 5301	OAKLAND CA	94612		MARK JOHANNES ARNIOLA
		ALAMEDA COUNTY DEPT OF ENVIRONMENTAL HEALTH CUPA	SUSAN.HUGO@ACGOV.ORG					SUSAN HUGO
								CMCCAULOU@WATERBOARDS.CA.GOV
								cjohanne@ebmud.com