

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
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August 1, 2008

Mr. Jeffrey Baker
Tesoro Petroleum Companies, Inc.
3450 S. 344th Way, Ste. 100
Auburn, WA 98001-5931

Bedrock Construction, Inc.
c/o Sandeep Singh Nibber
5302 Asterwood Drive
Dublin, CA 94568-7718

Mr. Sam Hirbod
Hirbod Enterprises
111 Deerwood Road, Suite 110
San Ramon, CA 94583

Ms. Barbara Wozniak
Flyers LLC
2349 Rickenbacker Way
Auburn, CA 95601-9537

Mr. Robert Ehlers
Valero
685 West Third Street
Hanford, CA 93230

Mr. Bill Borgh
ConocoPhillips
76 Broadway
Sacramento, CA 95818

Subject: Fuel Leak Case No. RO0000216 and Geotracker Global ID T0600101409, Beacon #3720/Ultramar #720, 1088 Marina Boulevard, San Leandro, CA 94577

Dear Mr. Baker et al:

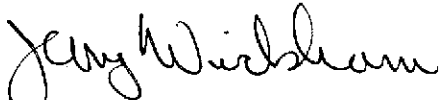
Alameda County Environmental Health (ACEH) staff has received the report entitled, "*Request for Closure and First Quarter 2008 Monitoring Report, 1088 Marina Boulevard, San Leandro, California,*" dated May 9, 2008 and prepared on your behalf by Arctos Environmental. The report presents the results from groundwater sampling activities conducted on January 27, 2008 and recommends that quarterly groundwater monitoring be suspended and the case be granted No Further Action Status. The case is currently in the review process for case closure by ACEH. During the review for possible case closure, we concur that quarterly groundwater monitoring may be suspended. Following completion of ACEH review and California Regional Water Quality Control Board concurrence, the case will be closed or ACEH will provide further directives for investigation or cleanup.

In Notices of Responsibility dated May 21, 2002, Tesoro Petroleum Company, Ultramar Inc. (currently Valero), and Conoco, Inc. (currently ConocoPhillips) were notified that the above referenced site had been placed in the Local Oversight Program and were named as responsible parties for the fuel leak case. Due to property transactions since 2001, three additional parties have been named 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.

Mr. Jeffrey Baker et al
RO0000216
August 1, 2008
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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: Michael Purchase
Arctos Environmental
1332 Peralta Avenue
Berkeley, CA 94702

Michael Nickelsen
Haley & Aldrich
200 Town Centre Drive, Suite 2
Rochester, NY 14623

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

July 31, 2008

Site Name & Address:

BEACON #3720 / ULTRAMAR #720
1088 MARINA BLVD
San Leandro, CA 94577

Local ID: RO0000216
Related ID: 4552
RWQCB ID: 01-1526
Global ID: T0600101409

All Responsible Parties

RP has been named a Primary RP - JEFF BAKER
TESORO

3450 SOUTH 344TH WAY STE 100 | AUBURN, WA 98001-5931 | Phone (253) 896-8700

RP has been named a RP - SANDEEP SINGH NIBBER
BEDROCK CONSTRUCTION INC

5302 ASTERWOOD DRIVE | DUBLIN, CA 94568-7718 | Phone No Phone Number Listed

RP has been named a RP - BARBARA WOZNIAK
FLYERS LLC

2349 RICKENBAKER WAY | AUBURN, CA 95602-9537 | Phone No Phone Number Listed

RP has been named a RP - BILL BORGH
CONOCOPHILLIPS

76 BROADWAY | SACRAMENTO, CA 95818 | Phone (916) 558-7612

RP has been named a RP - ROBERT EHLERS
VALERO

685 WEST THIRD STREET | HANFORD, CA 93230 | Phone (210) 345-2227

RP has been named a RP - SAM HIRBOD
HIRBOD ENTERPRISES

111 DEERWOOD PL # 110 | SAN RAMON, CA 94583-4445 | 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 31, 2008

Responsible Party Identification

Existence of Unauthorized Release

One waste oil and three gasoline underground storage tanks (USTs) were removed from the site on January 21, 1987. During removal, a hole approximately 1/4-inch in diameter was observed along the seam at the bottom of one of the 10,000 gallon steel gasoline USTs. Soil samples were collected from soil beneath the ends of each of the USTs and from the excavated soil stockpiles. Total petroleum hydrocarbons as gasoline (TPHg) was detected in each of the soil samples at concentrations ranging from 195 to 5,800 milligrams per kilogram. Benzene was detected in each of the soil samples at concentrations ranging from 5 to 150 milligrams per kilogram. In March 1987, five monitoring wells were installed at the site. Fuel hydrocarbons were detected in soil and groundwater samples collected from the well borings and monitoring wells.

Responsible Party Identification

Douglas Oil Corporation of California was the owner and operator of the tanks from 1975 until January 28, 1991. Douglas Oil Corporation was succeeded by Conoco, Inc. and then ConocoPhillips. ConocoPhillips is a responsible party because they owned and operated the USTs immediately before the discontinuation of their use (Definition 2), they owned property 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).

Ultramar, Inc. owned the property from January 28, 1991 until May 20, 2002. Ultramar, Inc. was succeeded by Valero. Valero is a responsible party because they owned property where an unauthorized release from a UST has occurred (Definition 3).

Tesoro owned the property from May 20, 2002 until January 17, 2003. Valero is a responsible party because they owned property where an unauthorized release from a UST has occurred (Definition 3).

Flyers LLC owned the property from January 17, 2003 until May 30, 2003. Flyers LLC is a responsible party because they owned property where an unauthorized release from a UST has occurred (Definition 3).

Hirbod Enterprises, Inc. owned the property from May 30, 2003 until November 24, 2003. Hirbod Enterprises, Inc. is a responsible party because they owned property where an unauthorized release from a UST has occurred (Definition 3).

Bedrock Construction, Inc. purchased the property on November 24, 2003 and is the current property owner. Bedrock Construction, Inc. is a responsible party because they currently own property where an unauthorized release from a UST has occurred (Definition 3).