

ALAMEDA COUNTY  
**HEALTH CARE SERVICES  
AGENCY**

COLLEEN CHAWLA, Agency Director



DEPARTMENT OF ENVIRONMENTAL HEALTH  
LOCAL OVERSIGHT PROGRAM (LOP)  
For Hazardous Materials Releases  
1131 HARBOR BAY PARKWAY  
ALAMEDA, CA 94502  
(510) 567-6700  
FAX (510) 337-9335

March 7, 2018

Unocal / Chevron Corp.  
6101 Bollinger Canyon Road  
San Ramon, CA 94583  
Attn.: Nicole Arceneaux

Phillips 66 Company  
76 Broadway  
Sacramento, CA 95818  
Attn: Ed Ralston

ConocoPhillips  
76 Broadway  
Sacramento, CA 95818  
Attn: Terry Grayson

Tosco  
2000 Crow Canyon Place, #400  
San Ramon, CA 94583  
Attn.: Tina Berry

Barbara B Jelinek Tr  
c/o W M Roakin  
4567 Enterprise Street  
Fremont, CA 94538-7605

Barbara B Jelinek Tr  
c/o Larry Kronick  
4567 Enterprise Street  
Fremont, CA 94538-7605

Barbara B Jelinek Tr  
c/o Gerald C Kratz Tr  
876 Rosemont Rd.  
Oakland CA 94610

Gerald C Kratz Tr  
876 Rosemont Rd.  
Oakland CA 94610

Deborah C Fitzgerald &  
Lawrence Collins Etal  
105 Arbor Dr.  
Piedmont, CA 94610-1011

Linda J. Passeri Revocable Trust  
105 Arbor Dr.  
Piedmont, CA 94610-1011  
Attn.: Linda Passeri

Maryly Collins  
105 Arbor Dr.  
Piedmont, CA 94610-1011

Subject: Notice of Responsibility Update - LOP Case No. RO0000455 and Geotracker Global ID T0600101493, Unocal #1871, 66 MacArthur Blvd., Oakland, CA 94610

Dear Responsible Parties:

In a Notice of Requirement to Reimburse dated July 8, 1992, Unocal (Attn. Robert Boust), was notified that the above referenced site had been placed in the Local Oversight Program and was named as a Responsible Party for the fuel leak case. Unocal is presently a wholly owned subsidiary of the Chevron Corp. In a Notice of Responsibility Update dated June 20, 2016, Chevron Corp., doing business as Chevron Environmental Management Company, Phillips 66 Company, ConocoPhillips, Tosco, Barbara B Jelinek Tr c/o W M Roakin, Barbara B Jelinek Tr c/o Larry Kronick, Barbara B Jelinek Tr c/o Gerald C Kratz Tr, Gerald C Kratz Tr, and Deborah C Fitzgerald & Lawrence Collins Etal were named as additional Responsible Parties for the fuel leak case as defined under 23 C.C.R Sec. 2720. Linda J. Passeri Revocable Trust and Maryly Collins, both of the Deborah C Fitzgerald & Lawrence Collins Etal, are named as additional Responsible Parties for the fuel leak case. 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) 567-6764 or send me an electronic mail message at [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org).

Sincerely,

Digitally signed by Keith Nowell  
DN: cn=Keith Nowell, o=Alameda County,  
ou=Department of Environmental Health,  
email=keith.nowell@acgov.org, c=US  
Date: 2018.03.06 14:48:30 -08'00'

Keith Nowell, PG, CHG  
Hazardous Materials Specialist

Dilan Roe, ACDEH, (Sent via electronic mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Paresh Khatri, ACDEH; (Sent via electronic mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org))  
Electronic File; GeoTracker



Certified Mail #: 7011 3500 0003 1935 1603

March 7, 2018

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**

**UNOCAL #1871  
66 MACARTHUR BLVD.  
OAKLAND, CA 94610**

**Local ID: RO0000455  
Related ID: STID #1120  
RWQCB ID: 01-1618  
Global ID: T0600101493**

**Responsible Party:**

**LINDA J. PASSERI REVOCABLE TRUST  
105 ARBOR DR.  
PIEDMONT, CA 94610-1011**

**Date First Reported: 7/16/1992**  
**Substance:**

- Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
- Waste Oil/Used Oil

**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 LINDA J. PASSERI REVOCABLE TRUST 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) 341-5752.

