

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

Certified Mail #: 7002 2030 0006 9574 2393

September 25, 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:

BEACON #3604
1619 1ST ST
Livermore, CA 94550

Local ID: RO0000434
Related ID: 4032
RWQCB ID: 01-1527
Global ID: T0600101410

Responsible Party:

JEFF BAKER
TESORO
3450 SOUTH 344TH WAY STE 100
AUBURN WA 98001-5931

Date First Reported: 3/16/1990

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

Funding for Oversight: LOPS - LOP State Fund

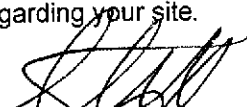
Multiple RPs?: Yes

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 TESORO 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 LEVI, Director
Contract Project Director

Date: 10/1/08

Action: Add
Reason: Add RP

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

September 25, 2008

Site Name & Address:

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1619 1ST ST
Livermore, CA 94550

Local ID: RO0000434

Related ID: 4032

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All Responsible Parties

RP has been named a Primary RP - JEFF BAKER
TESORO

3450 SOUTH 344TH WAY STE 100 | AUBURN, WA 98001-5931 | Phone (253) 896-8700

RP has been named a RP - ROBERT EHLERS

VALERO

685 WEST THIRD STREET | HANFORD, CA 93230 | Phone (210) 345-2227

RP has been named a RP - CHUCK MILLER

USA PETROLEUM

30101 AGOURA CT, #200 | AGOURA HILLS, CA 91301 | Phone (818) 865-9200

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 25, 2008

Responsible Party Identification

Existence of Unauthorized Release

In November 1992 three underground storage tanks were removed from the site. Total petroleum hydrocarbons as gasoline were detected in soil samples from the tank excavation at concentrations up to 4,700 milligrams per kilogram. An Unauthorized Release Form for the fuel leak was submitted on February 11, 1993. During subsequent investigations in May and June 1993, fuel hydrocarbons and oxygenates were detected in soil, soil vapor, and groundwater samples collected from soil borings, monitoring wells, vapor wells at the site.

Responsible Party Identification

Ultramar, Inc. was the owner and operator of the tanks from 1983 until May 20, 2002. Ultramar, Inc. is a subsidiary of Valero Energy Corporation (Valero). Valero is a responsible party because they owned and operated the USTs immediately before the discontinuation of their use (Definition 2), they owned property 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).

The ownership of the site transferred from Ultramar inc. to Tesoro Refining and Marketing Company (Tesoro) on May 20, 2002. Tesoro owned the property from May 20, 2002 until December 27, 2002. Tesoro is a responsible party because they owned property where an unauthorized release from a UST has occurred (Definition 3). Tesoro Sierra Properties LLC is also the current owner of the site.

USA Petroleum Corporation owned the property from December 27, 2002 until May 7, 2007. USA Petroleum Corporation is a responsible party because they owned property where an unauthorized release from a UST has occurred (Definition 3).

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Total		

JEFF BAKER

TESORO

3450 SOUTH 344TH WAY STE 100

AUBURN. WA 98001-5931

PS Form 3800, June 2002 See Reverse for Instructions

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OCT 8 2008

ENVIRONMENTAL HEALTH SERVICES

Environmental Health Services
Environmental Protection
1131 Harbor Bay Pkwy, Suite 250
Alameda, CA 94502-6577
Attn: Jerry. RO#434

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:

JEFF BAKER
TESORO
3450 SOUTH 344TH WAY STE 100
AUBURN, WA 98001-5931

2. Article Number
(Transfer from service label)

7002 2030 0006 9574 2393

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery
JERRY GORDON OCT 3 2008

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

3450 S 344TH ST AUBURN WA 98001

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

4. Restricted Delivery? (Extra Fee) Yes

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

Certified Mail #: 7002 2030 0006 9574 2409

September 25, 2008

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ARTUR LEVI, Director
Contract Project Director

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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage	
Sent To	CHUCK MILLER
Street, Apt. # or PO Box #	USA PETROLEUM
City, State, ZIP	30101 AGOURA CT, # 200
	AGOURA HILL, CA 1301
PS Form 3800, June 2002	See Reverse for Instructions