

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**  
**AGENCY**

REBECCA GEBHART, Interim Director



DEPARTMENT OF ENVIRONMENTAL HEALTH  
LOCAL OVERSIGHT PROGRAM (LOP) FOR  
HAZARDOUS MATERIALS RELEASES  
1131 HARBOR BAY PARKWAY, SUITE 250  
ALAMEDA, CA 94502  
(510) 567-6700  
FAX (510) 337-9335

December 5, 2016

Palm Peninsula LLC &  
7200 Bancroft Avenue LLC  
201 Wilshire Blvd., 2<sup>nd</sup> Floor  
Santa Monica, CA 90401-1219  
Attn.: Jacob Levy & Jonathan Aryeh

Atlantic Richfield Company  
(A BP Affiliated Company)  
6 Centerpointe Drive, LPR6-161  
La Palma, CA 90623-1066  
Attn: Kyle Christie

Eastmont Oakland Associates LLC  
c/o TPF VI REIT  
825 Third Ave., 36<sup>th</sup> Floor  
New York NY 10022-7519  
Attn.: Scott Schonfeld

Eastmont Oakland Associates LLC & BDE ETC LLC  
825 Third Ave.  
New York NY 10022  
Attn.: James Paul

Tosco Corporation  
3100 Zinfandel Dr., #200  
Rancho Cordova, CA 95670  
Attn.: Chester Bennett

Phillips 66  
76 Broadway  
Sacramento, CA 95818  
Attn.: Ed Ralston

BDE ETC LLC  
51 Federal St., Suite 202  
San Francisco, CA 94107  
Attn.: Benjamin Eisler

ConocoPhillips  
76 Broadway  
Sacramento, CA 95818  
Attn.: Liz Sewell

AO ETC LLC  
51 Federal St., Suite 202  
San Francisco, CA 94107  
Attn.: Allen Orwitz

Eastmont Town Center Company LLC  
7200 Bancroft Ave., Suite 1  
Oakland, CA 94605-2413  
Attn: Ting Liu

Argonaut Financial Services  
One Eastmont Mall  
Oakland, CA 94605  
Attn.: Jim Givens

Bancroft Oakland Investment Company  
c/o SB Management Corporation  
433 N. Camden Dr., Suite 1070  
Beverly Hills, CA 90210-4434

BP- dba BP West Coast Product LLC  
P.O. Box 6549  
Moraga, CA 94570  
Attn.: Paul Supple

Eastmont Oakland Associates LLC & AO ETC LLC  
825 Third Ave.  
New York NY 10022  
Attn.: James Paul

Subject: Add/ Remove Responsible Parties; Fuel Leak Case No. RO0000356 and GeoTracker Global ID T0600100201, BP #11117, 7210 Bancroft Avenue, Oakland, CA 94605

Dear Responsible Parties:

In a Notice of Requirement to Reimburse dated July 27, 1994, Argonaut Financial Services (Attn.: Jim Givens), Tosco Corporation (Attn.: Chester Bennett), and BP Oil Co. (Attn.: Scott Hooton) were notified that the above referenced site had been placed in the Local Oversight Program (LOP) and were named as Responsible Parties for the fuel leak case. Associated station operators Atlantic Richfield Company, ConocoPhillips, and Phillips 66 Company, in addition to

current/former property owners Palm Peninsula LLC, 7200 Bancroft Avenue LLC, Eastmont Oakland Associates LLC, BDE ETC LLC, AO ETC LLC, Eastmont Town Center Company LLC, and Bancroft Oakland Investment Co. have been named as additional Responsible Parties for the fuel leak case as defined under 23 C.C.R Sec. 2720. Argonaut Financial Services has been removed as a Responsible Party as it has not been identified as meeting any of the four Responsible Party definitions. Please see Attachment A – Responsible Parties Data Sheet, which identifies all Responsible Parties and provides background on the unauthorized release and Responsible Party Identification.

If you have any questions, please call me at (510) 567-6764 or send me an electronic mail message at [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org).

