

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

Certified Mail #: 7066345000005030014

April 15, 2009

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

NOTICE OF RESPONSIBILITY

Site Name & Address:

**HABER OIL PRODUCT
1401 GRAND AVE
San Leandro, CA 94577**

**Local ID: RO0000370
Related ID: 4536
RWQCB ID: 01-1977
Global ID: T0600101827**

Responsible Party:

JASWANT & LAKHVIR K. BRAR

**1401 GRAND AVE
SAN LEANDRO CA 94577-5368**

Date First Reported: 4/24/1991

**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 HABER OIL PRODUCT 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) 341-5650.

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 PLUNKETT, STEVEN, at this office at (510)383-1767 if you have questions regarding your site.



ARIU LEVIK, Director
Contract Project Director

Date: 4/15/09

Action: Add
Reason: NEW

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

April 15, 2009

Site Name & Address:

HABER OIL PRODUCT
1401 GRAND AVE
San Leandro, CA 94577

Local ID: RO0000370

Related ID: 4536

RWQCB ID: 01-1977

Global ID: T0600101827

All Responsible Parties

RP has been named a Primary RP - MANMOHAN S CHOPRA

HABER OIL PRODUCT

4216 WARBLER LOOP | FREMONT, CA 94555 | Phone No Phone Number Listed

RP has been named a RP - JASWANT & LAKHVIR K BRAR

1401 GRAND AVE | SAN LEANDRO, CA 94577-5368 | 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 15, 2009

Responsible Party Identification

Existence of Unauthorized Release

In June 1991, a preliminary site assessment was completed and four soil boring were installed to a depth of 36 feet below ground surface and contamination was detected in soil samples at concentrations of up to 66 parts per million (ppm) TPH gasoline and 0.94 ppm benzene. In July 2007 three USTs were replace and confirmation soil samples were collected from the excavation sidewalls and bottom. Petroleum hydrocarbon contamination was detected at concentrations of up to 4,200 ppm TPHg, 6.3 ppm benzene and 87 ppm MtBE indicating that an unauthorized release had occurred.

Responsible Party Identification

Mr. Manmohan Chopra was the owner of a property at the time an unauthorized release of a hazardous substance from a UST occurred (Definition 3). Mr Chopra had control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance and thus meets the definition of a responsible party for the site (Definition 4). Mr Chopra was the owner of a UST used for the storage of any hazardous substance (Definition 1).

Jaswant and Lakhvir Brar purchased the property in October 200 and meet the definition of a responsible party because they are the property owner where an unauthorized release of a hazardous substance from a UST has occurred, (Definition 3).

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Jaswant & Lakhvir K. Brar	
1401 Grand Avenue	
San Leandro, CA 94577-	

Sent To
Street, Apt. or PO Box
City, State

PS Form 3800, August 2006 See Reverse for Instructions