

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 24, 2017

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

Nick Goyal  
Au Energy, LLC  
41805 Albrae Street, 2<sup>nd</sup> Floor  
Fremont, CA 94538

Denis Brown  
Shell Oil Product US  
20945 S. Wilmington Ave  
Carson, CA 90810

Subject: Notice of Responsibility; Fuel Leak Case No. RO0000254 and Geotracker Global ID T0600101231, Shell #13-5266, 1800 Powell Street, Emeryville, CA 90810-1039

Dear Responsible Parties:

In an earlier Notices of Responsibility (NOR) dated January 2, 1992 and March 29, 2011, 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,

A handwritten signature in blue ink, appearing to read "Paresh C. Khatri".

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 1783

July 20, 2017

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**

**SHELL #13-5266  
1800 POWELL ST  
EMERYVILLE, CA 94608**

**Local ID: RO0000254  
Related ID: 814  
RWQCB ID: 01-1336  
Global ID: T0600101231**

**Responsible Party:**

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

**Date First Reported: 9/10/1982**  
**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 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: 07-24-2017

RONALD BROWDER, 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 1776

July 20, 2017

**NOTICE OF RESPONSIBILITY**

<b>Site Name &amp; Address:</b> <b>SHELL #13-5266</b> <b>1800 POWELL ST</b> <b>EMERYVILLE, CA 94608</b>
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<b>Local ID:</b>	<b>RO0000254</b>
<b>Related ID:</b>	<b>814</b>
<b>RWQCB ID:</b>	<b>01-1336</b>
<b>Global ID:</b>	<b>T0600101231</b>

**Responsible Party:**

**SHELL OIL PRODUCTS US**  
**ATTN.: DENIS BROWN**  
**20945 S. WILMINGTON AVE.**  
**CARSON, CA 90810-1039**

<b>Date First Reported:</b>	<b>9/10/1982</b>
<b>Substance:</b>	<b>• 8006619 Gasoline-Automotive (motor gasoline and additives), leaded &amp; unleaded</b>
<b>Funding for Oversight:</b>	<b>LOPS - LOP State Fund</b>
<b>Multiple RPs?:</b>	<b>Yes</b>

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.

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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: 07-24-2017  
RONALD BROWDER, 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 1769

July 20, 2017

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**  
**SHELL #13-5266**  
**1800 POWELL ST**  
**EMERYVILLE, CA 94608**

**Local ID: RO0000254**  
**Related ID: 814**  
**RWQCB ID: 01-1336**  
**Global ID: T0600101231**

**Responsible Party:**

**C/O NICK GOYAL**  
**AU ENERGY LLC**  
**41805 ALBRAE STREET, 2<sup>ND</sup> FLOOR**  
**FREMONT, CA 94538-3120**

**Date First Reported: 9/10/1982**  
**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 AU ENERGY, 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.

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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: 07-24-2017  
RONALD BROWDER, 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 DEPARTMENT OF ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

July 20, 2017

<p><u>Site Name &amp; Address:</u> <b>SHELL #13-5266</b> <b>1800 POWELL ST</b> <b>EMERYVILLE, CA 94608</b></p>
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<p><b>Local ID: R00000254</b> <b>Related ID: 814</b> <b>RWQCB ID: 01-1336</b> <b>Global ID: T0600101231</b></p>
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**All Responsible Parties**

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**RP has been named a Primary RP – SHELL OIL PRODUCTS US.**  
**ATTN: DENIS BROWN**  
20945 S. WILMINGTON AVE | CARSON, CA 90810-1039 | (707) 865-0251

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**RP has been named a Primary RP – AU ENERGY, LLC.**  
**ATTN: NICK GOYAL**  
41805 ALBRAE STREET, 2<sup>ND</sup> FLOOR | FREMONT, CA 94538 | No Phone Number Listed

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**RP has been named a Primary RP – EQUILON ENTERPRISES, LLC.**  
**ATTN: ANDREA WING**  
20945 S. WILMINGTON AVE | CARSON, CA 90810-1039 | No Phone Number Listed

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

July 20, 2017

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### **Responsible Party Identification Background**

Alameda County Department of Environmental Health (ACDEH) 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 20, 2017

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### Existence of Unauthorized Release

During the installation of new dispensers at the Shell station in September 1982, a leak from damaged fiberglass piping connected to an underground storage tank (UST) at the site was reported. The release was reported as approximately 3,200 gallons of super unleaded gasoline. An Unauthorized Release Report was submitted on September 10, 1982. In response to the release, five tank backfill wells (S-1 through S-4, and S-11) and six groundwater monitoring wells (S-5 through S-10) were installed at the site sometime prior to August 1983. Petroleum hydrocarbons were detected during product piping and dispenser upgrade activities in 2004. Shell submitted an Unauthorized Release Report on October 15, 2004. Site investigation activities and groundwater monitoring conducted since 1983 have detected petroleum hydrocarbons in soil and groundwater, confirming that an unauthorized release has occurred at the site.

### Responsible Party Identification

Shell Oil Products US ("Shell Oil"), was identified as a Responsible Party for the site in a Notice of Responsibility dated January 2, 1992. Shell Oil meets the definition of a responsible party for the site because they or their corporate predecessors 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).

Au Energy, LLC purchased the property in March 2010 and is the current property owner. In a Notice of Responsibility dated March 29, 2011, Au Energy, LLC meets the definition of a Responsible Party because they are the current owners of a property where an unauthorized release from a UST has occurred (Definition 3).

Equilon Enterprises LLC dba Shell Oil Products US ("Equilon"), a wholly-owned subsidiary of Shell Oil Company, acquired title of the property on September 17, 1998. 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).