Sincerely,



Digitally signed by Keith Nowell  
DN: cn=Keith Nowell, o=Alameda County,  
ou=Department of Environmental Health,  
email=keith.nowell@acgov.org, c=US  
Date: 2016.12.02 11:31:01 -08'00'

Keith Nowell, PG, CHG  
Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements

Cc: Dacre Bush, Arcadis Group 3229 East Spring Street, Suite 100, Long Beach, CA 90806 (*Sent via electronic mail to: [dacre.bush@anteagroup.com](mailto:dacre.bush@anteagroup.com)*)

Jeff Friedman, Antea Group, 3329 East Spring Street, Suite 100, Long Beach, CA 90806 (*Sent via electronic mail to [Jeff.Friedman@anteagroup.com](mailto:Jeff.Friedman@anteagroup.com)*)

Dilan Roe, ACDEH (*Sent via electronic mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org)*)

Paresh Khatri, ACDEH (*Sent via electronic mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org)*)

Keith Nowell, ACDEH, (*Sent via electronic mail to [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org)*)

GeoTracker, file



AGENCY

REBECCA GEBHART, Interim Director

Certified Mail #: 7011 3500 0003 1934 7545

December 5, 2016

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**

**BP #11117  
7210 BANCROFT AVENUE  
OAKLAND, CA 94605**

**Local ID: RO0000356  
Related ID: STID #3960  
RWQCB ID: 01-0215  
Global ID: T0600100201**

**Responsible Party:**

**EASTMONT OAKLAND ASSOCIATES LLC  
825 THIRD AVE.  
NEW YORK, NY 10022-7519**

**Date First Reported: 12/20/1989**  
**Substance:**

- Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
- Diesel fuel oil & additives (Nos. 1-D, 2-D, 2-4)
- Waste Oil/Used Oil

**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 EASTMONT OAKLAND ASSOCIATES LLC 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 KEITH NOWELL at this office at (510) 567-6764 if you have questions regarding your site.

 Date: 12-03-16

RONALD BROWDER, Director  
Contract Project Director

Action: Update  
Reason: ADD

Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File



AGENCY

REBECCA GEBHART, Interim Director

Certified Mail #: 7011 3500 0003 1934 7514

December 5, 2016

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**

BP #11117  
7210 BANCROFT AVENUE  
OAKLAND, CA 94605

Local ID: R00000356  
Related ID: STID #3960  
RWQCB ID: 01-0215  
Global ID: T0600100201

**Responsible Party:**

PALM PENINSULA LLC  
201 WILSHIRE BLVD., 2<sup>ND</sup> FLOOR  
SANTA MONICA, CA 90401-1219

Date First Reported: 12/20/1989  
Substance: 

- Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
- Diesel fuel oil & additives (Nos. 1-D, 2-D, 2-4)
- Waste Oil/Used Oil

Funding for Oversight: LOPS - LOP State Fund  
Multiple RPs?: Yes

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 Date: 12-03-16

RONALD BROWDER, Director  
Contract Project Director

Action: Update  
Reason: ADD

Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File



AGENCY

REBECCA GEBHART, Interim Director

Certified Mail #: 7011 3500 0003 1934 7538

December 5, 2016

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**

**BP #11117  
7210 BANCROFT AVENUE  
OAKLAND, CA 94605**

**Local ID: RO0000356  
Related ID: STID #3960  
RWQCB ID: 01-0215  
Global ID: T0600100201**

**Responsible Party:**

**EASTMONT OAKLAND ASSOCIATES LLC  
C/O TPF VI REIT  
825 THIRD AVE., 36<sup>TH</sup> FLOOR  
NEW YORK, NY 10022-7519**

**Date First Reported: 12/20/1989**  
**Substance:**

- Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
- Diesel fuel oil & additives (Nos. 1-D, 2-D, 2-4)
- Waste Oil/Used Oil

**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 EASTMONT OAKLAND ASSOCIATES LLC 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.

