

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 #: 7011 3500 0003 1848 1004

May 17, 2012

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**

**SHELL #13-5676  
230 W MACARTHUR BLVD  
Oakland, CA 94611**

**Local ID: RO0000303  
Related ID: 3673  
RWQCB ID: 01-1345  
Global ID: T0600101240**

**Responsible Party:**

**C/O NICK GOYAL  
AU ENERGY LLC  
41805 ALBRAE STREET, 2ND FLOOR  
FREMONT CA 94538-3120**

**Date First Reported: 12/1/1987**

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

**Funding for Oversight: LOPS - LOP State Fund**

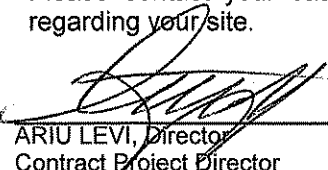
**Multiple RPs?: Yes**

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: 5/18/2012

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

May 17, 2012

<b>Site Name &amp; Address:</b> <b>SHELL #13-5676</b> <b>230 W MACARTHUR BLVD</b> <b>Oakland, CA 94611</b>	<b>Local ID: RO0000303</b> <b>Related ID: 3673</b> <b>RWQCB ID: 01-1345</b> <b>Global ID: T0600101240</b>
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**All Responsible Parties**

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**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

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**RP has been named a Primary RP - C/O NICK GOYAL**  
**AU ENERGY LLC**  
41805 ALBRAE STREET, 2ND FLOOR | FREMONT, CA 94538-3120 | Phone No Phone Number Listed

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**RP has been named a Primary RP - ZHENG XIAOYI**  
**ZHENG XIAOYI**  
639 KEARNY STREET | EL CERRITO, CA 94530-3126 | 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)

May 17, 2012

### Responsible Party Identification

#### Existence of Unauthorized Release

In April 1986, total petroleum hydrocarbons as gasoline (TPHg) were detected at concentrations up to 5,700 milligrams per kilogram (mg/kg) in soil samples collected from four exploratory borings within the tank complex. During the replacement of three underground storage tanks in November 1987, soil samples collected from below the USTs contained up to 480 mg/kg of TPHg and 4.3 mg/kg of benzene. These observations along with subsequent site investigation activities that detected petroleum hydrocarbons in soil and groundwater within the UST area indicated that an unauthorized release(s) occurred.

#### Responsible Party Identification

Shell Oil Products is a responsible party because they owned and operated the USTs immediately before the discontinuation of their use (Definition 2), were the property owner where an unauthorized release from a UST occurred (Definition 3), and had control of USTs at the time of or following an unauthorized release (Definition 4).

AU Energy LLC purchased the property in or about November 2010. AU Energy LLC is a responsible party because they were the owner of a property where an unauthorized release from a UST occurred (Definition 3).

Zheng Xiaoyi purchased the property in or about October 2011. Zheng Xiaoyi is a responsible party because they are the current owner of a property where an unauthorized release from a UST occurred (Definition 3).