

ALAMEDA COUNTY  
**HEALTH CARE SERVICES  
AGENCY**

REBECCA GEBHART, Interim Director

DEPARTMENT OF ENVIRONMENTAL HEALTH  
LOCAL OVERSIGHT PROGRAM (LOP)  
For Hazardous Materials Releases  
1131 HARBOR BAY PARKWAY, SUITE 250  
ALAMEDA, CA 94502  
(510) 567-6700  
FAX (510) 337-9335

July 20, 2017

Ms. Andrea Wing  
Equilon Enterprises, LLC  
20945 S. Wilmington Ave  
Carson, CA 90810

Rodney & Janet Kwan, TRS  
1834 Alameda Ave  
Alameda, CA 94501-4108

Richard F. Angotti  
2829 California Street  
San Francisco, CA 94115-2515


Subject: Notice of Responsibility; Fuel Leak Case No. RO0000145 and Geotracker Global ID T0600101876, Shell / Auto Tech West, 2703 Martin Luther King Jr. Way, Oakland, CA 94612

Dear Responsible Parties:

In an earlier Notice of Responsibility (NOR) dated October 5, 1995, Shell Oil Products Company (Shell) was notified that the referenced site had been placed in the Local Oversight Program and that Shell was named as a Responsible Party for the fuel leak case. In the attached updated NOR, Equilon Enterprises LLC dba Shell Oil Products US (Equilon), former owners, and current property owners have also been named additional Responsible Parties for the fuel leak case as defined under 23 C.C.R Sec. 2720. Please see Attachment A – Responsible Parties Data Sheet, which identifies all Responsible Parties and provides background on the unauthorized release and Responsible Party Identification.

Should you have any questions, please contact me at (510) 777-2478 or send me an electronic mail message at [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org).

Sincerely,



Paresh C. Khatri  
Supervising Hazardous Materials Specialist  
Local Oversight & Site Cleanup Program Manager

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

cc: Dilan Roe (sent via electronic mail to [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Paresh Khatri (sent via electronic mail to [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org))  
Case Electronic File, GeoTracker



Certified Mail #: 7011 3500 0003 1848 1738

July 18, 2017

**NOTICE OF RESPONSIBILITY**

<b>Site Name &amp; Address:</b> <b>SHELL / AUTO TECH WEST</b> <b>2703 MARTIN LUTHER KING JR. WAY</b> <b>OAKLAND, CA 94612</b>
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<b>Local ID:</b>	<b>RO0000145</b>
<b>Related ID:</b>	<b>NA</b>
<b>RWQCB ID:</b>	<b>01-2031</b>
<b>Global ID:</b>	<b>T0600101876</b>

Responsible Party:

**EQUILON ENTERPRISES, LLC**  
**ATTN.: ANDREA WING**  
**20945 S. WILMINGTON AVE.**  
**CARSON, CA 90810**

<b>Date First Reported:</b>	10/26/1994
<b>Substance:</b>	• 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
<b>Funding for Oversight:</b>	LOPS - LOP State Fund
<b>Multiple RPs?:</b>	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 Equilon Enterprises, LLC., 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 Dilan Roe at this office at (510) 567-6767 if you have questions regarding your site.

 Date: 07-19-2017

RONALD BROWDER, Acting Director  
Contract Project Director

Action:	Update
Reason:	Update

Attachment A: Responsible Parties Data Sheet

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



Certified Mail #: 7011 3500 0003 1848 1752

July 18, 2017

**NOTICE OF RESPONSIBILITY**

Site Name & Address:  
**SHELL / AUTO TECH WEST  
2703 MARTIN LUTHER KING JR. WAY  
OAKLAND, CA 94612**

**Local ID: RO0000145  
Related ID: NA  
RWQCB ID: 01-2031  
Global ID: T0600101876**

Responsible Party:

**RODNEY & JANET KWAN, TRS  
1834 ALAMEDA AVE.  
ALAMEDA, CA 94501-4108**

**Date First Reported: 10/26/1994  
Substance: • 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded  
Funding for Oversight: 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 Rodney & Janet Kwan, Trustees, 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.

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Please contact your caseworker Dilan Roe at this office at (510) 567-6767 if you have questions regarding your site.

