

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

Certified Mail #: 7006 3450 0000 0503 3923

November 14, 2008

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

**NOTICE OF RESPONSIBILITY**

Site Name & Address:

**EXXON #7-0235**  
**2225 TELEGRAPH AVE**  
**Oakland, CA 94612**

**Local ID: RO0000358**  
**Related ID: 1039**  
**RWQCB ID: 01-1466**  
**Global ID: T0600101354**

Responsible Party:

**LAM H. TRUONG**

**2225 TELEGRAPH AVE**  
**OAKLAND CA 94612-2315**

**Date First Reported: 1/1/1992**

**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 EXXONMOBIL 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) 341-5650.

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 JAKUB, BARBARA, at this office at (510)639-1287 if you have questions regarding your site.

  
ARIU LEVI, Director  
Contract Project Director

Date: 11/14/08

Action: Add  
Reason: ADD RPs

ALAMEDA COUNTY ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

November 17, 2008

**Site Name & Address:**

**EXXON #7-0235**  
**2225 TELEGRAPH AVE**  
**Oakland, CA 94612**

**Local ID: RO0000358**

**Related ID: 1039**

**RWQCB ID: 01-1466**

**Global ID: T0600101354**

**All Responsible Parties**

**RP has been named a Primary RP - LAM H TRUONG**

2225 TELEGRAPH AVE | OAKLAND, CA 94612-2315 | Phone No Phone Number Listed

**RP has been named a Primary RP - JENNIFER C SEDLACHEK**

**EXXONMOBIL**

4096 PIEDMONT AVE #194 | OAKLAND, CA 94611 | Phone (510) 547-8196

**RP has been named a Primary RP - IAN ROBB**

**CHEVRON**

6111 BOLLINGER CANYON RD RM 3612 | SAN RAMON, CA 94583-2324 | Phone (925) 543-2375

**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, 2008

## Responsible Party Identification

RO 358, 2225 Telegraph Ave., Oakland, CA 94612

### Existence of Unauthorized Release

A site assessment conducted in 1989 revealed maximum concentrations of 11,000 milligrams per kilogram (mg/Kg) of total petroleum hydrocarbons as gasoline (TPH) and 40 mg/Kg benzene in soil; 9,500 micrograms per liter (ug/L) in groundwater; and 6,100 ug/L TPHg and 10ug/L benzene in soil vapor indicating that a release from the underground storage tanks had occurred.

### Responsible Party Identification

Texaco Marketing and Refining owned and operated the underground storage tanks from March 31, 1966 to October 31, 1988. Chevron Corporation purchased all of Texaco and its assets. Chevron Corporation meets the definition of a responsible party for the site because they had control over an underground storage tank at the time or following an unauthorized release of a hazardous substance (Definition 4) and they owned the property where an unauthorized release occurred, (Definition 3).

Exxon Mobil purchased the property in October 1988 and was the property owner following an unauthorized petroleum hydrocarbon release(s). Exxon Mobil meets the definition of a responsible party for the site because they owned the property where an unauthorized release occurred, (Definition 3).

Lam Truong purchased the property in November 22, 2006 and was the property owner following an unauthorized petroleum hydrocarbon release(s). Lam Truong meets the definition of a responsible party for the site because he owned the property where an unauthorized release occurred, (Definition 3).

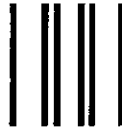
7006 3450 0000 0503 3923

<b>U.S. Postal Service™</b>	
<b>CERTIFIED MAIL™ RECEIPT</b>	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Postage \$	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage	
Sent To	
Street, Apt. or PO Box	
City, State, ZIP+4	
PS Form 3800, August 2006	
See Reverse for Instructions	

Postmark Here

**LAM H. TRUONG**  
**2225 TELEGRAPH AVENUE**  
**OAKLAND, CA 94612-2315**

UNITED STATES POSTAL SERVICE  
**Alameda County**



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

NOV 24 2008

• Sender: Please print your name, address, and ZIP+4 in this box •

**Environmental Health**

**Environmental Health Services  
Environmental Protection  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
Attn: Barbara, RO#358**



