

ALAMEDA COUNTY
HEALTH CARE SERVICES



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AGENCY

DAVID J. KEARS, Agency Director

Certified Mail #: 7006345000005033527

April 11, 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:

**BAY AREA DIABLO PETROLEUM
421 23RD AVE
Oakland, CA 94606**

**Local ID: RO0000395
Related ID: 191
RWQCB ID: 01-2408
Global ID: T0600102218**

Responsible Party:

**C/O CLAUDE D. PERASSO
CP HOLDING CO LLC
41 PENINSULA RD
BELVEDERE CA 94920-2325**

Date First Reported: 8/17/1998

**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 BAY AREA DIABLO PETROLEUM CO 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 WICKHAM, JERRY, at this office at (510)567-6791 if you have questions regarding your site.



ARIU LEV, Director
Contract Project Director

Date: 4/11/08

Action: Add
Reason: Add RP

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

April 11, 2008

Site Name & Address:

BAY AREA DIABLO PETROLEUM
421 23RD AVE
Oakland, CA 94606

Local ID: RO0000395
Related ID: 191
RWQCB ID: 01-2408
Global ID: T0600102218

All Responsible Parties

RP has been named a Primary RP - DENNIS O KEEFE
BAY AREA DIABLO PETROLEUM CO
501 SHELL AVE | MARTINEZ, CA 54553-1357 | Phone (925) 603-8670

RP has been named a RP - CHARLES & DIANE CAMPANELLA
CAMPANELLA CS TRUST
5401 SAN LEANDRO ST | OAKLAND, CA 94601 | Phone No Phone Number Listed

RP has been named a RP - C/O CLAUDE D PERASSO
CP HOLDING CO LLC
41 PENINSULA RD | BELVEDERE, CA 94920-2325 | 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)

April 11, 2008

Responsible Party Identification

Existence of Unauthorized Release

The site has supplied retail motor vehicle fuels since 1976. Underground storage tanks, product lines, and dispensers were removed on August 13, 1998. Soil samples collected beneath the tanks, product lines, and/or dispensers during the removal contained fuel hydrocarbons. Total petroleum hydrocarbons as gasoline and diesel were detected in soil at concentrations up to 18,000 ppm and 22,000 ppm, respectively. A substantial volume of free phase petroleum hydrocarbons was encountered in the excavated tank cavity.

Responsible Party Identification

Bay Area Diablo Petroleum, dba Golden Gate Petroleum was the tank owner and operator at the time of and following the release. Bay Area Diablo Petroleum, dba Golden Gate Petroleum also owned the property from September 8, 1999 to October 13, 2006. Bay Area Diablo Petroleum, dba Golden Gate Petroleum is a responsible party because they owned and operated the underground storage tanks (USTs) (Definition 1), owned property where an unauthorized release from a UST has occurred (Definition 3), and had control of the USTs at the time of and following an unauthorized release (Definition 4).

Campanella CS Trust owned the property from at least 1994 until September 8, 1999. Campanella CS Trust is a responsible party because they owned property where an unauthorized release from a UST has occurred (Definition 3).

CP Holding Company LLC purchased the property on October 13, 2006 and is the current property owner. CP Holding Company LLC is a responsible party because they are the current owners of a property where an unauthorized release from a UST has occurred (Definition 3).

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Sent To Street, Apt. No., or PO Box No. City, State, Zip	C/O Claude D. Perasso CP Holding CO LLC 41 Peninsula Road Belvedere, CA 94920-2325
PS Form 3800, August 2006 See Reverse for Instructions	

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