



AGENCY

Certified Mail #7011 3500 0003 1848 1066:

April 24, 2013

**NOTICE OF RESPONSIBILITY**

**Site Name & Address:**

**BEACON #3721  
44 LEWELLING BLVD  
San Lorenzo, CA 94580**

**Local ID: RO0000498  
Related ID: 1497  
RWQCB ID: 01-1531  
Global ID: T0600101414**

**Responsible Party:**

**FIRST2363 LAST2363  
GIGUERE ENTERPRISES INC  
2888 GRAY FOX CT  
PLEASANTON CA 94566-6920**

**Date First Reported: 5/29/1987**

**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) 341-5752.

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 WICKHAM, JERRY, at this office at (510)567-6791 if you have questions regarding your site.

Date: 4/25/13

ARIU LEVI, Director  
Contract Project Director

Action: Add  
Reason: ADD RP

Attachment A: Responsible Parties Data Sheet

cc: Jenniffer Jordan, SWRCB, D. Drogos (Sent via electronic mail to donna.drogos@acgov.org), File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

April 24, 2013

**Site Name & Address:**

**BEACON #3721**  
**44 LEWELLING BLVD**  
**San Lorenzo, CA 94580**

**Local ID: RO0000498**  
**Related ID: 1497**  
**RWQCB ID: 01-1531**  
**Global ID: T0600101414**

**All Responsible Parties**

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**RP has been named a Primary RP - ROBERT EHLERS  
VALERO**

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

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**RP has been named a Primary RP - SAM HIRBOD  
HIRBOD ENTERPRISES**

111 DEERWOOD ROAD STE 110 | SAN RAMON, CA 94583-4445 | No Phone Number Listed

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**RP has been named a Primary RP - ABDULA & RAMSEY MOHAMED**

3401 LAGUNA STE #3 | OAKLAND, CA 94602 | No Phone Number Listed

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**RP has been named a Primary RP - BARBARA WOZNIAK  
FLYERS INC**

2360 LINDBERGH STREET | AUBURN, CA 95602-9537 | No Phone Number Listed

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

76 BROADWAY | SACRAMENTO, CA 95818 | Phone (916) 558-7612

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**RP has been named a Primary RP - FIRST2362 LAST2363  
BEDROCK OIL INC**

PO BOX 1245 | SAN RAMON, CA 94583-6245 | No Phone Number Listed

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**RP has been named a Primary RP - FIRST2363 LAST2363  
GIGUERE ENTERPRISES INC**

2888 GRAY FOX CT | PLEASANTON, CA 94566-6920 | No Phone Number Listed

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**RP has been named a Primary RP - PAULA SIME  
TESORO**

400 OCEANGATE STE 600 | LONG BEACH, CA 90802 | Phone (562) 495-6916

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

April 24, 2013

### **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:

"Any person who owns or operates an underground storage tank used for the storage of any hazardous substance."

"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."

"Any owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred."

"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)

April 24, 2013

### Responsible Party Identification

#### Existence of Unauthorized Release

Three gasoline underground storage tanks (USTs) were removed from the site on April 28, 1987. Soil samples were collected from soil beneath the ends of each of the USTs. Total petroleum hydrocarbons as gasoline (TPHg) were detected in the soil samples at concentrations up to 1,136 milligrams per kilogram. Benzene was detected in the soil samples at concentrations up to 52 milligrams per kilogram. During subsequent investigations conducted in December 1988, fuel hydrocarbons were detected in soil and groundwater samples collected from the areas of the USTs and dispenser islands. The detections of fuel hydrocarbons in soil and groundwater in the areas of the former USTs and dispensers are indicative of an unauthorized release from the USTs and/or dispensers.

#### Responsible Party Identification

Douglas Oil Corporation of California was the owner and operator of the tanks from 1975 until January 28, 1991. Douglas Oil Corporation was succeeded by Conoco, Inc. and then ConocoPhillips. ConocoPhillips 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).

Ultramar, Inc. owned the property from January 28, 1991 until May 20, 2002. Ultramar, Inc. was succeeded by Valero. Valero is a responsible party because they owned property where an unauthorized release from a UST has occurred (Definition 3).

Tesoro owned the property from May 20, 2002 until January 17, 2003. Tesoro is a responsible party because they owned property where an unauthorized release from a UST has occurred (Definition 3).

