

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

Certified Mail #: 7002 2030 0006 9574 2683

February 24, 2009

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9835

NOTICE OF RESPONSIBILITY

Site Name & Address:

SHELL #16-5112
4895 HACIENDA DR
DUBLIN, CA 94568

Local ID: RO0002985
Related ID: NA
RWQCB ID: NA
Global ID: T10000000423

Responsible Party:

DENIS BROWN
SHELL OIL PRODUCTS US
20945 S WILMINGTON AVE
CARSON CA 90810-1039

Date First Reported: 9/30/2008

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

Funding for Oversight: LOPS - LOP State Fund

Multiple RPs?: No

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 US 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.



ARIU LEVI, Director
Contract Project Director

Date: 2/27/09

Action: Add
Reason: New case

Attachment A: Responsible Parties Data Sheet

cc: Jenniffer Jordan, SWRCB, D. Drogos, File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

February 24, 2009

Site Name & Address:

**SHELL #16-5112
4895 HACIENDA DR
DUBLIN, CA 94568**

Local ID: RO0002985
Related ID: NA
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Global ID: T10000000423

All Responsible Parties

RP has been named a Primary RP - DENIS BROWN

SHELL OIL PRODUCTS US

20945 S WILMINGTON AVE | CARSON, CA 90810-1039 | Phone (707) 865-0251

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.

Existence of Unauthorized Release

The site is an active retail gasoline service station located at 4895 Hacienda Drive in Dublin. Four soil borings were advanced at the site on August 20, 2008. Soil samples from two of the four soil borings contained MTBE at concentrations up to 0.073 milligrams per kilogram. Groundwater samples were collected from two of the four soil borings. Total petroleum hydrocarbons as gasoline (TPHg) were detected in one of the two groundwater samples at a concentration of 320 micrograms per liter ($\mu\text{g/L}$). MTBE was detected in both groundwater samples at concentrations of 2.3 and 370 $\mu\text{g/L}$.

Responsible Party Identification

Shell Oil Products US owned the USTs and property since February 1998. Shell Oil Products US is the primary responsible party because Shell Oil Products US owned and operated USTs at the time of an unauthorized release (Definition 1), was the owner of property where an unauthorized release occurred (Definition 3), and had control of USTs at the time of or following an unauthorized release (Definition 4).

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Denis Brown

Shell Oil Products US
20945 South Wilmington Avenue
Carson, CA 90810-1039

Sent To
Street, Ap
or PO Box
City, State

PS Form 3800, June 2002

See Reverse for Instructions