

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

Certified Mail #: 7002 2030 0006 9574 1655

December 15, 2006

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:

**SUNOL TREE GAS
3004 ANDRADE RD
SUNOL, CA 94586**

**Local ID: RO0002448
Related ID: 3366
RWQCB ID: 01-3506
Global ID: T0600114064**

Responsible Party:

**HEDAYAT FEDHAI
KHAN PETROLEUM INC
3004 ANDRADE RD
SUNOL CA 94586-9453**

Date First Reported: 4/17/2002

Substance: 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded

Funding for Oversight: LOPF - LOP Federal Fund

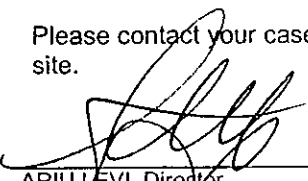
Multiple RPs?: Yes

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 KHAN PETROLEUM INC 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 Donna L. Drogos, at this office at (510) 567-6721 if you have questions regarding your site.


ARIU LEVI, Director
Contract Project Director

Date: 12/15/06

Action: Add
Reason: New property owner

Attachment A: Responsible Parties Data Sheet

cc: Jenniffer Jordan - SWRCB, D. Drogos

NOR1.rpt - NOR 2006 Revision

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

Certified Mail #: 7002 2030 0006 9574 1662

December 15, 2006

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:

SUNOL TREE GAS
3004 ANDRADE RD
SUNOL, CA 94586

Local ID: RO0002448
Related ID: 3366
RWQCB ID: 01-3506
Global ID: T0600114064

Responsible Party:

OBAID ABDULLAH
KHAN PETROLEUM INC
5500 GOLD CREEK DR
CASTRO VALLEY CA 94552-5441

Date First Reported: 4/17/2002

Substance: 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded

Funding for Oversight: LOPF - LOP Federal 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 KHAN PETROLEUM INC 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 Donna L. Drogos, at this office at (510) 567-6721 if you have questions regarding your site.


ARIU LEVI, Director
Contract Project Director

Date: 12/15/06

Action: Add
Reason: New property owner

Attachment A: Responsible Parties Data Sheet

cc: Jenniffer Jordan - SWRCB, D. Drogos

NOR1.rpt - NOR 2006 Revision

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

December 15, 2006

Site Name & Address:

SUNOL TREE GAS
3004 ANDRADE RD
SUNOL, CA 94586

Local ID: RO0002448
Related ID: 3366
RWQCB ID: 01-3506
Global ID: T0600114064

All Responsible Parties

RP has been named a Primary RP - HEDAYAT FEDHAI
KHAN PETROLEUM INC
3004 ANDRADE RD | SUNOL, CA 94586-9453 | Phone (510) 332-5049

RP has been named a RP - MURRAY KELSOE
SUNOL TREE GAS c/o Jeffery Lawson, Esq. | Silicon Valley Law Group
|152 NORTH THIRD ST, SUITE 900 | SAN JOSE, CA 95112 | Phone (408) 286-6100

RP has been named a RP - OBAID ABDULLAH
KHAN PETROLEUM INC
5500 GOLD CREEK DR | CASTRO VALLEY, CA 94552-5441 | Phone (510) 332-5051

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."

AECH has named the responsible parties for this site as detailed below.

Murray Kelsoe owned the real property from November 1984 to November 2004. Murray Kelsoe owned and operated the UST system from December 1984 until April 2, 2002, when the USTs were removed. An unauthorized release was discovered and confirmed during the UST removal process. Murray Kelsoe is a responsible party because he owned or operated the underground storage tank immediately before the discontinuation of its use (Definition 2); he owned the property where an unauthorized release of a hazardous substance from an underground storage tank has occurred (Definition 3); and because he had control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance (Definition 4).

Hedayat Fedhai and Obaid Abdullah of Khan Petroleum Inc. purchased the property in February 2006. Khan Petroleum Inc. is a responsible party because they own the real property where an unauthorized release of a hazardous substance from an underground storage tank has occurred (Definition 3).