



AGENCY

REBECCA GEBHART, Acting Director

Certified Mail #: 7009 2820 0001 4359 5586

March 3, 2016

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**

**QUIK STOP MARKET #51  
3130 35<sup>th</sup> AVENUE  
OAKLAND, CA 94619**

**Local ID: RO0003209  
Related ID: NA  
RWQCB ID: NA  
Global ID: T10000008568**

**Responsible Party:**

**FREDERICK D AND GERALDINE G EMORY TRUST  
257 CLEARVIEW COURT  
ROSEVILLE, CA 94941**

**Date First Reported: 11/04/1998**  
**Substance:** • 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 FREDERICK D AND GERALDINE G EMORY TRUST 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: 03-02-2016

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



AGENCY

REBECCA GEBHART, Acting Director

Certified Mail #: 7009 2820 0001 4359 5487

March 3, 2016

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**

**QUIK STOP MARKET #51**  
**3130 35<sup>th</sup> AVENUE**  
**OAKLAND, CA 94619**

**Local ID:** RO0003209  
**Related ID:** NA  
**RWQCB ID:** NA  
**Global ID:** T10000008568

**Responsible Party:**

**QUIK STOP MARKETS, INC.**  
**4567 ENTERPRISE STREET**  
**FREMONT, CA 94538**  
**ATTN.: ROGER BATRA**

**Date First Reported:** 11/04/1998  
**Substance:** • 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 QUIK STOP MARKETS, INC. 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.

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 Date: 03-02-2016

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

March 3, 2016

**Site Name & Address:**

QUIK STOP MARKET #51  
3130 35<sup>th</sup> AVENUE  
OAKLAND, CA 94619

Local ID: RO0003209  
Related ID: NA  
RWQCB ID: NA  
Global ID: T10000008568

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**All Responsible Parties**

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RP has been named a Primary RP - FREDERICK D AND GERALDINE G EMORY TRUST  
257 CLEARVIEW COURT | ROSEVILLE, CA 94941 | (925) 254-1985 & (916) 772-6767

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RP has been named a Primary RP - QUIK STOP MARKETS, INC.  
ATTN.: ROGER BATRA  
4567 ENTERPRISE STREET | FREMONT, CA 94538 | (510) 445 - 2285

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## ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

March 3, 2016

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

March 3, 2016

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### **Existence of Unauthorized Release**

Two 10,000-gallon underground storage tanks (USTs), used for the storage of gasoline fuel, and associated product lines were excavated and removed from the site on June 18, 1998. A gasoline odor and visible discoloration of soil was noted in the UST pit at the time of removal. Maximum petroleum hydrocarbon concentrations of 1,100 milligrams per kilogram (mg/Kg) total petroleum hydrocarbons as gasoline (TPH-g), 5.2 mg/Kg benzene, and 13 mg/Kg methyl tertiary butyl ether (MTBE) were detected in initial soil samples collected from beneath the USTs. Additionally, groundwater concentrations reported in well MW-5, an adjacent downgradient monitoring well associated with ACEH case #RO0000271, GeoTracker Global ID T0600100538, sampled on July 15, 2015, were reported to contain 8,800 micrograms per liter (ug/L) TPHg, 2,200 ug/L benzene, 850 ug/L MTBE and 6,700 ug/L tertiary butyl alcohol (TBA). These concentrations indicate an unauthorized release has occurred from the underground storage tank system at this site.

### **Responsible Party Identification**

The Frederick D and Geraldine G Emory Trust acquired title of the property on June 26, 1992. The Frederick D and Geraldine G Emory Trust meets the definition of a responsible party for the site because it owns the property where an unauthorized release occurred (Definition 3).

Quik Stop Markets, Inc. meets the definition of a responsible party for the site because it owns or operates underground storage tanks used for the storage of any hazardous substance (Definition 1) and had control over underground storage tanks at the time of or following an unauthorized release of a hazardous substance (Definition 4).