



Certified Mail #: 7002 2030 0006 9574 2164

November 17, 2011

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**  
**MISSION VALLEY ROCK & ASPHALT**  
**7999 ATHENOUR WAY**  
**Sunol, CA 94586**

**Local ID: RO0000207**  
**Related ID: 2786**  
**RWQCB ID: 01-2276**  
**Global ID: T0600102092**

Responsible Party:

**LEE COVER**  
**HANSON AGGREGATES**  
**1267 ALCOSTA BOULEVARD, SUITE 400**  
**SAN RAMON CA 94583**

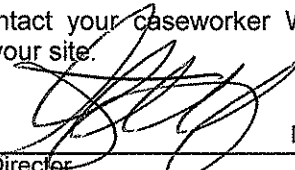
**Date First Reported: 6/26/1996**  
**Substance: 12034 Diesel fuel oil and additives, Nos.1-D, 2-D,  
2-4**  
**Funding for Oversight: LOPS - LOP State Fund**  
**Multiple RPs?: Yes**

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 HANSON AGGREGATES 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: 11/10/2011  
ARIU LEVI, Director  
Contract Project Director

Action: Add  
Reason: ADD RP

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

November 17, 2011

**Site Name & Address:**

**MISSION VALLEY ROCK & ASPHALT**  
**7999 ATHENOUR WAY**  
**Sunol, CA 94586**

**Local ID: RO000207**  
**Related ID: 2786**  
**RWQCB ID: 01-2276**  
**Global ID: T0600102092**

**All Responsible Parties**

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**RP has been named a Primary RP - LEE COVER**

**HANSON AGGREGATES**

1267 ALCOSTA BOULEVARD, SUITE 400 | SAN RAMON, CA 94583 | Phone (925) 244-6584

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**RP has been named a Primary RP - WILLIAM M CALVERT**

**MISSION VALLEY ROCK & ASPHALT**

7999 ATHENOUR WAY | SUNOL, CA 94586 | Phone (510) 862-2257

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**RP has been named a Primary RP - GRANT CHAMBERLAIN**

**MISSION PASS AGGR & BERKELY READY MIX**

699 VIRGINIA STREET | BERKELEY, CA 94710 | Phone No Phone Number Listed

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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."

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

ATTACHMENT A – RESPONSIBLE PARTIES DATA SHEET (Continued)

November 17, 2011

**Responsible Party Identification**

*Existence of Unauthorized Release*

During the removal of two 10,000-gallon diesel USTs and one 2,000-gallon gasoline UST in June 1996, staining and odor indicative of hydrocarbon contamination were observed in the excavation. Soil samples collected during the tank removal contained up to 670 ppm of total petroleum hydrocarbons as gasoline (TPHg) and 450 ppm of total petroleum hydrocarbons as diesel (TPHd). Subsequent soil and groundwater sampling in the area of the former UST contained elevated concentrations of petroleum hydrocarbons. Based on these facts, unauthorized releases occurred from the UST systems.

*Responsible Party Identification*

In a Notice of Requirement to Reimburse dated June 20, 1996, Mission Valley Rock was identified a responsible party for releases from USTs at 7999 Athenour Way in Sunol, CA. Mission Valley Rock was named a responsible party for the fuel leaks because they were the business owner, tank owner, and tank operator at the time of the unauthorized releases (Definition 1) and had control of the USTs at the time of or following an unauthorized release (Definition 4).

In a Notice of Requirement to Reimburse dated June 20, 1996, Mission Pass Aggregate and Berkeley Ready Mix Company was identified a responsible party for releases from USTs at 7999 Athenour Way in Sunol, CA. Mission Pass Aggregate and Berkeley Ready Mix Company was named a responsible party for the fuel leaks because they owned property where an unauthorized release occurred (Definition 3),

In 2005, Mission Pass Aggregate and Berkeley Ready Mix Company and Mission Valley Rock were acquired by Hanson Aggregates. Hanson Aggregates is the corporate successor to both of the above entities and is a responsible party based on the above definitions.