

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



F

Certified Mail #: 70042510000058340739

July 24, 2007

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

**NOTICE OF RESPONSIBILITY**

Site Name & Address:

**FORMER GAS STATION  
6623 SAN PABLO AVE  
Oakland, CA 94608**

**Local ID: RO0000116  
Related ID: 6627  
RWQCB ID:  
Global ID: T06019709731**

Responsible Party:

**ANDREW NASH  
McDONALD'S CORP  
2999 OAK ROAD, SUITE 900  
WALNUT CREEK CA 94597**

**Date First Reported: 11/12/1998**

**Substance: 8006619 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 EXXONMOBIL 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 CHAN, BARNEY, at this office at (510)567-6765 if you have questions regarding your site.

  
ARIU LEVI, Director  
Contract Project Director

Date: 7/24/07

Action: Add  
Reason: ADD RP

ALAMEDA COUNTY ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

July 24, 2007

Site Name & Address:

**FORMER GAS STATION**  
**6623 SAN PABLO AVE**  
**Oakland, CA 94608**

Local ID: RO0000116

Related ID: 6627

RWQCB ID:

Global ID: T06019709731

**All Responsible Parties**

RP has been named a Primary RP - JENNIFER C SEDLACHEK

EXXONMOBIL

4096 PIEDMONT AVE #194 | OAKLAND, CA 94611 | Phone (510) 547-8196

RP has been named a RP - ANDREW NASH

McDONALD'S CORP

2999 OAK ROAD, SUITE 900 | WALNUT CREEK, CA 94597 | Phone (925) 949-4066

RP has been named a RP - CHARLES DUVALL

DALEY NM GUARD OF CN & THOMAS W BROWNER

5344 GOLDEN GATE AVE | OAKLAND, CA 94618-2034 | 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:

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 24, 2007

### Responsible Party Identification

#### Existence of an Unauthorized Release

A gasoline fuel release exists beneath the property currently occupied by a McDonald's restaurant. The property consists of two parcels, the northernmost, parcel number 16-1507-1-1, with the address of 6699 San Pablo Ave., Oakland and the southern parcel, 16-1507-2-1, with the address of 6625 San Pablo Ave, Oakland. By 1939 a mattress factory was constructed on the northern parcel. Around 1962, a gasoline station was constructed at the mattress factory location. Sanborn maps indicate the presence of gas & oil at this property during this time. The gasoline station was present on the site until 1978. There are no records for the removal of the USTs. In 1976 a geotechnical investigation was performed on the northern parcel. Up to 4600 ppm gasoline, 1000 ppm diesel and 12, 27, 49 and 230 ppm BTEX, respectively was detected in soil samples, confirming a petroleum release.

#### Responsible Party Identification

1. The ownership of the northern parcel indicates that Humble Oil & Refining Co. owned the property from 1962-1972. This data is consistent with the presence of a gasoline station at the site in 1962. It is, therefore, likely that the gasoline station was a Humble Oil station. Humble Oil changed its name to Exxon Company in 1973. Therefore, it appears that Exxon, the successor company of Humble Oil is the responsible party for the release on 6699 San Pablo Ave. by definitions 2 and 3 of a Responsible Party. In addition, the address of the site should be changed from the current 6623 San Pablo address to 6699 San Pablo Ave., Oakland, CA 94608.
2. The current property owner of 6625 and 6699 San Pablo Ave. is Franchise Realty Interstate Corporation, c/o Charles Duvall, 5344 Golden Gate Ave., Oakland, CA 94618 and is considered a responsible party by definition #3.
3. McDonald's Corporation owned 6625 San Pablo Ave. from 1970 to 1991. It is believed that the underground tank system from the former Humble Oil Tank extended onto this property in addition to being on 6699 San Pablo Ave. In addition, soil vapor samples indicate a high source of petroleum exists on this property. McDonald's is considered a responsible party by definition #3.

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Total Po		

**Sent To**

**Andrew Nash**

**McDonald's Corp.**

**2999 Oak Road, Suite 900**

**Walnut Creek, CA 94597**

PS Form 3800, June 2002 See Reverse for Instructions

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

F

Certified Mail #: 70042510000058340753

July 24, 2007

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

NOTICE OF RESPONSIBILITY

Site Name & Address:

FORMER GAS STATION  
6623 SAN PABLO AVE  
Oakland, CA 94608

Local ID: RO0000116  
Related ID: 6627  
RWQCB ID:  
Global ID: T06019709731

Responsible Party:

JENNIFER C. SEDLACHEK  
EXXONMOBIL  
4096 PIEDMONT AVE #194  
OAKLAND CA 94611

Date First Reported: 11/12/1998

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

Funding for Oversight: LOPS - LOP State Fund

Multiple RPs?: Yes

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Please contact your caseworker CHAN, BARNEY, at this office at (510)567-6765 if you have questions regarding your site.

