

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 25, 2017

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

AF Evans
AFE Broadway 8, LLC
1000 Broadway, Suite 300
Oakland, CA 94507

John Ward
Wells Fargo Bank
Trust Real Estate
P.O. Box 693939
San Francisco, CA 94163

Terry Wolf, Sr.
Broadway Oak Partners, LLC
5165 Brandin Court
Fremont, CA 94538

Scott Zengel
Eighth Street Investors, LLC
Signature Development Company
2235 Broadway, Suite 200
Oakland, CA 94612

459 8th Street, LLC
655 Redwood Hwy, Suite 285
Mill Valley, CA 94941-3011

Subject: Notice of Responsibility; Fuel Leak Case No. RO0000343 and GeoTracker Global ID T0600101263, Shell, 461 8th Street, Oakland, CA 94607

Dear Responsible Parties:

In an earlier Notices of Responsibility (NOR) dated April 1, 1994, July 10, 2014 and September 1, 2015, 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.

Sincerely,



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)
Paresh Khatri (sent via electronic mail to paresh.khatri@acgov.org)
Case Electronic File, GeoTracker



Certified Mail #: 7011 3500 0003 1848 1790

July 25, 2017

NOTICE OF RESPONSIBILITY

Site Name & Address: SHELL 461 8TH STREET OAKLAND, CA 94546

Local ID:	RO0000343
Related ID:	4254
RWQCB ID:	01-1368
Global ID:	T0600101263

Responsible Party:

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


Date First Reported:	04/16/1987
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: 07-25-2017
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 1806

July 25, 2017

NOTICE OF RESPONSIBILITY

Site Name & Address: SHELL 461 8TH STREET OAKLAND, CA 94546	Local ID: RO0000343 Related ID: 4254 RWQCB ID: 01-1368 Global ID: T0600101263
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Responsible Party:

AFE BROADWAY 8 LLC
ATTN.: AF EVANS
1000 BROADWAY, STE. 300
OAKLAND, CA 94507


Date First Reported: 04/16/1987
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 AFE BROADWAY 8, 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: 07-25-2017
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 1813

July 25, 2017

NOTICE OF RESPONSIBILITY

Site Name & Address:

SHELL
461 8TH STREET
OAKLAND, CA 94546

Local ID: RO0000343
Related ID: 4254
RWQCB ID: 01-1368
Global ID: T0600101263

Responsible Party:

WELLS FARGO BANK
ATTN.: JOHN WARD
TRUST REAL ESTATE
P. O. BOX 693939
SAN FRANCISCO, CA 94163

Date First Reported: 04/16/1987
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 WELLS FARGO BANK, 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: 07-25-2017

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 1837

July 25, 2017

NOTICE OF RESPONSIBILITY

Site Name & Address:
SHELL
461 8TH STREET
OAKLAND, CA 94546

Local ID: RO0000343
Related ID: 4254
RWQCB ID: 01-1368
Global ID: T0600101263

Responsible Party:

EIGHTH STREET INVESTORS LLC
ATTN.: SCOTT ZENGEL
SIGNATURE DEVELOPMENT COMPANY
2235 BROADWAY, SUITE 200
OAKLAND, CA 94612


Date First Reported: 04/16/1987
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 EIGHTH STREET INVESTORS 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: 0725-2017
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 1820

July 25, 2017

NOTICE OF RESPONSIBILITY

Site Name & Address:

SHELL
461 8TH STREET
OAKLAND, CA 94546

Local ID: RO0000343
Related ID: 4254
RWQCB ID: 01-1368
Global ID: T0600101263

Responsible Party:

BROADWAY OAK PARTNERS LLC
ATTN.: TERRY WOLF, SR
5165 BRANDIN COURT
FREMONT, CA 94538

Date First Reported: 04/16/1987
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 BROADWAY OAK PARTNERS 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:

07-25-2017

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 1844

July 25, 2017

NOTICE OF RESPONSIBILITY

Site Name & Address:

SHELL
461 8TH STREET
OAKLAND, CA 94546

Local ID: R00000343
Related ID: 4254
RWQCB ID: 01-1368
Global ID: T0600101263

Responsible Party:

459 8TH STREET LLC
655 REDWOOD HIGHWAY, SITE 285
MILL VALLEY, CA 94941-3011


Date First Reported: 04/16/1987
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 459 8TH STREET 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: 07-25-2017
RONALD BROWDER, Director
Contract Project Director

Action: Add
Reason: Add

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 25, 2017

Site Name & Address: SHELL 461 8 TH STREET OAKLAND, CA 94546

Local ID:	RO0000343
Related ID:	4254
RWQCB ID:	01-1368
Global ID:	T0600101263

All Responsible Parties

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

RP has been named a Primary RP – AFE BROADWAY 8 LLC
ATTN: AF EVANS
1000 BROADWAY, STE. 300 | OAKLAND, CA 94507 | No Phone Number Listed

RP has been named a Primary RP – WELLS FARGO BANK
ATTN: JOHN WARD
TRUST REAL ESTATE, P.O. BOX 693939 | SAN FRANCISCO, CA 94163 | No Phone Number Listed

RP has been named a Primary RP – BROADWAY OAK PARTNERS LLC
ATTN: TERRY WOLF, SR
5165 BRANDIN COURT | FREMONT, CA 94538 | No Phone Number Listed

RP has been named a Primary RP – EIGHTH STREET INVESTORS LLC
ATTN: SCOTT ZENGEL
SIGNATURE DEVELOPMENT COMPANY, 2235 BROADWAY, SUITE 200 | OAKLAND, CA 94612 | No Phone Number Listed

RP has been named a Primary RP – 459 8TH STREET LLC
ATTN: 459 8TH STREET LLC
655 REDWOOD HIGHWAY, STE 285 | MILL VALLEY, CA 94941-3011 | No Phone Number Listed

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

July 25, 2017

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 25, 2017

Existence of Unauthorized Release

In January 1979, separate phase petroleum hydrocarbons (SPH) were reported in a Bay Area Rapid Transit (BART) tunnel under the intersection of 7th Street and Broadway in Oakland. Product lines at 461 8th Street were tested and a pressure leak was discovered. The product lines were replaced in January 1979. Laboratory analyses indicated that the SPH detected in the BART tunnel was Shell regular gasoline. Subsequent site investigation activities detected petroleum hydrocarbons in soil and groundwater beneath the site. Based on these results, an unauthorized release or releases appear to have occurred from the UST system.

Responsible Party Identification

Equilon Enterprises LLC dba Shell Oil Products US ("Equilon"), a wholly-owned subsidiary of Shell Oil Company, had title of the property in 1980 and a lease agreement as early as April 1975. 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).

AFE BROADWAY 8 LLC meets the definition of a responsible party for the site because it owned the property where an unauthorized release occurred (Definition 3).

WELLS FARGO BANK meets the definition of a responsible party for the site because it owned the property where an unauthorized release occurred (Definition 3).

BROADWAY OAK PARTNERS LLC meets the definition of a responsible party for the site because it owned the property where an unauthorized release occurred (Definition 3).

EIGHTH STREET INVESTORS LLC meets the definition of a responsible party for the site because it owned the property where an unauthorized release occurred (Definition 3).

459 8TH STREET LLC meets the definition of a responsible party for the site because it owned the property where an unauthorized release occurred (Definition 3).