

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
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(510) 567-6700  
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July 18, 2008

Mr. Bill Borgh  
ConocoPhillips Company  
76 Broadway  
Sacramento, CA 95818

Subject: Fuel Leak Case No. RO0002970 and Geotracker Global ID T0619756184, Unocal #2611129/BP#11128, 4707 First Street, Livermore, CA

Dear Mr. Borgh:

In reviewing the case file for the above referenced site, we have found that Attachment A – Responsible Parties Data Sheet to the Notices of Responsibility dated June 30, 2008, contained an error in identification of the current owner of the site. Attached is the corrected Attachment A – Responsible Parties Data Sheet, which identifies all Responsible Parties and provides background on the unauthorized release and Responsible Party Identification. A Notice of Responsibility has also been issued to the current owners of the site.

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org).

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297  
Senior Hazardous Materials Specialist

Attachment A – Responsible Parties Data Sheet

cc: Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

July 17, 2008

**Site Name & Address:**

**UNOCAL #2611128 / BP #11128  
4707 FIRST ST  
LIVERMORE, CA 94551**

**Local ID: RO0002970**

**Related ID: NA**

**RWQCB ID: NA**

**Global ID: T0619756184**

**All Responsible Parties**

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**RP has been named a Primary RP - BILL BORGH  
CONOCOPHILLIPS**

76 BROADWAY | SACRAMENTO, CA 95818 | Phone (916) 558-7612

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**RP has been named a RP - PYONG O AND GYEONG S JUNG**

4707 1ST STREET | LIVERMORE, CA 94551-9293 | Phone No Phone Number Listed

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**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)

July 17, 2008

### Responsible Party Identification

#### Existence of Unauthorized Release

Soil and groundwater samples were collected at the site in August 2007 as part of a due diligence baseline site assessment. The site is an active service station with three fuel USTs and two dispenser islands. Petroleum hydrocarbons were detected in soil and groundwater samples collected in the area of the underground storage tanks (USTs) and dispenser islands. Total petroleum hydrocarbons as diesel was detected in soil and groundwater samples at concentrations up to 80 micrograms per kilogram and 6,300 micrograms per liter, respectively. The detections of fuel hydrocarbons in soil and groundwater in the areas of the former USTs and dispensers are indicative of an unauthorized release from the USTs and/or dispensers.

#### Responsible Party Identification

ConocoPhillips Company, or a predecessor to or holding company for ConocoPhillips Company, owned and operated the tanks and owned the property until February 5, 2008. ConocoPhillips Company is the primary responsible party because they owned and operated a UST that had an unauthorized release (Definition 1), were the property owner where an unauthorized release from a UST occurred (Definition 3), and had control of USTs at the time of or following an unauthorized release (Definition 4).

Pyung O. and Gyeong S. Jung purchased the property on February 5, 2008. Pyung O. and Gyeong S. Jung are responsible parties because they are the current owners of a property where an unauthorized release from a UST has occurred (Definition 3).