

ALAMEDA COUNTY
HEALTH CARE SERVICES



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AGENCY

DAVID J. KEARS, Agency Director

Certified Mail #: 7002 2030 0006 9574 1839

March 21, 2007

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

NOTICE OF RESPONSIBILITY

Site Name & Address:

**SHELL #13-5785
5251 HOPYARD RD
Pleasanton, CA 94566**

**Local ID: RO0000194
Related ID: 5807
RWQCB ID: 01-1372
Global ID: T0600101267**

Responsible Party:

**CARL COX
CJC HOPYARD LLC
4431 STONERIDGE DRIVE #100
PLEASANTON CA 94588-8412**

Date First Reported: 9/28/1988

**Substance: 8006619 Gasoline-Automotive (motor gasoline
and additives), leaded & unleaded**

Funding for Oversight: LOPF - LOP Funding Fund

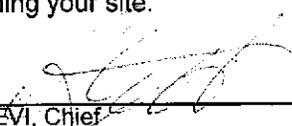
Multiple RPs?: Yes

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 SHELL OIL PRODUCTS US 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) 341-5650.

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 WICKHAM, JERRY, at this office at (510)567-6791 if you have questions regarding your site.


Date: 3/21/07
ARIU LEVI, Chief
Contract Project Director

Action: Add
Reason: Additional RP

Attachment A: Responsible Parties Data Sheet

cc: Jenniffer Jordan, SWRCB, D. Drogos,

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

March 21, 2007

Site Name & Address:

**SHELL #13-5785
5251 HOPYARD RD
Pleasanton, CA 94566**

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RWQCB ID: 01-1372

Global ID: T0600101267

All Responsible Parties

RP has been named a Primary RP - DENIS BROWN

SHELL OIL PRODUCTS US

20945 S WILMINGTON AVE | CARSON, CA 90810-1039 | Phone (707) 865-0251

RP has been named a RP - CARL COX

CJC HOPYARD LLC

4431 STONERIDGE DRIVE #100 | PLEASANTON, CA 94588-8412

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.

Existence of Unauthorized Release

An Underground Storage Tank Unauthorized Release (Leak)/Contamination Site Report (URF) was filed for the site on July 10, 1996 due to a discrepancy in monthly inventory reconciliation. A second URF was filed for the site on October 10, 2004 due to the rupture of a fiberglass product line during piping replacement and observation of gasoline in soil and water.

Responsible Party Identification

Shell Oil Products was the business owner, tank owner, and property owner at the time of and following the releases. Shell Oil Products is a responsible party for the site because they owned and operated the underground storage tanks (Definition 1), formerly owned the property where an unauthorized release occurred (Definition 3), and had control of an underground storage tank at the time of an unauthorized release (Definition 4).

CJC Hopyard LLC is a responsible party for the site because they are the current owner of a property where an unauthorized release occurred (Definition 3).

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Total Postage & Fees	\$
Postmark Here	
Sent To <u>Cant. Cox CJC Hopyard LLC</u>	
Street, Apt. No. or PO Box No. <u>4431 Starbridge Drive # 100</u>	
City, State, ZIP+4 <u>Pleasanton CA 94588-0412</u>	
PS Form 3800, June 2002	See Reverse for Instructions

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ARNOLD PERKINS, DIRECTOR
RAFAT A. SHAHID, DEPUTY DIRECTOR

Certified Mail # P 368 729 284
01/29/96
STID# 5807

Alameda County Environmental Health Dept.
Environmental Protection Division
1131 Harbor Bay Parkway, Room 250
Alameda CA 94502-6577
(510)567-6700 fax: (510)337-9335

Notice of Requirement to Reimburse

Jeff Granberry
Shell Oil Company
P. O. Box 4023
Concord, Ca 94524

Responsible Party (RP)
Property Owner

Shell Station
5251 Hopyard Rd
Pleasanton, CA 94566

SITE

Date First Reported 09/28/88
Substance: Gasoline
Petroleum: (X)Yes
Source: f

The federal Petroleum Leaking Underground Storage Tank Trust Fund (Federal Trust Fund) provides funding to pay the local and state agency administrative and oversight costs associated with the cleanup of releases from underground storage tanks. The legislature has authorized funds to pay the local and state agency administrative and oversight costs associated with the cleanup of releases from underground storage tanks. The direct and indirect costs of overseeing site investigation or remedial action at the above site are funded, in whole or in part, from the Federal Trust Fund. The above individual(s) or entity(ies) have been identified as the party or parties responsible for investigation and cleanup of the above site. **YOU ARE HEREBY NOTIFIED** that pursuant to Title 42 of the United States Code, Section 6991b(h)(6) and Section 25297.1 of the California Health and Safety Code, the above Responsible Party or Parties must reimburse the State Water Resources Control Board (SWRCB) not more than 150 percent of the total amount of site specific oversight costs actually incurred while overseeing the cleanup of the above referenced underground storage tank site, and the above Responsible Party or Parties must make full payment of such costs within 30 days of receipt of a detailed invoice from the SWRCB.

A determination of a secondary RP status may be made if it is shown that one or more of the RP(s) is performing corrective action and it is clear that the party seeking secondary status did not in any way initiate or contribute to the actual discharge. If the primary RP fails to perform corrective action, then the secondary RP will be considered a primary RP. To request designation as a secondary RP, contact this office.

Reimburse Letter
 01/29/96
 StID# 5807
 Page 2

Any action or inaction by this local agency associated with corrective action, including responsible party identification, is subject to petition to the SWRCB. Petitions must be filed within 30 days from the date of the action/inaction. To obtain petition procedures, Please fax your request to Roni Riley at the SWRCB at (916) 227-4349 telephone the SWRCB at (916) 227-4408. Please contact Scott SEERY, Hazardous Materials Specialist at this office if you have any further questions concerning this matter.

Gordon Coleman
 Gordon Coleman, Acting Chief
 Contract Project Director

Please Circle One Add Delete Change

Reason: New case

c: Mike Harper, SWRCB

#5807 P 368 729 284

SOS

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
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Sent to Jeff Granberry	
Shell Oil Company	
Street & Number P.O. Box 4023	
Post Office, State, & ZIP Code Concord CA 94524	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995

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	3. Article Addressed to: #5807 S. Seery <i>SOS (typical)</i> Jeff Granberry Shell Oil Company P.O. Box 4023 Concord CA 94524	4a. Article Number P 368 729 284	
		4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	
		7. Date of Delivery FEB 7	
	5. Received By: (Print Name) 6. Signature: (Addressee or Agent) <i>Baker</i> X	8. Addressee's Address (Only if requested and fee is paid)	

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