

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

September 23, 2008

Terry Grayson
ConocoPhillips
76 Broadway
Sacramento, CA 95818

Carole Quick and Lorraine Mudgett
P.O. Box 2165
Gearheart, OR 97138

Rajan Goswamy
4276 MacArthur Boulevard
Oakland, CA 94619

Subject: Fuel Leak Case No. RO0000409 and Geotracker Global ID T0600102279, Unocal #1156, 4276 MacArthur Boulevard, Oakland, CA 94619

Dear Mr. Borgh, Ms. Quick, Ms. Mudgett, and Mr. Goswamy:

In Notices of Responsibility dated May 28, 1999 and December 29, 2006, Tosco Marketing (currently ConocoPhillips), Erna G. Renoud et al, and Carole M. Quick, Lorraine M. Mudgett, and Frederick Munich were notified that the above referenced site had been placed in the Local Oversight Program and that they were named as Responsible Parties for the fuel leak case. Mr. Rajan Goswamy purchased the property in June 2008 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) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Attachment A – Responsible Parties Data Sheet

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032

Dennis Dettloff, Delta Environmental Consultants, Inc., 3164 Gold Camp Drive, Suite 200
Rancho Cordova, CA 95670

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

September 19, 2008

Site Name & Address:

UNOCAL #1156
4276 MACARTHUR BLVD
Oakland, CA 94611

Local ID: RO0000409
Related ID: 1163
RWQCB ID: 01-2474
Global ID: T0600102279

All Responsible Parties

RP has been named a Primary RP - TERRY L GRAYSON
CONOCOPHILLIPS
76 BROADWAY STREET | SACRAMENTO, CA 95818 | Phone (916) 558-7666

RP has been named a RP - ERNA RENOUD
ERNA G RENOUD ETAL
561 LIGHTHOUSE AVENUE | PACIFIC GROVE, CA 93950 | Phone No Phone Number Listed

RP has been named a RP - CAROLE M QUICK
CM QUICK AND LM MUDGET AND FW MUNICH
PO BOX 2165 | GEARHEART, OR 97138 | Phone No Phone Number Listed

RP has been named a RP - RAJAN GOSWAMY
RAJAN GOSWAMY
4276 MACARTHUR BOULEVARD | OAKLAND, CA 94619 | 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)

September 19, 2008

Responsible Party Identification

Existence of Unauthorized Release

During March and April 1998, Tosco marketing Company (currently ConocoPhillips) removed one 280-gallon used oil underground storage tank (UST) and removed and replaced two gasoline USTs, product lines, and dispensers. Petroleum hydrocarbons were detected in soil and groundwater samples collected during the removal of the USTs. An Underground Storage Tank Unauthorized Release Form was submitted by Tosco Corporation for the site at 4276 MacArthur Boulevard in Oakland by Tosco Corporation on March 19, 1999.

Responsible Party Identification

ConocoPhillips is a responsible party for the fuel leak because they were the business owner, tank owner, and tank operator at the time of the unauthorized release (Definition 1) and had control of the UST at the time of or following an unauthorized release (Definition 4).

Erna G. Renoud owned the property from May 1990 to October 2000. Erna Renoud was named a responsible party for the fuel leak in a Notice of Responsibility dated May 28, 1999 because she was the property owner at the time of an unauthorized release (Definition 3). Erna Renoud is now deceased.

Carole M. Quick, Lorraine M. Mudgett, and Frederick W. Munich owned the property from October 2000 to June 2008. Carole M. Quick, Lorraine M. Mudgett, and Frederick W. Munich are responsible parties for the fuel leak because they were owners of a property where an unauthorized release occurred (Definition 3),

Rajan K. Goswamy purchased the property in June 2008. Rajan K. Goswamy is a responsible party because he is the current owner of the property where an unauthorized release occurred (Definition 3).