

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

Certified Mail #: 7006 3450 0000 0503 0458

January 21, 2010

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:

**SHELL #13-5786
6750 SANTA RITA RD
PLEASANTON, CA 94566**

**Local ID: RO0002522
Related ID: NA
RWQCB ID: NA
Global ID: T0600102532**

Responsible Party:

**CARL COX
CJC SANTA RITA LLC
4431 STONERIDGE DR #110
PLEASANTON CA 94588**

Date First Reported: 1/6/2003

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

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 SHELL OIL PRODUCTS 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 WICKHAM, JERRY, at this office at (510)567-6791 if you have questions regarding your site.



ARITTEVI, Director
Contract Project Director

Date: 1/21/10

Action: Add
Reason: Add RP

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

January 21, 2010

Site Name & Address:

**SHELL #13-5786
6750 SANTA RITA RD
PLEASANTON, CA 94566**

**Local ID: RO0002522
Related ID: NA
RWQCB ID: NA
Global ID: T0600102532**

All Responsible Parties

**RP has been named a Primary RP - DENIS BROWN
SHELL OIL PRODUCTS
20945 S WILMINGTON AVE | CARSON, CA 90810-1039 | Phone (707) 865-0251**

**RP has been named a RP - CARL COX
CJC SANTA RITA LLC
4431 STONERIDGE DR #110 | PLEASANTON, CA 94588 | 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)

January 21, 2010

Responsible Party Identification

Existence of Unauthorized Release

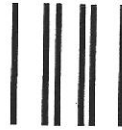
During excavation and removal of four USTs on November 6, 2002, MTBE was detected in 7 of 8 soil samples collected from the UST tank pit at concentrations ranging from 0.6 ppm to 2.5 ppm. TBA was detected in 6 of 8 soil samples collected at concentrations ranging from 0.9 to 6.1 ppm. No other fuel oxygenates were detected during the tank removals. Total petroleum hydrocarbons as gasoline (TPHg) was not detected in any soil samples and benzene and toluene were detected in only one soil sample at concentrations of 0.016 ppm and 0.031 ppm, respectively. Seven monitoring wells were installed at the site from 2002 to 2005. MTBE and TPH as diesel (TPHd) were also detected in soil samples collected beneath the dispensers and piping trenches during the November 2002 tank removal and piping upgrades. Two water samples collected from the tank pit contained TPHg at concentrations up to 9,300 ppb and MTBE at concentrations up to 11,000 ppb. Seven monitoring wells were installed at the site between 2002 and 2005. MTBE continues to be detected in 4 of the 7 wells at concentrations ranging from 17 to 990 ppb.

Responsible Party Identification

Shell Oil Products was the business owner, tank owner, and property owner from approximately 1989 until December 28, 2005. Shell Oil Products is the primary responsible party because unauthorized releases occurred during the time that Shell Oil Products was the owner of property where an unauthorized release occurred (Definition 3) and Shell Oil Products had control of the UST system at the time of or following unauthorized releases (Definition 4).

CJC Santa Rita LLC purchased the property on or about December 28, 2005. CJC Santa Rita LLC is a responsible party because they are the current property owner (Definition 3).

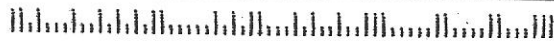
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Alameda County CC4580
Environmental Health
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
PO 1522



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee <i>(Signature)</i></p> <p>B. Received by (Printed Name) C. Date of Delivery <i>R. KOVACOVIC 1-29-10</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>
<p>1. Article Addressed to: <i>2010 JAN 26 PM 11 28</i></p> <p>CARL COX CJC SANTA RITA LLC 4431 STONERIDGE DR. #110 PLEASANTON, CA 94588</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7006 3450 0000 0503 0458</p>
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	