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Please contact your caseworker KEITH NOWELL at this office at (510) 567-6764 if you have questions regarding your site.

Date: 12-03-16

RONALD BROWDER, Director  
Contract Project Director

Action: Update  
Reason: ADD

Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File



AGENCY

REBECCA GEBHART, Interim Director

Certified Mail #: 7011 3500 0003 1934 7521

December 5, 2016

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**  
BP #11117  
7210 BANCROFT AVENUE  
OAKLAND, CA 94605

**Local ID:** RO0000356  
**Related ID:** STID #3960  
**RWQCB ID:** 01-0215  
**Global ID:** T0600100201

**Responsible Party:**

7200 BANCROFT AVENUE LLC  
201 WILSHIRE BLVD., 2<sup>ND</sup> FLOOR  
SANTA MONICA, CA 90401-1219

**Date First Reported:** 12/20/1989  
**Substance:**

- Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
- Diesel fuel oil & additives (Nos. 1-D, 2-D, 2-4)
- Waste Oil/Used Oil

**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 7200 BANCROFT AVENUE LLC 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.

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Please contact your caseworker KEITH NOWELL at this office at (510) 567-6764 if you have questions regarding your site.

 Date: 12-03-16  
RONALD BROWDER, Director  
Contract Project Director

**Action:** Update  
**Reason:** ADD

Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File



AGENCY

REBECCA GEBHART, Interim Director

Certified Mail #: 7011 3500 0003 1934 7569

December 5, 2016

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**

**BP #11117  
7210 BANCROFT AVENUE  
OAKLAND, CA 94605**

**Local ID: RO0000356  
Related ID: STID #3960  
RWQCB ID: 01-0215  
Global ID: T0600100201**

**Responsible Party:**

**PHILLIPS 66  
76 BROADWAY  
SACRAMENTO, CA 95818**

**Date First Reported: 12/20/1989**  
**Substance:**

- Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
- Diesel fuel oil & additives (Nos. 1-D, 2-D, 2-4)
- Waste Oil/Used Oil

**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 PHILLIPS 66 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.

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Please contact your caseworker KEITH NOWELL at this office at (510) 567-6764 if you have questions regarding your site.

 Date: 12-03-16

RONALD BROWDER, Director  
Contract Project Director

Action: Update  
Reason: ADD

Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File



AGENCY

REBECCA GEBHART, Interim Director

Certified Mail #: 7011 3500 0003 1934 7576

December 5, 2016

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**

**BP #11117  
7210 BANCROFT AVENUE  
OAKLAND, CA 94605**

**Local ID: RO0000356  
Related ID: STID #3960  
RWQCB ID: 01-0215  
Global ID: T0600100201**

**Responsible Party:**

**CONOCOPHILLIPS  
76 BROADWAY  
SACRAMENTO, CA 95818**

**Date First Reported: 12/20/1989**  
**Substance:**

- Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
- Diesel fuel oil & additives (Nos. 1-D, 2-D, 2-4)
- Waste Oil/Used Oil

**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 CONOCOPHILLIPS 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.

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Please contact your caseworker KEITH NOWELL at this office at (510) 567-6764 if you have questions regarding your site.

Date: 12-03-16

RONALD BROWDER, Director  
Contract Project Director

Action: Update  
Reason: ADD

Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File





AGENCY

REBECCA GEBHART, Interim Director

Certified Mail #: 7011 3500 0003 1934 7583

December 5, 2016

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**

**BP #11117  
7210 BANCROFT AVENUE  
OAKLAND, CA 94605**

**Local ID: RO0000356  
Related ID: STID #3960  
RWQCB ID: 01-0215  
Global ID: T0600100201**

**Responsible Party:**

**BDE ETC LLC  
51 FEDERAL ST., SUITE 202  
SAN FRANCISCO, CA 94107**

**Date First Reported: 12/20/1989**  
**Substance:**

- Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
- Diesel fuel oil & additives (Nos. 1-D, 2-D, 2-4)
- Waste Oil/Used Oil

**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 BDE ETC LLC 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.

