

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

January 28, 2011

Bill Borgh  
ConocoPhillips  
76 Broadway Street  
Sacramento, CA 95818

Subject: Fuel Leak Case No. RO0000443, Unocal #5430, 1935 Washington Avenue, San Leandro, CA 94619; Additional Responsible Party

Dear Mr. Borgh:

In a Notice of Responsibility dated December 20, 1993, ConocoPhillips (corporate successor to TOSCO and Union Oil Company of California) was notified that the above referenced site had been placed in the Local Oversight Program and that ConocoPhillips was named as a Responsible Party for the fuel leak case. Ali and Carol Shafii purchased the property in 2008 and has also 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,

A handwritten signature in cursive script that reads "Barbara J. Jakub".

Barbara J. Jakub, P.G.  
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

January 28, 2011

<b>Site Name &amp; Address:</b> <b>UNOCAL #5430</b> <b>1935 WASHINGTON AVE</b> <b>SAN LEANDRO, CA 94577</b>
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<b>Local ID:</b> RO0000443
<b>Related ID:</b> 1747
<b>RWQCB ID:</b> 01-1904
<b>Global ID:</b> T0600101765

**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.