



AGENCY

Certified Mail #: 7009 2820 0001 4359 6842

April 10, 2012

NOTICE OF RESPONSIBILITY

Site Name & Address:
CHEVRON #9-4612
3616 SAN LEANDRO ST
Oakland, CA 94601

Local ID: RO0000233
Related ID: 4249
RWQCB ID: 01-0362
Global ID: T0600100333

Responsible Party:

VIVIAN L. MCILRAITH
VIVIAN L MCILRAITH TRUST
407 CASTELLO RD
LAFAYETTE CA 94549

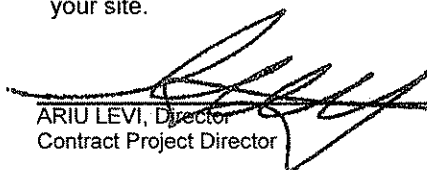
Date First Reported: 7/12/1988
Substance: 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
Funding for Oversight: LOPS - LOP State Fund
Multiple RPs?: No

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 RATTO LAND COMPANY 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 DETTERMAN, MARK, at this office at (510)567-6876 if you have questions regarding your site.


Date: 4/10/12
ARIU LEVI, Director
Contract Project Director

Action: Add
Reason: ADD

Attachment A: Responsible Parties Data Sheet

cc: Jenniffer Jorden, SWRCB, D. Drogos (Sent via electronic mail to donna.drogos@acgov.org), File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

April 10, 2012

Site Name & Address:

**CHEVRON #9-4612
3616 SAN LEANDRO ST
Oakland, CA 94601**

**Local ID: RO0000233
Related ID: 4249
RWQCB ID: 01-0362
Global ID: T0600100333**

All Responsible Parties

**RP has been named a Primary RP - VIVIAN L MCILRAITH
VIVIAN L MCILRAITH TRUST
407 CASTELLO RD | LAFAYETTE, CA 94549 | 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)

April 10, 2012

Responsible Party Identification

Existence of Unauthorized Release

In 1976, two 10,000-gallon steel underground storage tanks (USTs), one 5,000-gallon UST, and one 1,000-gallon UST were removed from the subject site. The USTs are reported to have contained gasoline and waste oil. No soil samples were collected at the time of UST removal. In February 1988 three geotechnical soil bores were installed and strong gasoline odors were reported on the bore logs at a depth of approximately 20 feet bgs. No environmental soil samples were submitted for analysis. Well VH-1 was installed in August 1988 and 11,000 µg/L TPHg and 3,300 µg/l benzene were detected in the groundwater sample. The data indicate that an unauthorized release has occurred at the site.

Responsible Party Identification

The Vivian L. McIlraith Trust (c/o Vivian L. McIlraith) is a current property owner and has been associated with the USTs since December 2004. The Vivian McIlraith Trust is a responsible party for the site because it owns the property where an unauthorized release has occurred (Definition 3).

The Ratto Land Co. (c/o John F. Ratto) is a current property owner and has been associated with the USTs since September 1960. The Ratto Land Co. is a responsible party for the site because it owns the property where an unauthorized release has occurred (Definition 3).

Chevron is the tank owner associated with the USTs since 1967. Chevron is a responsible party for the site because it owned or operated the USTs used for the storage of a hazardous substance (Definition 1), it owned or operated the underground storage tank immediately before the discontinuation of its use (Definition 2), and it had control over the USTs at a time following an unauthorized release of a hazardous substance (Definition 4).