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Date: 12-03-16

RONALD BROWDER, Director  
Contract Project Director

Action: Update  
Reason: ADD

Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File



AGENCY

REBECCA GEBHART, Interim Director

Certified Mail #: 7011 3500 0003 1934 7590

December 5, 2016

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**

**BP #11117  
7210 BANCROFT AVENUE  
OAKLAND, CA 94605**

**Local ID: RO0000356  
Related ID: STID #3960  
RWQCB ID: 01-0215  
Global ID: T0600100201**

**Responsible Party:**

**AO ETC LLC  
51 FEDERAL ST., SUITE 202  
SAN FRANCISCO, CA 94107**

**Date First Reported: 12/20/1989**  
**Substance:**

- Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
- Diesel fuel oil & additives (Nos. 1-D, 2-D, 2-4)
- Waste Oil/Used Oil

**Funding for Oversight: LOPS - LOP State Fund**  
**Multiple RPs?: Yes**

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 Date: 12-03-16

RONALD BROWDER, Director  
Contract Project Director

Action: Update  
Reason: ADD

Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File



AGENCY

REBECCA GEBHART, Interim Director

Certified Mail #: 7011 3500 0003 1934 7552

December 5, 2016

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**

**BP #11117  
7210 BANCROFT AVENUE  
OAKLAND, CA 94605**

**Local ID: RO0000356  
Related ID: STID #3960  
RWQCB ID: 01-0215  
Global ID: T0600100201**

**Responsible Party:**

**EASTMONT TOWN CENTER COMPANY LLC  
7200 BANCROFT AVE., SUITE 1  
OAKLAND, CA 94605**

**Date First Reported: 12/20/1989**  
**Substance:**

- Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
- Diesel fuel oil & additives (Nos. 1-D, 2-D, 2-4)
- Waste Oil/Used Oil

**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 EASTMONT TOWN CENTER COMPANY LLC 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 KEITH NOWELL at this office at (510) 567-6764 if you have questions regarding your site.

Date: 12-03-16

RONALD BROWDER, Director  
Contract Project Director

Action: Update  
Reason: ADD

Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File



AGENCY

REBECCA GEBHART, Interim Director

Certified Mail #: 7011 3500 0003 1934 7606

December 5, 2016

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**

**BP #11117  
7210 BANCROFT AVENUE  
OAKLAND, CA 94605**

**Local ID: RO0000356  
Related ID: STID #3960  
RWQCB ID: 01-0215  
Global ID: T0600100201**

**Responsible Party:**

**BANCROFT OAKLAND INVESTMENT COMPANY  
C/O SB MANAGEMENT CORPORATION  
433 N. CAMDEN DR., SUITE 1070  
BEVERLY HILLS, CA 90210-4434**

**Date First Reported: 12/20/1989**  
**Substance:**

- Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
- Diesel fuel oil & additives (Nos. 1-D, 2-D, 2-4)
- Waste Oil/Used Oil

**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 BANCROFT OAKLAND INVESTMENT COMPANY 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.

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RONALD BROWDER, Director  
Contract Project Director

Action: Update  
Reason: ADD

Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File



AGENCY

REBECCA GEBHART, Interim Director

Certified Mail #: 7014 2870 0001 3244 0535

December 5, 2016

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**

**BP #11117  
7210 BANCROFT AVENUE  
OAKLAND, CA 94605**

**Local ID: RO0000356  
Related ID: STID #3960  
RWQCB ID: 01-0215  
Global ID: T0600100201**

**Responsible Party:**

**ATLANTIC RICHFIELD COMPANY  
6 CENTERPOINTE DRIVE, LPR6-161  
LA PALMA, CA 90623-1066**

**Date First Reported: 12/20/1989**  
**Substance:**

- Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
- Diesel fuel oil & additives (Nos. 1-D, 2-D, 2-4)
- Waste Oil/Used Oil

**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 ATLANTIC RICHFIELD COMPANY 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 KEITH NOWELL at this office at (510) 567-6764 if you have questions regarding your site.

