



ENVIRONMENTAL HEALTH DEPARTMENT
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
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(510) 567-6700
FAX (510) 337-9335

October 7, 2011

Mr. Leonard Shirley
Southern Pacific Transportation Company
P.O Box 2500
Broomfield, CO 80038

Subject: Notice of Responsibility; Fuel Leak Case No. RO0001135 and Geotracker Global ID T0600101305, 744 and 758 High Street, Oakland, CA

Dear Mr. Shirley:

In a "Notice of Requirement to Reimburse" dated March 13, 1992, Southern Pacific Transportation Company (SPTC) was notified that the referenced site had been placed in the Local Oversight Program and that SPTC was named as a Responsible Party for the fuel leak case. Alameda County Assessor's Office Records indicate that John W. and Lynn J Bacon purchased the property from SPTC in 1990 followed by a number of transactions involving the Bacon family. In 1998 the property was purchased by Leslie A. Bacon, et al, in care of Economy Lumber Company, who 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.

Please provide ACEH with your email address so that we can correspond with you quickly and efficiently regarding your case. Should you have any questions, please contact me at (510) 567--6708 or send me an electronic mail message at karel.detterman@acgov.org.

Sincerely,

Karel Detterman, P.G.
Hazardous Materials Specialist

Attachment A – Responsible Parties Data Sheet

cc: Donna Drogos (sent via electronic mail to donna.drogos@acgov.org)
Karel Detterman (sent via electronic mail to karel.detterman@acgov.org)
Case Electronic File, GeoTracker

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

October 7, 2011

Site Name & Address:

SOUTHERN PACIFIC TRANS COMPANY
744 HIGH ST
Oakland, CA 94601

Local ID: RO0001135
Related ID: 3722
RWQCB ID: 01-1413
Global ID: T0600101305

All Responsible Parties

RP has been named a Primary RP – LEONARD SHIRLEY
SOUTHERN PACIFIC TRANS CO
PO BOX 2500 | BROOMFIELD, CO 80038 | Phone No Phone Number Listed

RP has been named a Primary RP - LESLIE A. BACON, ET AL
ECONOMY LUMBER COMPANY
750 HIGH STREET | OAKLAND, CA 94601 | 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)

October 7, 2011

Responsible Party Identification

Existence of Unauthorized Release

A January 30, 1990 report entitled "Environmental Assessment Phase II Characterization Results Report" by Ecology and Environment, Inc. for Southern Pacific Transportation Company (SPTC) documented sampling of six site wells. Up to 2,800 micrograms per liter (ug/L) TOG, 1,500 ug/l TPH, and 1.0 ug/L PCBs were detected in groundwater. This data provides evidence that an unauthorized release has occurred at the site.

A Notice of Requirement to Reimburse dated March 13, 1992 was sent to SPTC notifying SPTC that it had been identified as the party responsible for conducting investigation and cleanup of a gasoline release at the site. The petroleum hydrocarbon release originated from an underground storage tank (UST) and was first reported on July 15, 1986.

Responsible Party Identification

Southern Pacific Transportation Company owned the property from 1872 until 1998. SPTC is a responsible party for the site because they owned the property where an unauthorized release occurred (Definition 3).

In 1998, the property was purchased by Leslie A. Bacon, et al, in care of Economy Lumber Company. Leslie A. Bacon, et al, has been named an additional Responsible Party because they are the current owners of a property where an unauthorized release occurred (Definition 3).