

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 #: 7002 2030 0006 9574 ²¹³³~~2162~~

July 14, 2011

NOTICE OF RESPONSIBILITY

Site Name & Address:

**SHELL #13-5243
11989 DUBLIN BLVD
Dublin, CA 94568**

**Local ID: RO0000213
Related ID: 4109
RWQCB ID: 01-2267
Global ID: T0600102083**

Responsible Party:

**UNK UNK
HUDSON INVESTMENT PROPERTIES
~~772 AVIO COURT~~ 1809 SPUMANTE
PLEASANTON CA 94566-6396 PLACE**

Date First Reported: 7/3/1997

**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 SHELL OIL PRODUCTS US 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.


ARIU LEVI, Director
Contract Project Director

Date: JUL 15 2011

Action: Add
Reason: ADD RP

Attachment A: Responsible Parties Data Sheet

cc: Jenniffer Jorden, 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

August 04, 2011

Site Name & Address:

SHELL #13-5243
11989 DUBLIN BLVD
Dublin, CA 94568

Local ID: RO0000213
Related ID: 4109
RWQCB ID: 01-2267
Global ID: T0600102083

All Responsible Parties

RP has been named a Primary RP - DENIS BROWN
SHELL OIL PRODUCTS US
20945 S WILMINGTON AVE | CARSON, CA 90810-1039 | Phone (707) 865-0251

RP has been named a Primary RP - RICHARD HUDSON
HUDSON INVESTMENT PROPERTIES
1809 SPUMANTE PLACE | PLEASANTON, CA 94566 | 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)

August 04, 2011

Responsible Party Identification

Existence of Unauthorized Release

During a piping and dispenser upgrade in June 1997, soil samples collected beneath the dispensers and product line trenches contained up to 12,000 ppm of total petroleum hydrocarbons as diesel (TPHd), 690 ppm of total petroleum hydrocarbons as gasoline (TPHg), and 8.9 ppm of MTBE. Four soil borings (SB-1 through SB-4) were advanced in November 1997 to define the extent of contamination. A grab groundwater sample collected from SB-2 contained 4,900 ppb of TPHd, 470 ppb of TPHg, and 370 ppb of MTBE. An Unauthorized Release Report was filed on July 3, 1997. After a UST failed a tank tightness test in October 2004, the UST was repaired and returned to service. An Unauthorized Release Report was filed on November 11, 2004.

Responsible Party Identification

Shell Oil Products was the business owner, tank owner, and property owner at the time of the unauthorized releases in 1997 and 2004. Shell Oil Products is a responsible party because Shell Oil Products was the owner of property where an unauthorized release occurred (Definition 3) and Shell Oil Products had control of the UST system at the time of or following unauthorized releases (Definition 4).

Hudson Investment Properties LLC purchased the property on or about March 5, 2009. Hudson Investment Properties LLC is a responsible party because they are the current property owner (Definition 3).