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**LAM H. TRUONG  
2225 TELEGRAPH AVENUE  
OAKLAND, CA 94612-2315**

2. Article Number  
(Transfer from service label)

7006 3450 0000 0503 3923

PS Form 3811, February 2004

Domestic Return Receipt

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 *LAM*  Agent  
 Addressee

B. Received by (Printed Name) *LAM* C. Date of Delivery *11/20/08*

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

102595-02-M-1540

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



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

November 14, 2008

Jennifer Sedlachek  
ExxonMobil Corporation  
4096 Piedmont Ave.  
Oakland, CA 94611

Ian Robb  
Chevron Corporation  
6111 Bolinger Canyon Rd.  
San Ramon, CA 94583

Subject: Fuel Leak Case No. RO0000358, Exxon #7-0235, 2225 Telegraph Avenue, Oakland, CA 94612; Add Responsible Party

Dear Ms. Sedlachek, and Mr. Robb:

In a Notice of Responsibility dated April 27, 1992, William Wong, Exxon (now ExxonMobil) and Texaco (now Chevron Corporation) were notified that the above referenced site had been placed in the Local Oversight Program and that Exxon Mobil and Chevron Corporation were named as Responsible Parties for the fuel leak case. Lam Truong purchased the property in November 22, 2006 and has been named an additional Responsible Party 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.

If you have any questions, please call me at (510) 639-1287.

Sincerely,

Barbara J. Jakub  
Hazardous Materials Specialist

Attachment A – Responsible Parties Data Sheet

cc: Donna Drogos, ACEH  
Barbara Jakub, ACEH  
File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

November 17, 2008

**Site Name & Address:**

**EXXON #7-0235**  
**2225 TELEGRAPH AVE**  
**Oakland, CA 94612**

**Local ID: RO0000358**

**Related ID: 1039**

**RWQCB ID: 01-1466**

**Global ID: T0600101354**

**All Responsible Parties**

---

**RP has been named a Primary RP - LAM H TRUONG**

2225 TELEGRAPH AVE | OAKLAND, CA 94612-2315 | Phone No Phone Number Listed

---

**RP has been named a Primary RP - JENNIFER C SEDLACHEK**

**EXXONMOBIL**

4096 PIEDMONT AVE #194 | OAKLAND, CA 94611 | Phone (510) 547-8196

---

**RP has been named a Primary RP - IAN ROBB**

**CHEVRON**

6111 BOLLINGER CANYON RD RM 3612 | SAN RAMON, CA 94583-2324 | Phone (925) 543-2375

---

**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, 2008

## Responsible Party Identification

RO 358, 2225 Telegraph Ave., Oakland, CA 94612

### Existence of Unauthorized Release

A site assessment conducted in 1989 revealed maximum concentrations of 11,000 milligrams per kilogram (mg/Kg) of total petroleum hydrocarbons as gasoline (TPH) and 40 mg/Kg benzene in soil; 9,500 micrograms per liter (ug/L) in groundwater; and 6,100 ug/L TPHg and 10ug/L benzene in soil vapor indicating that a release from the underground storage tanks had occurred.

### Responsible Party Identification

Texaco Marketing and Refining owned and operated the underground storage tanks from March 31, 1966 to October 31, 1988. Chevron Corporation purchased all of Texaco and its assets. Chevron Corporation meets the definition of a responsible party for the site because they had control over an underground storage tank at the time or following an unauthorized release of a hazardous substance (Definition 4) and they owned the property where an unauthorized release occurred, (Definition 3).

Exxon Mobil purchased the property in October 1988 and was the property owner following an unauthorized petroleum hydrocarbon release(s). Exxon Mobil meets the definition of a responsible party for the site because they owned the property where an unauthorized release occurred, (Definition 3).

Lam Truong purchased the property in November 22, 2006 and was the property owner following an unauthorized petroleum hydrocarbon release(s). Lam Truong meets the definition of a responsible party for the site because he owned the property where an unauthorized release occurred, (Definition 3).