

ALAMEDA COUNTY
HEALTH CARE SERVICES



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AGENCY

DAVID J. KEARS, Agency Director

Certified Mail #: 7006 3450 0000 0503 3862

August 21, 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:

**BP #11270
3255 MECARTNEY RD
Alameda, CA 94501**

**Local ID: RO0000511
Related ID: 1771
RWQCB ID: 01-1302
Global ID: T0600101198**

Responsible Party:

**TERRY L. GRAYSON
CONOCOPHILLIPS
76 BROADWAY STREET
SACRAMENTO CA 95818**

Date First Reported: 11/4/1992

**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 BP PRODUCTS NORTH AMERICA INC 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 KHATRI, PARESH, at this office at (510)777-2478 if you have questions regarding your site.


ARIU LEVI, Director
Contract Project Director

Date: 8/21/08

Action: Add
Reason: ADD RP

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

August 21, 2008

Site Name & Address:

BP #11270
3255 MECARTNEY RD
Alameda, CA 94501

Local ID: RO0000511

Related ID: 1771

RWQCB ID: 01-1302

Global ID: T0600101198

All Responsible Parties

RP has been named a Primary RP - PAUL SUPPLE
BP PRODUCTS NORTH AMERICA INC
PO BOX 1257 | SAN RAMON, CA 94583 | Phone (714) 670-5303

RP has been named a RP - TERRY L GRAYSON
CONOCOPHILLIPS
76 BROADWAY STREET | SACRAMENTO, CA 95818 | Phone (916) 558-7666

RP has been named a RP - PING LIU CHIEN
HARBOR BAY LANDING LLC
PO BOX 117610 | BURLINGAME, CA 94011-7610 | Phone No Phone Number Listed

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)

August 21, 2008

Responsible Party Identification

Existence of Unauthorized Release

In May 1990, two soil samples were collected following routine dispenser modifications. Soil sample analytical results detected total petroleum hydrocarbons as gasoline indicating that an unauthorized release(s) had occurred. Following soil sample activities, a Preliminary Site Investigation was conducted at the site. Soil and groundwater analytical results verified a previous release of gasoline fuel.

Responsible Party Identification

BP acquired site from Mobil in 1989 and TOSCO subsequently acquired the site from BP in 1994. BP operated the station from 1989 to 1994. BP is a responsible party because it owned the USTs (definition 1), operated the USTs for storage of hazardous substances (definition 2), and had control over the USTs at the time of or following an unauthorized release of a hazardous substance (definition 4).

TOSCO is a responsible Party because it had control over the USTs at the time of or following an unauthorized release of a hazardous substance (definition 4).

Harbor Bay Landing, LLC. (formerly known as Michael C. Chang etal) purchased the property in April 2001.

Harbor Bay Landing, LLC. is a responsible party because it owns the property where an unauthorized release of a hazardous substance occurred (definition 3).

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City, State, ZIP+4	
PS Form 3800, August 2006	
See Reverse for Instructions	

**Terry Grayson
ConocoPhillips
76 Broadway
Sacramento, CA 95818**

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

Certified Mail #: 7006 3450 0000 0503 3879

August 21, 2008

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
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NOTICE OF RESPONSIBILITY

Site Name & Address:

**BP #11270
3255 MECARTNEY RD
Alameda, CA 94501**

**Local ID: RO0000511
Related ID: 1771
RWQCB ID: 01-1302
Global ID: T0600101198**

Responsible Party:

**PING LIU CHIEN
HARBOR BAY LANDING LLC
PO BOX 117610
BURLINGAME CA 94011-7610**

Date First Reported: 11/4/1992

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AriU Levl, Director
Contract Project Director

Date: *8/21/08*

Action: Add
Reason: ADD RP

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

August 21, 2008

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CONOCOPHILLIPS
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ACEH has named the responsible parties for this site as detailed below.

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

August 21, 2008

Responsible Party Identification

Existence of Unauthorized Release

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Street, Apt. No., or PO Box No.	Harbor Bay Landing, LLC
City, State, ZIP+4	P O Box 117610
	Burlingame, CA 93950
PS Form 3800, August 2006	See Reverse for Instructions

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

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ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
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August 21, 2008

Paul Supple
Atlantic Richfield Company
(A BP Affiliated Company)
P.O. Box 1257
San Ramon, CA 94583

Subject: Fuel Leak Case No. RO0000511, BP #11270, 3255 Mecartney Road, Alameda, CA
94501 – Additional Responsible Party

Dear Mr. Supple:

In a Notice of Responsibility dated April 7, 1993, BP was notified that the above referenced site had been placed in the Local Oversight Program and that BP was named as a Responsible Party for the fuel leak case. Tosco Marketing (currently ConocoPhillips) acquired the station in 1994. Harbor Bay Landing, LLC. purchased the property in 2001 and have 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) 777-2478.

Sincerely,

Paresh C. Khatri
Hazardous Materials Specialist

Attachment A – Responsible Parties Data Sheet

cc: Donna Drogos, ACEH
Paresh Khatri, ACEH
File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

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