



Certified Mail #: 7011 3500 0003 1848 1974

June 28, 2018

NOTICE OF RESPONSIBILITY

Site Name & Address:

**BENDER PROPERTY
250 12TH STREET
OAKLAND, CA 94607-4441
ALAMEDA COUNTY**

**Local ID: RO0003295
Related ID: NA
RWQCB ID: NA
Global ID: T10000011336**

Responsible Party:

**BENDER, JAMES H & PATRICA D TRUST
4 BRENT COURT
LAFAYETTE, CA 94549-5503**

Date First Reported: September 2017

Substance:

- 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
- 12034 Diesel fuel oil & additives (Nos. 1-D, 2-D, 2-4)

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 BENDER JAMES H & PATRICA D TRUST 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) 341-5752.

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 Drew York at this office at (510) 639-1276 if you have questions regarding your site.

Date:

06-28-2018

RONALD BROWDER, Director
Contract Project Director

Action: Add

Reason: ADD

Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), Electronic File



Certified Mail #: 7014 2870 0001 3244 3949

June 28, 2018

NOTICE OF RESPONSIBILITY

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**BENDER PROPERTY
250 12TH STREET
OAKLAND, CA 94607-4441
ALAMEDA COUNTY**

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Responsible Party:

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4 BRENT COURT
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cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), Electronic File



Certified Mail #: 7011 3500 0003 1848 1967

June 28, 2018

NOTICE OF RESPONSIBILITY

Site Name & Address:

**BENDER PROPERTY
250 12TH STREET
OAKLAND, CA 94607-4441
ALAMEDA COUNTY**

**Local ID: R00003295
Related ID: NA
RWQCB ID: NA
Global ID: T10000011336**

Responsible Party:

**REPROCO INC
250 12TH STREET
OAKLAND, CA 94607-4441**

Date First Reported: September 2017
Substance:

- 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
- 12034 Diesel fuel oil & additives (Nos. 1-D, 2-D, 2-4)

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cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), Electronic File

ALAMEDA COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

June 28, 2018

Site Name & Address:

BENDER PROPERTY
250 12TH STREET
OAKLAND, CA 94607-4441

Local ID: RO0003295
Related ID: NA
RWQCB ID: NA
Global ID: T10000011336

All Responsible Parties

RP has been named a Primary RP – BENDER JAMES H & PATRICA D TRUST
4 BRENT COURT | LAFAYETTE, CA 94549-5503 | No Phone Number Listed

RP has been named a Primary RP – BENDER JAMES H & PATRICA D
4 BRENT COURT | LAFAYETTE, CA 94549-5503 | No Phone Number Listed

RP has been named a Primary RP – REPROCO INC
250 12TH STREET | OAKLAND, CA 94607-4441 | No Phone Number Listed

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

June 28, 2018

Responsible Party Identification Background

Alameda County Department of Environmental Health (ACDEH) names a "Responsible Party," as defined under 23 C.C.R Sec. 2720. Section 2720 defines a responsible party four 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."

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

June 28, 2018

Existence of Unauthorized Release

Between November and December 2017, five soil borings were advanced and sixteen soil samples and four grab groundwater samples were collected. Additionally, five sub-slab vapor pins were advanced inside the onsite building and 5 sub-slab vapor samples were collected. Concentrations of up to 979 milligrams per kilogram (mg/kg) of Total Petroleum Hydrocarbon as gasoline (TPH-g) were reported in soil at a depth of 24 feet below ground surface in soil and 24,500 micrograms per liter (µg/l) TPH-g, 6,460 µg/l TPH as diesel, and 1,200 µg/l benzene were reported in the grab groundwater samples. Sub-slab vapor TPH-g concentrations were reported up to 2,270 micrograms per cubic meter. These data indicate that an unauthorized release from an underground storage tank (UST) and/or UST system components has occurred at the site.

Responsible Party Identification

APN 2-69-2

Ownership of the property was maintained by the individual, trustee or trust of BENDER JAMES H & PATRICA D TRUST from July 2001 to present. BENDER JAMES H & PATRICA D TRUST is a Responsible Party for the site because he/she was the owner of the property where an unauthorized release of a hazardous substance from an underground storage tank has occurred (Definition 3).

Ownership of the property was maintained by the individual, trustee or trust of BENDER JAMES H & PATRICA D from May 1977 to July 2001. BENDER JAMES H & PATRICA D is a Responsible Party for the site because he/she was the owner of the property where an unauthorized release of a hazardous substance from an underground storage tank has occurred (Definition 3).

REPROCO INC purchased or acquired the property in November 1967. REPROCO INC is a Responsible Party for the site because he/she was the owner of the property where an unauthorized release of a hazardous substance from an underground storage tank has occurred (Definition 3).
