

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY  
ALEX BRISCOE, Director



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

June 27, 2013

Bhushan K. Bansal  
Bansal, Inc.  
1784 150<sup>th</sup> Avenue  
San Leandro, CA 94578-1826

Subject: Case Closure and Notice of Responsibility for Fuel Leak Case No. RO0003083 and GeoTracker Global ID T10000003427, Shell #135696, 820 Portwood Avenue, Oakland, CA 94601

Dear Mr. Bansal:

During a Phase II Site Assessment for due diligence in August 2008, Total Petroleum Hydrocarbons as gasoline (TPHg) and MTBE were detected in groundwater samples collected in the area of the underground storage tanks at the above referenced site. A fuel leak case was opened for this site at a later date in 2011. Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above referenced site and concluded that the contamination at the site poses a low-threat and the case can be closed without further investigation or cleanup. We have transmitted a case closure package dated June 27, 2013 under separate cover that closes the fuel leak case.

Pursuant to sections 25297.1 and 252917.15 of the Health and Safety Code, ACEH is required to provide a Notice of Responsibility for all fuel leak cases. To complete this requirement, we are also attaching a Notice of Responsibility to this letter. However, as previously discussed, the fuel leak case has been closed and no further action is required.

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). Case files can be reviewed online at the following website: <http://www.acgov.org/aceh/index.htm> or the the State Water Resources Control Board GeoTracker website: <http://geotracker.swrcb.ca.gov>.

Sincerely,

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

Attachment: Notice of Responsibility

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (Sent via E-mail to: [lgriffin@oaklandnet.com](mailto:lgriffin@oaklandnet.com))

Peter Schaefer, Conestoga-Rovers & Associates, 5900 Hollis Street, Suite A  
Emeryville, CA 94608 (Sent via E-mail to: [pschaefer@craworld.com](mailto:pschaefer@craworld.com))

Mr. Bhushan Bansal  
RO0003083  
June 27, 2013  
Page 2

Donna Drogos, ACEH (*Sent via E-mail to: [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org)*)  
Jerry Wickham, ACEH (*Sent via E-mail to: [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org)*)

GeoTracker, eFile



AGENCY

Certified Mail #: 7011 3500 0003 1848 1103

June 27, 2013

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**  
**SHELL OIL #135696**  
**820 PORTWOOD AVE**  
**OAKLAND, CA 94601**

**Local ID: RO0003083**  
**Related ID: NA**  
**RWQCB ID:**  
**Global ID: T10000003427**

Responsible Party:

**BHUSHAN BANSAL**  
**BANSAL, INC**  
**1784 150<sup>TH</sup> AVE**  
**SAN LEANDRO, CA 94578-1826**


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

  
Date: 6/28/13  
\_\_\_\_\_  
ARIU LEVI, Director  
Contract Project Director

Action: Add  
Reason: LIST CASE

ALAMEDA COUNTY ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

June 27, 2013

**Site Name & Address:**

**SHELL OIL #135696  
820 PORTWOOD AVE  
OAKLAND, CA 94601**

**Local ID: RO0003083  
Related ID: NA  
RWQCB ID:  
Global ID: T10000003427**

**All Responsible Parties**

**RP has been named a Primary RP - BHUSHAN BANSAL  
BANSAL, INC**

1784 150TH AVE | SAN LEANDRO, CA 94578-1826 | Phone No Phone Number Listed

**RP has been named a Primary RP – DENIS BROWN**

**SHELL OIL PRODUCTS US**

20945 S WILMINGTON AVE | CARSON, CA 90810-1039 | 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:

"Any person who owns or operates an underground storage tank used for the storage of any hazardous substance."

"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."

"Any owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred."

"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**

During a Phase II Environmental Site Assessment in August 2008, fuel hydrocarbons were detected in groundwater samples collected from two soil borings. A fuel leak case was opened for the site based on the detections of fuel hydrocarbons in groundwater. Alameda County Environmental Health has reviewed the site data and finds that no additional investigation or cleanup is required. Therefore, the case is listed as closed. Please see the case closure letter dated June 27, 2013.

**Responsible Party Identification**

Shell Oil Products is a responsible party for the fuel leak because they were the business owner, tank owner, and tank operator at the time of the unauthorized release (Definition 1) and had control of the UST at the time of or following an unauthorized release (Definition 4).

Bansal Inc. purchased the property in June 2011. Bansal Inc. is a responsible party because they are the current owner of the property (Definition 3).

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY  
ALEX BRISCOE, Director



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

June 27, 2013

Mr. Denis Brown  
Shell Oil Products US  
20945 S. Wilmington Ave.  
Carson, CA 90810-1039

Subject: Case Closure and Notice of Responsibility for Fuel Leak Case No. RO0003083 and GeoTracker Global ID T10000003427, Shell #135696, 820 Portwood Avenue, Oakland, CA 94601

Dear Mr. Brown:

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Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297  
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cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (Sent via E-mail to: [lgriffin@oaklandnet.com](mailto:lgriffin@oaklandnet.com))

Peter Schaefer, Conestoga-Rovers & Associates, 5900 Hollis Street, Suite A  
Emeryville, CA 94608 (Sent via E-mail to: [pschaefer@craworld.com](mailto:pschaefer@craworld.com))

Mr. Denis Brown  
RO0003083  
June 27, 2013  
Page 2

Donna Drogos, ACEH (*Sent via E-mail to: [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org)*)  
Jerry Wickham, ACEH (*Sent via E-mail to: [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org)*)

GeoTracker, eFile



AGENCY

Certified Mail #: 7011 3500 0003 1848 1110

June 27, 2013

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**  
**SHELL OIL #135696**  
**820 PORTWOOD AVE**  
**OAKLAND, CA 94601**

**Local ID: RO0003083**  
**Related ID: NA**  
**RWQCB ID:**  
**Global ID: T10000003427**

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**

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\_\_\_\_\_  
ARIU LEVI, Director  
Contract Project Director

Date: 6/28/13

Action: Add  
Reason: LIST CASE

Attachment A: Responsible Parties Data Sheet

cc: Jenniffer Jordan, SWRCB, D. Drogos (Sent via electronic mail to donna.drogos@acgov.org), File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

June 27, 2013

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BANSAL, INC**

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