  
ARIU LEV, Director  
Contract Project Director

Date: 7/24/07

Action: Add  
Reason: ADD RP

Attachment A: Responsible Parties Data Sheet

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

ALAMEDA COUNTY ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

July 24, 2007

<b>Site Name &amp; Address:</b> <b>FORMER GAS STATION</b> <b>6623 SAN PABLO AVE</b> <b>Oakland, CA 94608</b>
---

<b>Local ID:</b> RO0000116
<b>Related ID:</b> 6627
<b>RWQCB ID:</b>
<b>Global ID:</b> T06019709731

**All Responsible Parties**

RP has been named a Primary RP - JENNIFER C SEDLACHEK

EXXONMOBIL

4096 PIEDMONT AVE #194 | OAKLAND, CA 94611 | Phone (510) 547-8196

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McDONALD'S CORP

2999 OAK ROAD, SUITE 900 | WALNUT CREEK, CA 94597 | Phone (925) 949-4066

RP has been named a RP - CHARLES DUVALL

DALEY NM GUARD OF CN & THOMAS W BROWNER

5344 GOLDEN GATE AVE | OAKLAND, CA 94618-2034 | 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:

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ACEH has named the responsible parties for this site as detailed below.

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

July 24, 2007

### Responsible Party Identification

#### Existence of an Unauthorized Release

A gasoline fuel release exists beneath the property currently occupied by a McDonald's restaurant. The property consists of two parcels, the northernmost, parcel number 16-1507-1-1, with the address of 6699 San Pablo Ave., Oakland and the southern parcel, 16-1507-2-1, with the address of 6625 San Pablo Ave, Oakland. By 1939 a mattress factory was constructed on the northern parcel. Around 1962, a gasoline station was constructed at the mattress factory location. Sanborn maps indicate the presence of gas & oil at this property during this time. The gasoline station was present on the site until 1978. There are no records for the removal of the USTs. In 1976 a geotechnical investigation was performed on the northern parcel. Up to 4600 ppm gasoline, 1000 ppm diesel and 12, 27, 49 and 230 ppm BTEX, respectively was detected in soil samples, confirming a petroleum release.

#### Responsible Party Identification

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2. The current property owner of 6625 and 6699 San Pablo Ave. is Franchise Realty Interstate Corporation, c/o Charles Duvall, 5344 Golden Gate Ave., Oakland, CA 94618 and is considered a responsible party by definition #3.
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**Jennifer C Sedlachek**  
**ExxonMobil**  
**4096 Piedmont Avenue #194**  
**Oakland, CA 94611**

PS Form 3800, June 2002

See Reverse for Instructions



ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

Certified Mail #: 70042510000058340746

July 24, 2007

ENVIRONMENTAL HEALTH SERVICE  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
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(510) 567-6700  
FAX (510) 337-9335

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Oakland, CA 94608**

**Local ID: RO0000116  
Related ID: 6627  
RWQCB ID:  
Global ID: T06019709731**

**Responsible Party:**

**CHARLES DUVAL  
DALEY NM GUARD OF CN & THOMAS W  
5344 GOLDEN GATE AVE  
OAKLAND CA 94618-2034**

**Date First Reported: 11/12/1998**

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Ariu Levi, Director  
Contract Project Director

Date: 7/24/07

Action: Add  
Reason: ADD RP

ALAMEDA COUNTY ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

July 24, 2007

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6623 SAN PABLO AVE  
Oakland, CA 94608

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EXXONMOBIL  
4096 PIEDMONT AVE #194 | OAKLAND, CA 94611 | Phone (510) 547-8196

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McDONALD'S CORP  
2999 OAK ROAD, SUITE 900 | WALNUT CREEK, CA 94597 | Phone (925) 949-4066

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DALEY NM GUARD OF CN & THOMAS W BROWNER  
5344 GOLDEN GATE AVE | OAKLAND, CA 94618-2034 | Phone No Phone Number Listed

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July 24, 2007

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**Charles Duvall**  
**Daley NM Guard of CN &**  
**Thomas W Browner**  
**5344 Golden Gate Avenue**  
**Oakland, CA 94618-2034**

Sent To

Street, Apt.  
or PO Box  
City, State

PS Form 3800, June 2002

See Reverse for Instructions

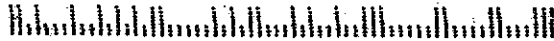


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**Environmental Health Services  
Environmental Protection  
1131 Harbor Bay Pkwy, Suite 250  
Alameda, CA 94502-6577  
Attn: Barney Chan**



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee
1. Article Addressed to:  <p style="text-align: center;"><b>Charles Duvall Daley NM Guard of CN &amp; Thomas W Browner 5344 Golden Gate Avenue Oakland, CA 94618-2034</b></p>	B. Received by ( Printed Name )  C. Date of Delivery <p style="text-align: center;">7/3/07</p>
2. Article Number <i>(Transfer from service label)</i>	D. Is delivery address different from Item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
PS Form 3811, August 2001	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.  4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
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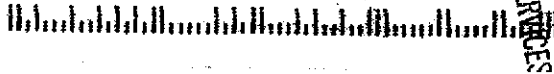
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**Environmental Health Services  
Environmental Protection  
1131 Harbor Bay Pkwy, Suite 250  
Alameda, CA 94502-6577  
Attn: Barney Chan**

ENVIRONMENTAL HEALTH SERVICES

RECEIVED  
JUL 30 2007

6340



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature X <i>J.C. Sedlachek</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) J.C. SEDLACHEK</p> <p>C. Date of Delivery 7-27-07</p>
<p>1. Article Addressed to:</p> <p style="text-align: center;"><b>Jennifer C Sedlachek ExxonMobil 4096 Piedmont Avenue #194 Oakland, CA 94611</b></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes if YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail    <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered    <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail    <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label) <b>7004 2510 0000 5834 0753</b></p>	
<p>PS Form 3811, August 2001      Domestic Return Receipt      102505-02-M-1035</p>	