

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
ALEX BRISCOE, Agency Director



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

October 23, 2015

Shell Oil Products
20945 S. Wilmington Ave.
Carson, CA 90810
Attn.: Deborah Pryor
(Sent via E-mail to: deborah.pryor@shell.com)

Mr. Hung Trihn
1601 Webster Street
Alameda, CA 94501

Subject: Notice of Responsibility for Fuel Leak Case No. RO0002745 and GeoTracker Global ID T0600137103, Shell #13-5032, 1601 Webster St., Alameda, CA 94501

Dear Responsible Parties:

In a Notice of Responsibility dated September 3, 2004, Shell Oil Products US was notified that the above referenced site had been placed in the Local Oversight Program and was named as a Responsible Party for the fuel leak case. Mr. Hung Trihn has been named as 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.

If you have any questions, please call me at (510) 567-6764 or send me an electronic mail message at keith.nowell@acgov.org.

Sincerely,

A handwritten signature in cursive script that reads "Keith Nowell".

Digitally signed by Keith Nowell
DN: cn=Keith Nowell, o=Alameda County,
ou=Department of Environmental Health,
email=keith.nowell@acgov.org, c=US
Date: 2015.10.22 12:56:13 -0700'

Keith Nowell, PG, CHG
Hazardous Materials Specialist

Attachment A – Responsible Parties Data Sheet

cc: Aubrey Cool, AECOM, 1333 Broadway, Suite 800, Oakland, CA 94612 (sent via e-mail to Aubrey.Cool@aecom.com)

Dilan Roe, ACEH, (sent via e-mail to dilan.roe@acgov.org)
Keith Nowell, ACEH, (sent via e-mail keith.nowell@acgov.org)
Geotracker, Electronic File



AGENCY

ALEX BRISCOE, Agency Director

Certified Mail #: 7009 2820 0001 4359 8532

October 23, 2015

NOTICE OF RESPONSIBILITY

Site Name & Address:
SHELL #13-5032
1601 WEBSTER STREET
ALAMEDA, CA 94501

Local ID: RO0002745
Related ID: NA
RWQCB ID: NA
Global ID: T0600137103

Responsible Party:

HUNG TRINH
1601 WEBSTER STREET
ALAMEDA, CA 94501

Date First Reported: 8/19/2004
Substance: • Gasoline-Automotive (motor gasoline and additives), 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 HUNG TRINH 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 KEITH NOWELL at this office at (510) 567-6764 if you have questions regarding your site.

 Date: 10-23-2015

RONALD BROWDER, Acting Director
Contract Project Director

Action: Update
Reason: ADD

Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

October 23, 2015

Site Name & Address:

SHELL #13-5032
1601 WEBSTER STREET
ALAMEDA, CA 94501

Local ID: R00002745
Related ID: NA
RWQCB ID: NA
Global ID: T0600137103

All Responsible Parties

RP has been named a Primary RP – HUNG TRINH
1601 WEBSTER STREET | ALAMEDA, CA 94501 | 510 / 523 - 0191

RP has been named a Primary RP – SHELL OIL PRODUCTS US
ATTN: DEBORAH PRYOR
20945 S. WILMINGTON AVE. | CARSON, CA 90810 | 310 / 5505846

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

October 23, 2015

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."
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ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

October 23, 2015

Existence of Unauthorized Release

In August 2004, one of the 10,000-gallon gasoline underground storage tanks (USTs) was damaged during a fuel system upgrade. An estimated 2,048 gallons of free phase product were released from the damage UST. Subsequent soil and groundwater investigations reported maximum petroleum hydrocarbon concentrations in soil of 3,700 milligrams per kilogram (mg/Kg) total petroleum hydrocarbons as gasoline (TPH-g). Groundwater was reported to include concentrations of 160,000 micrograms per liter (ug/L) TPH-g, 700 ug/L benzene and 2,900 ug/L methyl tertiary butyl ether (MTBE). These concentrations indicate an unauthorized release has occurred from the underground storage tank system at this site.

Responsible Party Identification

Equilon Enterprises LLC, doing business as Shell Oil Products US ("Shell"), acquired title of the property in July 1998. Through mergers and acquisitions, Chevron acquired Union Oil. Shell Oil Products US meets the definition of a responsible party for the site because it owned or operated underground storage tanks used for the storage of any hazardous substance (Definition 1), owned the property where an unauthorized release occurred (Definition 3), and had control over underground storage tanks at the time of or following an unauthorized release of a hazardous substance (Definition 4).

Mr. Hung Trinh, acquired title of the property in May 2014. Mr. Hung Trinh meets the definition of a responsible party for the site because he owns or operates underground storage tanks used for the storage of any hazardous substance (Definition 1), owns the property where an unauthorized release occurred (Definition 3), and has control over underground storage tanks at the time of or following an unauthorized release of a hazardous substance (Definition 4).