



December 05, 2012

NOTICE OF RESPONSIBILITY

Site Name & Address: SOUTHERN PACIFIC TRANSPORTATION 744 HIGH ST Oakland, CA 94601

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

Responsible Party:

LEONARD SHIRLEY
SOUTHERN PACIFIC TRANS CO
PO BOX 2500
BROOMFIELD CO 80038


Date First Reported:	7/15/1986
Substance:	41,8006619 Multiple Releases
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 SOUTHERN PACIFIC TRANS CO 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 KAREL DETTERMAN at this office at (510)567-6708 if you have questions regarding your site.


Date: 12/05/12
ARIU LEVI, Director
Contract Project Director

Action: Add Reason: ADD

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

December 05, 2012

Site Name & Address:

SOUTHERN PACIFIC TRANSPORTATION
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 | 510.437.1189

RP has been named a Primary RP - JAMES E DIEL
UNION PACIFIC RAILROAD COMPANY
9451 ATKINSON STREET, SUITE 100 | ROSEVILLE, CA 95747 | 916.789.5184

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)

December 05, 2012

Responsible Party Identification

Existence of Unauthorized Release

A gasoline release originating from an underground storage tank (UST) was first reported on July 15, 1986. 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 for Total Petroleum Hydrocarbon (TPH), Total Oil & Grease (TOG), and polychlorinated biphenyls (PCBs). Three groundwater samples contained TOG ranging from 2,300 to 2,800 micrograms per liter (ug/L), one well contained 1,500 ug/l TPH, and one well contained 1.0 ug/L PCBs. This data provides evidence that an unauthorized release has occurred at the site.

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 1996, Union Pacific Railroad (UPRR) acquired SPTC. UPRR is an additional Responsible Party because they acquired SPTC, who 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. Mr. 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).



Certified Mail #: 7009 2820 0001 4359 9836

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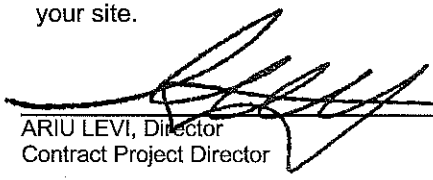
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ARIU LEVI, Director
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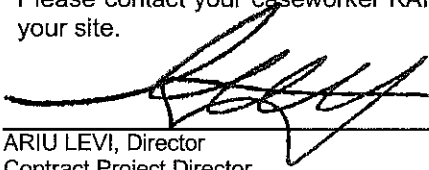
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