

## Detterman, Mark, Env. Health

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**From:** Joseph Cotton [jac21462@aol.com]  
**Sent:** Thursday, September 24, 2015 3:55 PM  
**To:** Detterman, Mark, Env. Health; sthmp63@comcast.net  
**Cc:** Roe, Dilan, Env. Health; moesand@pacbell.net; michellemarie599@gmail.com; Fhennefer@sbcglobal.net; Nowell, Keith, Env. Health; mrodarte@waterboards.ca.gov; kelli.garver@waterboards.ca.gov  
**Subject:** Re: Fuel leak case RO2933 - Thompson Property, 1409-1417 12th Street, Oakland, CA

Mark,

Thank You for the help. My client plans to have her attorney look closer in the matter.

Joseph A. Cotton P.G.  
Principal Geologist

### IMPACT ENVIRONMENTAL

39120 Argonaut Way, #223  
Fremont, CA 94538

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-----Original Message-----

From: Detterman, Mark, Env. Health, Env. Health <Mark.Detterman@acgov.org>  
To: 'Joseph Cotton' <jac21462@aol.com>; sthmp63 <sthmp63@comcast.net>  
Cc: Roe, Dilan, Env. Health, Env. Health <Dilan.Roe@acgov.org>; moesand <moesand@pacbell.net>; michellemarie599 <michellemarie599@gmail.com>; Fhennefer <Fhennefer@sbcglobal.net>; Nowell, Keith, Env. Health, Env. Health <Keith.Nowell@acgov.org>; mrodarte <mrodarte@waterboards.ca.gov>; kelli.garver <kelli.garver@waterboards.ca.gov>  
Sent: Thu, Sep 24, 2015 3:07 pm  
Subject: RE: Fuel leak case RO2933 - Thompson Property, 1409-1417 12th Street, Oakland, CA

Joseph,

From my understanding the city of Oakland has the site listed as residential; however, the county assessor has the site listed as commercial. ACEH has traditionally used county assessor listings to determine if a site is commercial or residential. This is the first parcel that we are aware of that has disjunct listings. Because it is currently listed as commercial on the assessor's website, and the site had a previous commercial use as a service station, the site was closed to a commercial standard. If it is to be redeveloped as residential, it would need to be revisited by that interested party. Who that is, is a private question. ACEH would work with whomever that will be. I or ACEH cannot answer the question in regards to State Board funding; that would need to be the State Board.

*Mark Detterman*  
*Senior Hazardous Materials Specialist, PG, CEG*  
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*Alameda, CA 94502*  
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*PDF copies of case files can be downloaded at:*

*<http://www.acgov.org/aceh/lop/ust.htm>*

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**From:** Joseph Cotton [<mailto:jac21462@aol.com>]

**Sent:** Thursday, September 24, 2015 2:54 PM

**To:** Detterman, Mark, Env. Health; [sthmp63@comcast.net](mailto:sthmp63@comcast.net)

**Cc:** Roe, Dilan, Env. Health; [moesand@pacbell.net](mailto:moesand@pacbell.net); [michellemarie599@gmail.com](mailto:michellemarie599@gmail.com); [Fhennefer@sbcglobal.net](mailto:Fhennefer@sbcglobal.net); Nowell, Keith, Env. Health; [mrodarte@waterboards.ca.gov](mailto:mrodarte@waterboards.ca.gov); [kelli.garver@waterboards.ca.gov](mailto:kelli.garver@waterboards.ca.gov)

**Subject:** Re: Fuel leak case RO2933 - Thompson Property, 1409-1417 12th Street, Oakland, CA

Mark,

Thank You for the explanation. I am sure Mrs. Thompson will appreciate this information. I see that the agreement references 1125 Mandela and that apparently the zoning has been changed from commercial to residential without the property owners initiation or knowledge. Do you have information about the address change or zoning change from commercial to residential?

If the property was in fact rezoned to residential, does that mean my client is responsible to cleanup to residential standards and that State Waterboard funding is available to do so?