Flyers LLC owned the property from January 17, 2003 until May 30, 2003. Flyers LLC is a responsible party because they owned property where an unauthorized release from a UST has occurred (Definition 3).

Hirbod Enterprises, Inc. owned the property from May 30, 2003 until October 23, 2003. Hirbod Enterprises, Inc. is a responsible party because they owned property where an unauthorized release from a UST has occurred (Definition 3).

Giguere Enterprises, Inc. owned the property from October 23, 2003 until August 19, 2005. Giguere Enterprises, Inc. is a responsible party because they owned property where an unauthorized release from a UST has occurred (Definition 3).

Abdula and Ramsey Mohamed owned the property from August 19, 2005 until June 19, 2007. Abdula and Ramsey Mohamed are responsible parties because they owned property where an unauthorized release from a UST has occurred (Definition 3).

Bedrock Oil Inc. purchased the property on June 19, 2007 and is the current property owner. Bedrock Oil Inc. is a responsible party because they currently own property where an unauthorized release from a UST has occurred (Definition 3).

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**  
AGENCY  
ALEX BRISCOE, Director



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

May 1, 2013

Ms. Paula Sime  
Tesoro Petroleum Companies, Inc.  
400 Oceangate, Ste. 600  
Long Beach, CA 90802

Bedrock Oil, Inc.  
PO Box 1245  
San Ramon, CA 94583-6245

Mr. Sam Hirbod  
Hirbod Enterprises  
111 Deerwood Road, Suite 110  
San Ramon, CA 94583

Ms. Barbara Wozniak  
Flyers LLC  
2360 Lindbergh Street  
Auburn, CA 95601-9537

Mr. Robert Ehlers  
Valero  
685 West Third Street  
Hanford, CA 93230

Mr. Bill Borgh  
ConocoPhillips  
76 Broadway  
Sacramento, CA 95818

Abdula and Ramsey Mohamed  
3401 Laguna, Ste.#3  
Oakland, CA 94602

Giguere Enterprises, Inc.  
2888 Gray Fox Ct.  
Pleasanton, CA 94566-6920

Subject: Review of Fuel Leak Case No. RO0000498 and GeoTracker Global ID T0600101414, Beacon #721, 44 Lewelling Blvd., San Lorenzo, CA 94580

Dear Responsible Parties:

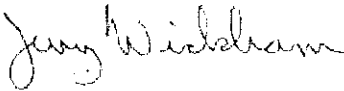
Alameda County Environmental Health (ACEH) staff is reviewing the leaking fuel case referenced above for potential case closure. During review of the case file, we did not find documentation indicating that all responsible parties had received all required notifications regarding the fuel leak case. Pursuant to Section 25297.15 (a), Alameda County Environmental Health (ACEH), the local agency, shall not consider cleanup or site closure proposals from the primary or active responsible party, issue a closure letter, or make a determination that no further action is required with respect to a site upon which there was an unauthorized release of hazardous substances from an underground storage tank subject to this chapter unless all current record owners of fee title to the site of the proposed action have been notified of the proposed action by the primary or active responsible party.

Therefore, we prepared the attached Notices of Responsibility which identify all legally named responsible parties for the case. ACEH will continue to review the case for potential case closure.

Responsible Parties  
RO0000498  
May 1, 2013\  
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If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org). Case files can be reviewed online at the following website: <http://www.acgov.org/aceh/index.htm>. As your email address does not appear on the cover page of this notification ACEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

Sincerely,



Digitally signed by Jerry Wickham  
DN: cn=Jerry Wickham, o=Alameda County Environmental  
Health, ou, email=jerry.wickham@acgov.org, c=US  
Date: 2013.05.01 08:57:04 -07'00'

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

Attachments: Notice of Responsibility  
Attachment A – Responsible Parties Data Sheet

cc: Michael Purchase, ARCTOS Environmental, 1332 Peralta Avenue, Berkeley, CA 94702 (*Sent via E-mail to: [mpurchase@orionenv.com](mailto:mpurchase@orionenv.com)*)

Donna Drogos, ACEH (*Sent via E-mail to: [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org)*)  
Jerry Wickham, ACEH (*Sent via E-mail to: [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org)*)

GeoTracker, eFile