Date: 12-03-16

RONALD BROWDER, Director  
Contract Project Director

Action: Update  
Reason: ADD

Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File

ALAMEDA COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

December 5, 2016

**Site Name & Address:**  
**BP #11117**  
**7210 BANCROFT AVENUE**  
**OAKLAND, CA 94605**

**Local ID:** RO0000356  
**Related ID:** STID #3960  
**RWQCB ID:** 01-0215  
**Global ID:** T0600100201

**All Responsible Parties**

**RP has been named a Primary RP - PALM PENINSULA LLC**  
**ATTN: JACOB LEVY & JONATHAN ARYEH**  
**201 WILSHIRE BLVD., 2<sup>ND</sup> FLOOR | SANTA MONICA, CA 90401-1219 | (301) 883-7900**

**RP has been named a Primary RP - 7200 BANCROFT AVENUE LLC**  
**ATTN: JACOB LEVY & JONATHAN ARYEH**  
**201 WILSHIRE BLVD., 2<sup>ND</sup> FLOOR | SANTA MONICA, CA 90401-1219 | (301) 883-7900**

**RP has been named a Primary RP - ATLANTIC RICHFIELD COMPANY**  
**ATTN: KYLE CHRISTIE**  
**6 CENTERPOINTE DRIVE, LPR6-161 | LA PALMA, CA 90623-1066 | NO PHONE NUMBER LISTED**

**RP has been named a Primary RP - EASTMONT OAKLAND ASSOCIATES LLC**  
**C/O TPF VI REIT ATTN: SCOTT SCHONFELD**  
**825 THIRD AVE., 36<sup>TH</sup> FLOOR | NEW YORK NY 10022-7519 | NO PHONE NUMBER LISTED**

**RP HAS BEEN NAMED A PRIMARY RP - EASTMONT OAKLAND ASSOCIATES LLC**  
**ATTN: JAMES PAUL**  
**825 THIRD AVE. | NEW YORK NY 10022-7519 | NO PHONE NUMBER LISTED**

**RP has been named a Primary RP - PHILLIPS 66**  
**ATTN: ED RALSTON**  
**76 BROADWAY | SACRAMENTO, CA 95818 | Phone (916) 558-7633**

**RP has been named a Primary RP - TOSCO CORPORATION**  
**ATTN: CHESTER BENNETT**  
**3100 ZINFANDEL DR., #200 | RANCHO CORDOVA, CA 95670 | NO PHONE NUMBER LISTED**

**RP has been named a Primary RP - BDE ETC LLC**  
**ATTN: BENJAMIN EISLER**  
**51 FEDERAL ST., SUITE 202 | SAN FRANCISCO, CA 94107 | NO PHONE NUMBER LISTED**

**RP has been named a Primary RP - AO ETC LLC**  
**ATTN: ALLEN ORWITZ**  
**51 FEDERAL ST., SUITE 202 | SAN FRANCISCO, CA 94107 | NO PHONE NUMBER LISTED**

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

December 5, 2016

**All Responsible Parties- Continued**

**RP has been named a Primary RP - CONOCOPHILLIPS**

**ATTN: LIZ SEWELL**

76 BROADWAY | SACRAMENTO, CA 95818 | NO PHONE NUMBER LISTED

**RP has been named a Primary RP - EASTMONT TOWN CENTER COMPANY LLC**

**ATTN: TING LIU**

7200 BANCROFT AVE., SUITE 1 | OAKLAND, CA 94605-2413 | NO PHONE NUMBER LISTED

**RP has been named a Primary RP - BANCROFT OAKLAND INVESTMENT COMPANY**

**C/O SB MANAGEMENT CORPORATION**

433 N. CAMDEN DR., SUITE 1070 | BEVERLY HILLS, CA 90210-4434 | NO PHONE NUMBER LISTED

**RP has been named a Primary RP - BP OIL CO.**

**ATTN: PAUL SUPPLE**

P.O. BOX 6549 | MORAGA, CA 94570 | NO PHONE NUMBER LISTED

December 5, 2016

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**Responsible Party Identification Background**

