

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

July 16, 2008

Dodg Corporation
4849 East 12th Street
Oakland, CA 94601-5107

Max and Fay Smith
M & F Investment Company
7700 Edgewater Drive, Suite 660
Oakland, CA 94621-3095

Mr. Tony and Ms. Fee Ling Chan
78 Park Manor Drive
Daly City, CA 94015

Ms. Jennifer Sedlacheck
ExxonMobil
4096 Piedmont, #194
Oakland, CA 94611

Subject: Fuel Leak Case No. RO0000162, Quan's Automotive, 10100 East International Boulevard, Oakland, CA 94603

Dear Tony and Fee Ling Chan and Ms. Sedlacheck:

In Notices of Responsibility dated December 16, 1994, Exxon Company USA (currently ExxonMobil) and Tony and Fee Ling Chan were notified that the above referenced site had been placed in the Local Oversight Program and that Exxon Company USA and Tony and Fee Ling Chan were named as Responsible Parties for the fuel leak case. Max and Fay Smith dba M & F Investment Company and then Dodg Corporation subsequently purchased the property and have 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.

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Attachment A – Responsible Parties Data Sheet

cc: Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

July 15, 2008

Site Name & Address:

QUAN'S AUTOMOTIVE
10100 INTERNATIONAL BLVD
Oakland, CA 94603

Local ID: RO0000162

Related ID: 3410

RWQCB ID: 01-2407

Global ID: T0600102217

All Responsible Parties

RP has been named a Primary RP - TONY & FEE LING CHAN

TONY AND FEE LING CHAN

78 PARK MANOR DRIVE | DALY CITY, CA 94015 | Phone No Phone Number Listed

RP has been named a RP - JENNIFER C SEDLACHEK

EXXONMOBIL

4096 PIEDMONT AVE #194 | OAKLAND, CA 94611 | Phone (510) 547-8196

RP has been named a RP - MAX AND FAY SMITH

M & F INVESTMENT COMPANY

7700 EDGEWATER DRIVE, SUITE 660 | OAKLAND, CA 94621-3095 | Phone No Phone Number Listed

RP has been named a RP - UNKNOWN UNKNOWN

DODG CORPORATION

4849 EAST 12TH STREET | OAKLAND, CA 94601-5107 | Phone No Phone Number Listed

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 4 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."

ACEH has named the responsible parties for this site as detailed below.

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

July 15, 2008

Responsible Party Identification

Existence of Unauthorized Release

A Humble Oil and Refining Company (succeeded by ExxonMobil) automotive service station operated at the site from 1962 until 1974. Three underground storage tanks were removed from the site in 1974. Two 8,000-gallon underground storage tanks (USTs) of unknown contents and one waste oil tank were removed from the site in 1974. The waste oil UST had a remote drain line that was connected to oil/water separator (OWS) in the garage service bay. In October 1993, the OWS was cleaned and the drains plugged. Two soil borings were advanced adjacent to the OWS on November 18, 1993. The soil samples contained Total Petroleum Hydrocarbons as gasoline (TPHg) at concentrations up to 920 milligrams per kilogram (mg/kg), TPH as diesel at concentrations up to 36,000 mg/kg, and lead at concentrations up to 3,800 mg/kg.

Responsible Party Identification

Humble Oil and Refining Company purchased the property in February of 1962. Humble Oil and Refining Company owned and operated the USTs at the site from 1963 until approximately 1974. In 1973, Humble Oil and Refining Company became Exxon Company USA. ExxonMobil sold the property in 1976. Exxon Mobil is a responsible party because they owned and operated the USTs immediately before the discontinuation of their use (Definition 2), were the property owner where an unauthorized release from a UST occurred (Definition 3), and had control of USTs at the time of or following an unauthorized release (Definition 4).

Frances Kee Shepard, address unknown, purchased the property from Exxon Mobil in 1976. Frances Kee Shepard is a responsible party because she was the owner of a property where an unauthorized release from a UST occurred (Definition 3).

Max Smith and Fay Smith, dba M & F Investment Company, purchased the property from Frances Kee Shepard on April 30, 1984. M & F Investment Company is a responsible party because they were the owner of a property where an unauthorized release from a UST occurred (Definition 3).

Tony M. and Fee Ling Chan purchased the property from M & F Investment Company on June 27, 1990. Tony M. and Fee Ling Chan are responsible parties because they were the owner of a property where an unauthorized release from a UST occurred (Definition 3).

Dodg Corporation purchased the property from Tony M. and Fee Ling Chan on November 1, 2000. Dodg Corporation is a responsible party because they were the owner of a property where an unauthorized release from a UST occurred (Definition 3).