

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

ALEX BRISCOE, Agency Director



DEPARTMENT OF ENVIRONMENTAL HEALTH  
OFFICE OF THE DIRECTOR  
1131 HARBOR BAY PARKWAY  
ALAMEDA, CA 94502  
(510) 567-6777  
FAX (510) 337-9135

Certified Mail #: 7009 0960 0000 4282 6180

January 28, 2011

**NOTICE OF RESPONSIBILITY**

Site Name & Address:

**UNOCAL #5430  
1935 WASHINGTON AVE  
SAN LEANDRO, CA 94577**

**Local ID: RO0000443  
Related ID: 1747  
RWQCB ID: 01-1904  
Global ID: T0600101765**

Responsible Party:

**ALI & CAROL SHAFII  
N/A  
1935 WASHINGTON AVE  
SAN LEANDRO CA 94571**

**Date First Reported: 8/4/1993**

**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 N/A 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: 1/31/2011

Action: Add  
Reason: ADD RP

ALAMEDA COUNTY ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

January 28, 2011

**Site Name & Address:**

**UNOCAL #5430  
1935 WASHINGTON AVE  
SAN LEANDRO, CA 94577**

**Local ID: RO0000443  
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**All Responsible Parties**

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**RP has been named a Primary RP - ALI & CAROL SHAFII**

**N/A**

1935 WASHINGTON AVE | SAN LEANDRO, CA 94571 | Phone (510) 701-0333

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**RP has been named a Primary RP - BILL BORGH**

**CONOCO PHILLIPS**

76 BROADWAY STREET | SACRAMENTO, CA 95818 | Phone (916) 558-7666

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**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)

January 28, 2011

### **Responsible Party Identification**

Responsible Party Identification

Existence of Unauthorized Release

Two 10,000-gallon gasoline USTs were removed in December 1981 after failure of a precision tank test and a 275-gallon waste-oil underground storage tank (UST) was removed from the site in July 1998. Maximum soil concentrations at the site were 500 milligrams per kilogram (mg/Kg) Total Petroleum Hydrocarbons (TPH) as gasoline, 2,800 mg/kg TPH as deisel, and 1.7 mg/kg benzene. Maximum groundwater concentrations were 23,000 micrograms per liter (ug/L) TPHg, and 1,000 ug/L benzene. Based on the results of soil and groundwater sampling an unauthorized release occurred from the USTs.

Responsible Party Identification

Conoco Phillips (corporate successor to TOSCO and Union Oil Company of California) was the property owner at the time of UST removals. They have been named as a "Responsible Party" under Definitions 1 and 3, above.

Ali and Carol Shafii are the current property owners and have been named as a "Responsible Party" under Definition 3, above.