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 KEITH NOWELL at this office at (510) 567-6764 if you have questions regarding your site.

Date:

03-09-2018

RONALD BROWDER, Director  
Contract Project Director

Action: ADD

Reason: NEW



Certified Mail #: 7011 3500 0003 1935 1610

March 7, 2018

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**

**UNOCAL #1871  
66 MACARTHUR BLVD.  
OAKLAND, CA 94610**

**Local ID: RO0000455  
Related ID: STID #1120  
RWQCB ID: 01-1618  
Global ID: T0600101493**

**Responsible Party:**

**MARYLY COLLINS  
105 ARBOR DR.  
PIEDMONT, CA 94610-1011**

**Date First Reported: 7/16/1992**  
**Substance:**

- Gasoline-Automotive (motor gasoline and additives), leaded & unleaded
- Waste Oil/Used Oil

**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 MARYLY COLLINS 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) 341-5752.

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 KEITH NOWELL at this office at (510) 567-6764 if you have questions regarding your site.

Date:

03-09-2018

RONALD BROWDER, Director  
Contract Project Director

Action: ADD

Reason: NEW

ALAMEDA COUNTY ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

March 7, 2018

**Site Name & Address:**  
**UNOCAL #1871**  
**66 MACARTHUR BLVD.**  
**OAKLAND, CA 94610**

**Local ID: RO0000455**  
**Related ID: STID #1120**  
**RWQCB ID: 01-1618**  
**Global ID: T060010149**

**All Responsible Parties**

**RP has been named a Primary RP - LINDA J. PASSERI REVOCABLE TRUST**  
105 ARBOR DR | PIEDMONT, CA 94610-1011 | No Phone Number Listed

**RP has been named a Primary RP - MARYLY COLLINS**  
105 ARBOR DR | PIEDMONT, CA 94610-1011 | No Phone Number Listed

**RP has been named a Primary RP - UNION OIL OF CALIFORNIA/CHEVRON CORP.**  
**ATTN: NICOLE ARCENEUX**  
6101 BOLLINGER CANYON ROAD | SAN RAMON, CA 94583 | No Phone Number Listed

**RP has been named a Primary RP - JELINEK BARBARA B TR C/O W M ROAKIN**  
4567 ENTERPRISE STREET | FREMONT, CA 94538-7605 | No Phone Number Listed

**RP has been named a Primary RP - JELINEK BARBARA B TR C/O LARRY KRONICK**  
4567 ENTERPRISE STREET | FREMONT, CA 94538-7605 | No Phone Number Listed

**RP has been named a Primary RP - JELINEK BARBARA B TR C/O KRATZ GERALD C TR**  
876 ROSEMONT RD | OAKLAND, CA 94610 | No Phone Number Listed

**RP has been named a Primary RP - KRATZ GERALD C TR**  
876 ROSEMONT RD | OAKLAND, CA 94610 | No Phone Number Listed

**RP has been named a Primary RP - FITZGERRELL DEBORAH C & COLLINS LAWRENCE ETAL**  
105 ARBOR DR | PIEDMONT, CA 94610-1011 | No Phone Number Listed

**RP has been named a Primary RP - PHILLIPS 66 COMPANY**  
**ATTN: ED RALSTON**  
76 BROADWAY | SACRAMENTO, CA 95818 | Phone (916) 558-7633

**RP has been named a Primary RP - TOSCO**  
**ATTN: TINA BERRY**  
2000 CROW CANYON PLACE, SUITE 400 | SAN RAMON, CA 94583 | No Phone Number Listed

**RP has been named a Primary RP - CONOCOPHILLIPS**  
**ATTN: TERRY GRAYSON**  
76 BROADWAY | SACRAMENTO, CA 95818 | No Phone Number Listed

## ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

March 7, 2018

---

### **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."
-

## ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

March 7, 2018

---

### Existence of Unauthorized Release

In May 1992, two dispenser islands were removed and replaced. Obvious staining was observed beneath the southern dispenser island. Analysis of soil samples collected from beneath the dispensers were reported to contain up to 1,700 milligrams per kilogram (mg/Kg) total petroleum hydrocarbons as gasoline (TPH-g) and groundwater samples collected from monitoring wells installed in October 1992 were reported to contain up to 260,000 micrograms per liter (ug/L) TPH-g and 2,300 ug/L benzene. These concentrations indicate an unauthorized release has occurred from the underground storage tank system at this site.

### Responsible Party Identification

Union Oil Company operated the station at the time the leak was discovered. Union Oil Company is a responsible party for the site because it owned or operated an underground storage tank used for the storage of any hazardous substance (Definition 1) and had control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance (Definition 4).

Union Oil Company of California ("Union Oil"), a wholly-owned subsidiary of Unocal Corporation, operated the service station on the property. Through mergers and acquisitions, Chevron acquired Union Oil. Chevron Corporation, as a successor to Union Oil, meets the definition of a responsible party for the site because it owned or operated underground storage tanks used for the storage of any hazardous substance (Definition 1) and had control over underground storage tanks at the time of or following an unauthorized release of a hazardous substance (Definition 4).

Union Oil divested certain refining and marketing assets to Tosco (including the Union 76 brand), and acquired operation of the station in 1996. Tosco Corporation is a responsible party because it owned or operated an underground storage tank used for the storage of any hazardous substance (Definition 1) and had control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance (Definition 4).

Phillips Petroleum acquired Tosco in 2001, followed by Phillips Petroleum's merger with Conoco in 2002, resulting in the formation of ConocoPhillips. ConocoPhillips is a responsible party because it owned or operated an underground storage tank used for the storage of any hazardous substance (Definition 1) and had control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance (Definition 4).

ConocoPhillips spun off its downstream assets as a new separate company, Phillips 66. Phillips 66 is a responsible party because it owned or operated an underground storage tank used for the storage of any hazardous substance (Definition 1) and had control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance (Definition 4).

Barbara B. Jelinek Tr c/o Larry Kronick and Barbara B. Jelinek Tr c/o W M Roakin were the property owners at the time the leak was discovered. Barbara B. Jelinek Tr c/o Larry Kronick meets the definition of a responsible party for the site because it owned the property where an unauthorized release occurred (Definition 3). Barbara B. Jelinek Tr c/o W M Roakin meets the definition of a responsible party for the site because it owned the property where an unauthorized release occurred (Definition 3).

Barbara B. Jelinek Tr c/o Kratz Gerald C Tr acquired title to the property on August 1, 2011. Barbara B. Jelinek Tr c/o Kratz Gerald C Tr meets the definition of a responsible party for the site because it owned the property where an unauthorized release occurred (Definition 3).

Kratz Gerald C Tr acquired title to the property on January 30, 2012. Kratz Gerald C Tr meets the definition of a responsible party for the site because it owned the property where an unauthorized release occurred (Definition 3).

Deborah C Fitzgerald and Lawrence Collins Etal acquired title to the property on August 14, 2014. Deborah C Fitzgerald and Lawrence Collins Etal meets the definition of a responsible party for the site because it owns the property where an unauthorized release occurred (Definition 3).

Marylly Collins of Deborah C Fitzgerald and Lawrence Collins Etal, acquired title to the property on August 14, 2014. Marylly Collins meets the definition of a responsible party for the site because she owns the property where an unauthorized release occurred (Definition 3).

Linda J. Passeri Revocable Trust, of Deborah C Fitzgerald and Lawrence Collins Etal, acquired title to the property on November 3, 2016, 2014. Linda J. Passeri Revocable Trust meets the definition of a responsible party for the site because it owns the property where an unauthorized release occurred (Definition 3).