 Date: 07-19-2017

RONALD BROWDER, Acting Director  
Contract Project Director

Action: Update  
Reason: Update

Attachment A: Responsible Parties Data Sheet

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



Certified Mail #: 7011 3500 0003 1848 1745

July 18, 2017

**NOTICE OF RESPONSIBILITY**

<b>Site Name &amp; Address:</b> <b>SHELL / AUTO TECH WEST</b> <b>2703 MARTIN LUTHER KING JR. WAY</b> <b>OAKLAND, CA 94612</b>
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<b>Local ID:</b>	<b>RO0000145</b>
<b>Related ID:</b>	<b>NA</b>
<b>RWQCB ID:</b>	<b>01-2031</b>
<b>Global ID:</b>	<b>T0600101876</b>

Responsible Party:

**RICHARD F. ANGOTTI**  
**2829 CALIFORNIA STREET**  
**SAN FRANCISCO, CA 94115-2515**

<b>Date First Reported:</b>	10/26/1994
<b>Substance:</b>	• 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
<b>Funding for Oversight:</b>	LOPS - LOP State Fund
<b>Multiple RPs?:</b>	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 Richard F. Angotti 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.

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Please contact your caseworker Dilan Roe at this office at (510) 567-6767 if you have questions regarding your site.

 Date: 07-19-2017

RONALD BROWDER, Acting Director  
Contract Project Director

Action:	Update
Reason:	Update

Attachment A: Responsible Parties Data Sheet

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

ALAMEDA COUNTY ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

July 18, 2017

Site Name & Address:

**SHELL / AUTO TECH WEST**  
**2703 MARTIN LUTHER KING JR. WAY**  
**OAKLAND, CA 94612**

**Local ID: RO0000145**  
**Related ID: NA**  
**RWQCB ID: 01-2031**  
**Global ID: T0600101876**

All Responsible Parties

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**RP has been named a Primary RP – EQUILON ENTERPRISES, LLC**  
**ATTN: ANDREA WING**  
20945 S. WILMINGTON AVE. | CARSON, CA 90810 | No Phone Number Listed

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**RP has been named a Primary RP – RODNEY & JANET KWAN, TRS.**  
**ATTN: RODNEY & JANET KWAN**  
1834 ALAMEDA AVE. | ALAMEDA, CA 94501-4108 | No Phone Number Listed

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**RP has been named a Primary RP – RICHARD F. ANGOTTI**  
**ATTN: RICHARD F. ANGOTTI**  
2829 CALIFORNIA STREET | SAN FRANCISCO, CA 94115-2515 | No Phone Number Listed

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## ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

July 18, 2017

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### Responsible Party Identification Background

Alameda County Environmental Health (ACEH) 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)

July 18, 2017

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### Existence of Unauthorized Release

One 2,000-gallon underground storage tanks (UST) (gasoline) was excavated and removed from the site in October 1994. The condition of the USTs was not described in the reports that are in the ACDEH files. Maximum petroleum hydrocarbon concentrations of 18,000 milligrams per kilogram (mg/Kg) total petroleum hydrocarbons as gasoline (TPH-g) and 100 mg/Kg benzene were detected in initial sidewall soil samples collected during the tank removal. The tank pit remained open until 1996 when it was backfilled. A baseline site assessment conducted in 1995 detected separate phase hydrocarbons in groundwater samples collected at the site. These concentrations indicate an unauthorized release has occurred from the underground storage tank system at this site.

### Responsible Party Identification

Equilon Enterprises LLC dba Shell Oil Products US ("Equilon"), a wholly-owned subsidiary of Shell Oil Company, acquired title of the property in March 1969. Equilon, a wholly-owned subsidiary of Shell Oil Company, meets the definition of a responsible party for the site because it owned or operated underground storage tanks used for the storage of any hazardous substance (Definition 1), owned the property where an unauthorized release occurred (Definition 3), and had control over underground storage tanks at the time of or following an unauthorized release of a hazardous substance (Definition 4).

Richard F Angotti acquired title of the property in October 1979. Richard F Angotti meets the definition of a responsible party for the site because he owned or operated underground storage tanks used for the storage of any hazardous substance (Definition 1), and owned the property where an unauthorized release occurred (Definition 3).

Rodney & Janet Kwan TRS acquired title of the property in June 1986. Rodney & Janet Kwan TRS meet the definition of a responsible party for the site because they owned the property where an unauthorized release occurred (Definition 3).