Joseph A. Cotton P.G.  
Principal Geologist

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From: Detterman, Mark, Env. Health, Env. Health <[Mark.Detterman@acgov.org](mailto:Mark.Detterman@acgov.org)>

To: 'Joseph Cotton' <[jac21462@aol.com](mailto:jac21462@aol.com)>; sthmp63 <[sthmp63@comcast.net](mailto:sthmp63@comcast.net)>

Cc: Roe, Dilan, Env. Health, Env. Health <[Dilan.Roe@acgov.org](mailto:Dilan.Roe@acgov.org)>; moesand <[moesand@pacbell.net](mailto:moesand@pacbell.net)>; michellemarie599 <[michellemarie599@gmail.com](mailto:michellemarie599@gmail.com)>; Fhennefer <[Fhennefer@sbcglobal.net](mailto:Fhennefer@sbcglobal.net)>; Nowell, Keith, Env. Health, Env. Health <[Keith.Nowell@acgov.org](mailto:Keith.Nowell@acgov.org)>

Sent: Thu, Sep 24, 2015 2:04 pm

Subject: RE: Fuel leak case RO2933 - Thompson Property, 1409-1417 12th Street, Oakland, CA

Hi Joseph,

ACEH has open a voluntary agreements with potential developers who want to explore options for a parcel. This is not a free service and the potential developer must put up a lump of money to open a case, so their interest is considered at some level to be a serious interest. If the potential development does not proceed, the voluntary agreement is tied to that still potential developer and not (necessarily) to the property, or property owner, and the case gets closed as "incomplete". The site "reverts" to the closed status of the previous case. This mechanism allows ACEH the ability to spend the time to understand or analyze the site relative to a very specific proposed redevelopment. Obviously at some point the property owner must be brought into conversations as a site cannot be redeveloped without the property owner's knowledge, or a sale. For this particular site, it is our understanding that the property has been marketed for sale, and the new case is expected to allow the potential developer to understand the costs associated with residual contamination on a specific proposed redevelopment. This proposal would move the site from a commercial to a residential land use, and land use restrictions were placed on the parcel at the time of closure should it move to other than the commercial land use classification it currently has.

Hope this clarifies the situation at the site.

Also, because Keith Nowell was out of the county for several weeks and the potential developer needed to explore his options quickly, I ended up with the project.

The new case number is RO3184; the old case number RO2933 remains a closed case. You may review all documents for the new case number on the ACEH website; see the link below my name.

Let me know if you have other questions.

*Mark Detterman*  
*Senior Hazardous Materials Specialist, PG, CEG*  
*Alameda County Environmental Health*  
*1131 Harbor Bay Parkway*  
*Alameda, CA 94502*  
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*PDF copies of case files can be downloaded at:*

<http://www.acgov.org/aceh/lop/ust.htm>

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**From:** Joseph Cotton [<mailto:jac21462@aol.com>]  
**Sent:** Thursday, September 24, 2015 1:03 PM  
**To:** Nowell, Keith, Env. Health; [sthmp63@comcast.net](mailto:sthmp63@comcast.net); Detterman, Mark, Env. Health  
**Cc:** [lgriffin@oaklandnet.com](mailto:lgriffin@oaklandnet.com); Roe, Dilan, Env. Health; dehloptoxic, Env. Health; [moesand@pacbell.net](mailto:moesand@pacbell.net); [michellemarie599@gmail.com](mailto:michellemarie599@gmail.com); [Fhennefer@sbcglobal.net](mailto:Fhennefer@sbcglobal.net)  
**Subject:** Re: Fuel leak case RO2933 - Thompson Property, 1409-1417 12th Street, Oakland, CA

Keith, Mark and Dilan,

I see that the environmental project at 1409-1417 12th Street has been re-opened under a new address (1125 Mandela Parkway, Oakland) with a "voluntary remedial action" agreement. Is it customary for Alameda County Environmental Health to enter into these agreements with people or entities who do not own the property and without the current property owners knowledge?

I look forward to your response.

Joseph A. Cotton P.G.  
Principal Geologist

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-----Original Message-----

From: Nowell, Keith, Env. Health, Env. Health <[Keith.Nowell@acgov.org](mailto:Keith.Nowell@acgov.org)>  
To: Shirley Thompson ([sthmp63@comcast.net](mailto:sthmp63@comcast.net)) <[sthmp63@comcast.net](mailto:sthmp63@comcast.net)>  
Cc: jac21462 <[jac21462@aol.com](mailto:jac21462@aol.com)>; [lgriffin@oaklandnet.com](mailto:lgriffin@oaklandnet.com) <[lgriffin@oaklandnet.com](mailto:lgriffin@oaklandnet.com)>; Roe, Dilan, Env. Health, Env. Health <[Dilan.Roe@acgov.org](mailto:Dilan.Roe@acgov.org)>; dehloptoxic, Env. Health <[deh.loptoxic@acgov.org](mailto:deh.loptoxic@acgov.org)>  
Sent: Tue, Dec 23, 2014 10:45 am  
Subject: Fuel leak case RO2933 - Thompson Property, 1409-1417 12th Street, Oakland, CA

Dear Interested Parties,

Attached is Alameda County Environmental Health's (ACEH) correspondence for your case, RO0002933.

Please add our e-mail address to your address book to prevent future e-mails from being filtered as spam.

Sincerely,

ACEH