

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

ALEX BRISCOE, Agency Director



ENVIRONMENTAL HEALTH DEPARTMENT
OFFICE OF THE DIRECTOR
1131 HARBOR BAY PARKWAY
ALAMEDA, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

Certified Mail #: 7009 2820 001 4359 6583

April 14, 2014

NOTICE OF RESPONSIBILITY

Site Name & Address:

CHEVRON #9-9708
5910 MACARTHUR BLVD
Oakland, CA 94605

Local ID: RO0000124
Related ID: 871
RWQCB ID: 01-2277
Global ID: T0600102093

Responsible Party:

JSR ENTERPRISES, INC
c/o JOGINDER SETHI
1981 CAMINO RAMON
DANVILLE CA 94526--306

Date First Reported: 6/18/1997
Substance: 8006619,12034,12035 Multiple Releases
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 NISSAN AND CAROL SAIDIAN 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 MARK DETTERMAN, at this office at (510)567-6876 if you have questions regarding your site.

Date: 4/14/14

ARIU LEVI, Director
Contract Project Director

Action: Add
Reason: ADD

Attachment A: Responsible Parties Data Sheet

cc: Sally Meza, SWRCB (email: smeza@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

April 14, 2014

Site Name & Address:

CHEVRON #9-9708
5910 MACARTHUR BLVD
Oakland, CA 94605

Local ID: RO0000124
Related ID: 871
RWQCB ID: 01-2277
Global ID: T0600102093

All Responsible Parties

RP has been named a Primary RP - NISSAN AND CAROL SAIDIAN
NISSAN AND CAROL SAIDIAN TRUST
5733 MEDALLION CT, PO BOX 6104 | CASTRO VALLEY, CA 94552 | Phone (510) 268-0211

RP has been named a Primary RP - KELLY YORK
CHEVRON ENVIRONMENTAL MANAGEMENT CO
6101 BOLLINGER CANYON ROAD, ROOM 5323 | SAN RAMON, CA 94583--232 | No Phone Number Listed

RP has been named a Primary RP - NISSAN AND CAROL SAIDIAN TRUST AND LEON ZEKSTER & ET AL
1310 CENTRAL AVENUE | ALAMEDA, CA 94501-- | No Phone Number Listed

RP has been named a Primary RP - c/o JOGINDER SETHI
JSR ENTERPRISES, INC
1981 CAMINO RAMON | DANVILLE, CA 94526--306 | 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."

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

April 14, 2014

Responsible Party Identification

Existence of Unauthorized Release

Monitoring wells MW-1 to MW-3 were installed in May 1997 as a part of a baseline property transaction investigation at an existing service station at this location. Concentrations up to 140 milligrams per kilogram (mg/kg) Total Petroleum Hydrocarbon as gasoline (TPHg), 1,000 mg/kg Total Oil and Grease (TOG), 0.0270 mg/kg benzene, and 1.3 mg/kg methyl-tert-butyl ether (MTBE) were detected in soil. Concentrations up to 1,600 micrograms per liter ($\mu\text{g/l}$) TPHg, 1,200 $\mu\text{g/l}$ TPH as diesel (TPHd), 120 $\mu\text{g/l}$ benzene, and 2,100 $\mu\text{g/l}$ MTBE were detected in groundwater. These data indicate that an unauthorized release had occurred.

Responsible Party Identification

Chevron USA purchased the property in July 1985. Chevron owned and / or operated the USTs at this site. Chevron is a responsible party for site because it owned or operated the USTs used for the storage of a hazardous substance (Definition 1), owned the property where an unauthorized release has occurred (Definition 3), and had control over an UST at the time of or following an unauthorized release of a hazardous substance (Definition 4).

JSR Enterprises, Inc purchased the property in August 1997 and is therefore a former property owner of the site. It is a responsible party for the site because he owned the property where an unauthorized release has occurred (Definition 3) and had control over an UST at the time of or following an unauthorized release of a hazardous substance (Definition 4).

Nissan and Carol Saidian purchased the property in June 1998 and are therefore property owners of the site. They are responsible parties for the site because they owned the property where an unauthorized release has occurred (Definition 3) and had control over an UST at the time of or following an unauthorized release of a hazardous substance (Definition 4).

Saidian & Zektser, LLC, c/o Nissan Saidian (including Nissan and Caro et. al, and as trustees) purchased or received the property in March 1999 and are therefore property owners of the site. They are responsible parties for the site because they owned the property where an unauthorized release has occurred (Definition 3) and had control over an UST at the time of or following an unauthorized release of a hazardous substance (Definition 4).



ALAMEDA COUNTY
 HEALTH CARE SERVICES AGENCY
 DEPARTMENT OF ENVIRONMENTAL HEALTH
 1131 Harbor Bay Parkway, Suite 250
 Alameda, CA 94502-6577

CERTIFIED MAIL™



7009 2820 0001 4359 6583



Mark

JSR Enterprises, INC.
 c/o Joginder Sethi
 1981 Camino Ramon
 Danville, CA 94526

PM
4-14-14

ROYA

NIXIE 957 SE 1009 0010/25/14
 RETURN TO SENDER
 UNCLAIMED
 UNABLE TO FORWARD
 BC: 94502654031 *1805-00858-15-34

94502654031

PLACE THIS CARD ON ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JSR Enterprises, INC.
c/o Joginder Sethi
1981 Camino Ramon
Danville, CA 94526

2. Article Number
(Transfer from service label)

7009 2820 0001 4359 6583

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
X Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes