

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**  
AGENCY  
ALEX BRISCOE, Director



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

April 10, 2012

Ms. Olivia Skance  
Chevron Environmental Management Co.  
6001 Bollinger Canyon Road  
San Ramon, CA 94583  
(sent via electronic mail to:  
[Olivia.Skance@chevron.com](mailto:Olivia.Skance@chevron.com))

Mr. John Ratto  
Ratto Land Company  
P.O. Box 6104  
Oakland, CA 94603-0104

Subject: Updated Notice of Responsibility; Fuel Leak Case No. RO0000233 (Global ID # T0600100333), Chevron #9-4612, 3616 San Leandro Street, Oakland, 94601

Dear Ms. Skance and Mr. Ratto:

In an earlier Notice of Responsibility (NOR), John Ratto, (Ratto Land Co.) and Chevron U.S.A. Products Co. were notified that the referenced site had been placed in the Local Oversight Program and that both were named as a Responsible Party for the fuel leak case. In the attached updated NOR, a more recent property owner has also been named additional Responsible Parties for the fuel leak case as defined under 23 C.C.R. Sec. 2720. Please see Attachment A – Responsible Parties Data Sheet, which identifies all Responsible Parties and provides background on the unauthorized release and Responsible Party Identification.

Should you have any questions, please contact me at (510) 567-6876 or send me an electronic mail message at [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org).

Sincerely,

Digitally signed by Mark E. Detterman  
DN: cn=Mark E. Detterman, o, ou,  
email, c=US  
Date: 2012.04.10 12:04:09 -07'00'

Mark E. Detterman, P.G., C.E.G.  
Senior Hazardous Materials Specialist

Enclosures: Attachment A – Responsible Parties Data Sheet

cc: Donna Drogos (sent via electronic mail to [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))  
Mark Detterman (sent via electronic mail to [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org))  
Electronic File, GeoTracker

ALAMEDA COUNTY ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

April 10, 2012

<b>Site Name &amp; Address:</b> <b>CHEVRON #9-4612</b> <b>3616 SAN LEANDRO ST</b> <b>Oakland, CA 94601</b>
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<b>Local ID:</b>	<b>RO0000233</b>
<b>Related ID:</b>	<b>4249</b>
<b>RWQCB ID:</b>	<b>01-0362</b>
<b>Global ID:</b>	<b>T0600100333</b>

**All Responsible Parties**

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RP has been named a Primary RP - **VIVIAN L MCILRAITH**  
**VIVIAN L MCILRAITH TRUST**  
407 CASTELLO RD | LAFAYETTE, CA 94549 | 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)

April 10, 2012

### Responsible Party Identification

#### Existence of Unauthorized Release

In 1976, two 10,000-gallon steel underground storage tanks (USTs), one 5,000-gallon UST, and one 1,000-gallon UST were removed from the subject site. The USTs are reported to have contained gasoline and waste oil. No soil samples were collected at the time of UST removal. In February 1988 three geotechnical soil bores were installed and "strong gasoline odors were reported on the bore logs at a depth of approximately 20 feet bgs. No environmental soil samples were submitted for analysis. Well VH-1 was installed in August 1988 and 11,000 µg/L TPHg and 3,300 µg/l benzene were detected in the groundwater sample. The data indicate that an unauthorized release has occurred at the site.

#### Responsible Party Identification

The Vivian L. McIlraith Trust (c/o Vivian L. McIlraith) is a current property owner and has been associated with the USTs since December 2004. The Vivian McIlraith Trust is a responsible party for the site because it owns the property where an unauthorized release has occurred (Definition 3).

The Ratto Land Co. (c/o John F. Ratto) is a current property owner and has been associated with the USTs since September 1960. The Ratto Land Co. is a responsible party for the site because it owns the property where an unauthorized release has occurred (Definition 3).

Chevron is the tank owner associated with the USTs since 1967. Chevron is a responsible party for the site because it owned or operated the USTs used for the storage of a hazardous substance (Definition 1), it owned or operated the underground storage tank immediately before the discontinuation of its use (Definition 2), and it had control over the USTs at a time following an unauthorized release of a hazardous substance (Definition 4).