Alameda County Department of Environmental Health (ACDEH) names a "Responsible Party," (RP) 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."
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## ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

December 5, 2016

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### Existence of Unauthorized Release

A Phase II Environmental Audit was conducted in December 1989. At the time of the Audit an active vehicle fueling station with three gasoline and one diesel underground storage tanks (USTs) operated at the site. Maximum concentrations of 2,000 milligrams per kilogram (mg/Kg) total petroleum hydrocarbons (TPH) were detected in soil bore soil samples collected during the audit. Groundwater monitoring wells installed for the audit revealed the presence of TPH at a maximum concentration of 2,700 micrograms per liter (ug/L) and benzene at a maximum concentration of 530 ug/L. These concentrations indicate an unauthorized release has occurred from the underground storage tank system at this site.

### Responsible Party Identification

BP operated the vehicle fueling station at the time the release was discovered. BP meets the definition of a responsible party for the site because it owned or operated underground storage tanks used for the storage of any hazardous substance (Definition 1) and had control over underground storage tanks at the time of or following an unauthorized release of a hazardous substance (Definition 4).

Tosco acquired BP stations (including the Union 76 brand) in Northern California in 1994. Tosco meets the definition of a responsible party for the site because it owned or operated underground storage tanks used for the storage of any hazardous substance (Definition 1) and had control over underground storage tanks at the time of or following an unauthorized release of a hazardous substance (Definition 4).

BP merged with Atlantic Richfield Company in 2000. Atlantic Richfield Company meets the definition of a responsible party for the site because it owned or operated underground storage tanks used for the storage of any hazardous substance (Definition 1) and had control over underground storage tanks at the time of or following an unauthorized release of a hazardous substance (Definition 4).

Tosco was acquired by Phillips Petroleum in 2001, which merged with Conoco in 2002, forming ConocoPhillips. ConocoPhillips meets the definition of a responsible party for the site because it owned or operated underground storage tanks used for the storage of any hazardous substance (Definition 1) and had control over underground storage tanks at the time of or following an unauthorized release of a hazardous substance (Definition 4).

ConocoPhillips spun off all midstream, downstream, marketing and chemical operations into a new company named Phillips 66 in 2012. Phillips 66 meets the definition of a responsible party for the site because it owned or operated underground storage tanks used for the storage of any hazardous substance (Definition 1) and had control over underground storage tanks at the time of or following an unauthorized release of a hazardous substance (Definition 4).

Bancroft Oakland Investment Company was the property owner at the time the release was discovered. Bancroft Oakland Investment Company meets the definition of a responsible party for the site because it owned the property where an unauthorized release occurred (Definition 3).

Eastmont Town Center Company LLC acquired title of the property in January, 1996. Eastmont Town Center Company LLC meets the definition of a responsible party for the site because it owned the property where an unauthorized release occurred (Definition 3).

Eastmont Town Center Company LLC and AO ETC LLC acquired title of the property in March 2007. AO ETC LLC meets the definition of a responsible party for the site because it owned the property where an unauthorized release occurred (Definition 3).

Eastmont Oakland Associates LLC and AO ETC LLC acquired title of the property in March 2007. Eastmont Oakland Associates LLC meets the definition of a responsible party for the site because it owned the property where an unauthorized release occurred (Definition 3).

Eastmont Oakland Associates LLC and BDE ETC LLC acquired title of the property in March 2007. BDE ETC LLC meets the definition of a responsible party for the site because it owned the property where an unauthorized release occurred (Definition 3).

Palm Peninsula LLC and 7200 Bancroft Avenue LLC acquired title of the property in October 2015. Palm Peninsula LLC and 7200 Bancroft Avenue LLC meet the definition of responsible parties for the site because they own the property where an unauthorized release occurred (Definition 3).