

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  
ALAMEDA, CA 94501  
(510) 567-6701  
FAX (510) 337-9331

October 18, 2017

Ms. Jennifer Sedlachek  
ExxonMobil  
4096 Piedmont Ave.  
Oakland, CA 94611 (Sent via electronic mail to:  
[jennifer.c.sedlachek@exxonmobil.com](mailto:jennifer.c.sedlachek@exxonmobil.com))

Lam Truong  
2225 Telegraph Avenue  
Oakland, CA 94612  
(Sent via electronic mail to:  
[Oaklandvalero@att.net](mailto:Oaklandvalero@att.net))

Chevron Corporation  
6111 Bollinger Canyon Rd.  
San Ramon, CA 94583-2324  
Attention: Environmental Liability Manager

BNY Western Trust Company  
c/o R J Dold  
3200 Southwest Fwy  
Houston, TX 77027

Subject: LOP Case No. RO0000358 and Geotracker Global ID T0600101354, Exxon #7-0235, 2225 Telegraph Ave., Oakland, CA 94612

Dear Responsible Parties:

In a Notice of Responsibility dated April 27, 1992, the Exxon Corporation (Attn. William Wang), now ExxonMobile, and Texaco were notified that the above referenced site had been placed in the Local Oversight Program and was named as a Responsible Parties for the fuel leak case. In October 2001, Texaco merged with Chevron Corporation. In a Notice of Responsibility dated November 14, 2008, the Chevron Corporation (Attn.: Ian Robb) and Lam H. Truong were added as Responsible Parties for the fuel leak case. BNY Western Trust Company (c/o R J Dold) has been named as an additional Responsible Party 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.

If you have any questions, please call me at (510) 567-6764 or send me an electronic mail message at [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org).

Sincerely,

Digitally signed by Keith Nowell  
DN: cn=Keith Nowell, o=Alameda County,  
ou=Department of Environmental Health,  
email=keith.nowell@acgov.org, c=US  
Date: 2017.10.18 09:30:14 -07'00'

Keith Nowell, PG, CHG  
Hazardous Materials Specialist

Attachment A – Responsible Parties Data Sheet

cc: Dilan Roe, ACDEH, (sent via electronic mail to [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Paresh Khatri, ACDEH (sent via electronic mail to [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org))  
Keith Nowell, ACDEH, (sent via electronic mail [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org))  
Geotracker, Electronic File

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**



ENVIRONMENTAL HEALTH DEPARTMENT  
OFFICE OF THE DIRECTOR  
1131 HARBOR BAY PARKWAY  
ALAMEDA, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

AGENCY

REBECCA GEBHART, Interim Director

Certified Mail #: 7011 3500 0003 1934 7682

October 18, 2017

**NOTICE OF RESPONSIBILITY**

Site Name & Address:

**EXXON #7-0235  
2225 TELEGRAPH AVE.  
OAKLAND, CA 94612**

**Local ID: RO0000358  
Related ID: 1039  
RWQCB ID: 01-1466  
Global ID: T0600101354**

Responsible Party:

**BNY WESTERN TRUST COMPANY  
C/O R J DOLD  
3200 SOUTHWEST FWY  
HOUSTON, TX 77027**

**Date First Reported: 7/20/1988**  
**Substance:**

- Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
- Diesel fuel oil & additives (Nos. 1-D, 2-D, 2-4)

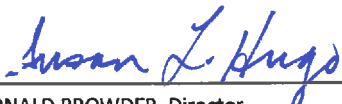
**Funding for Oversight: LOPS - LOP State Fund**  
**Multiple RPs?: Yes**

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 **BNY WESTERN TRUST 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 KEITH NOWELL at this office at (510) 567-6764 if you have questions regarding your site.

for   
RONALD BROWDER, Director  
Contract Project Director

Date: 10-18-2017

Action: Update  
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 ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

October 18, 2017

**Site Name & Address:**

EXXON #7-0235  
2225 TELEGRAPH AVE.  
OAKLAND, CA 94612

Local ID: RO0000358  
Related ID: 1039  
RWQCB ID: 01-1466  
Global ID: T0600101354

**All Responsible Parties**

RP HAS BEEN NAMED A PRIMARY RP - BNY WESTERN TRUST COMPANY  
C/O R J DOLD  
3200 SOUTHWEST FWY | HOUSTON, TX 77027 | No Phone Number Listed

RP HAS BEEN NAMED A PRIMARY RP - LAM TRUONG  
2225 TELEGRAPH AVENUE | OAKLAND, CA 94612 | (510) 832-4000

RP HAS BEEN NAMED A PRIMARY RP - CHEVRON CORPORATION  
ATTN: Environmental Liability Manager  
6111 BOLLINGER CANYON ROAD | SAN RAMON, CA 94583 | Phone (925) 790-6513

RP HAS BEEN NAMED A PRIMARY RP - EXXONMOBIL  
ATTN: JENNIFER SEDLACHEK  
4096 PIEDMONT AVE. | OAKLAND, CA 94611 | (510) 547-8196

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

October 18, 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 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."
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## ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

October 18, 2017

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### Existence of Unauthorized Release

A site assessment conducted in July, 1988 included the installation of four groundwater monitoring wells. Free phase product was observed in one of the wells. An environmental investigation conducted in 1989 revealed maximum concentrations of 11,000 milligrams per kilogram (mg/Kg) of total petroleum hydrocarbons as gasoline (TPH) and 40 mg/Kg benzene in soil; 9,500 micrograms per liter (ug/L) benzene in groundwater; and 6,100 ug/L TPHg and 10ug/L benzene in soil vapor. These concentrations indicate a release from the underground storage tank system has occurred.

### Responsible Party Identification

Texaco Marketing and Refining owned and operated the underground storage tanks from March 31, 1966 to October 31, 1988. Chevron Corporation purchased all of Texaco and its assets. Chevron Corporation meets the definition of a responsible party for the site because it owned or operated an underground storage tank used for the storage of any hazardous substance (Definition 1), it had control over an underground storage tank at the time or following an unauthorized release of a hazardous substance (Definition 4), and it owned the property where an unauthorized release occurred (Definition 3).

Exxon acquired the property in October 1988 and was the property owner following an unauthorized petroleum hydrocarbon release(s). Exxon merged with Mobil in 1998, forming ExxonMobil. ExxonMobil meets the definition of a responsible party for the site because it owned the property where an unauthorized release occurred (Definition 3).

BNY Western Trust Company acquired the property in June 16, 2000 and was the property owner following an unauthorized petroleum hydrocarbon release(s). BNY Western Trust Company meets the definition of a responsible party for the site because it owned the property where an unauthorized release occurred (Definition 3).

Lam Truong purchased the property in June 1, 2001 and was the property owner following an unauthorized petroleum hydrocarbon release(s). Lam Truong meets the definition of a responsible party for the site because he owned the property where an unauthorized release occurred (Definition 3).