

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

ENVIRONMENTAL HEALTH SERVICES

ENVIRONMENTAL PROTECTION
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October 16, 2008

Terry L. Grayson
ConocoPhillips
76 Broadway
Sacramento, CA 95818

Subject: Fuel Leak Case No. RO0002967, Unocal #1028/ConocoPhillips, 5300 Broadway, Oakland, CA 94618; Remove Responsible Party and Add Responsible Parties

Dear Mr. Grayson:

In a Notice of Responsibility dated June 23, 2008, ConocoPhillips and Mr. And Mrs. Adamopoulos were notified that the above referenced site had been placed in the Local Oversight Program and that ConocoPhillips and Mr. And Mrs. Adamopoulos were named as a Responsible Parties for the fuel leak case. Mr. And Mrs. Adamopoulos have never owned this property and therefore have been removed from being named as Responsible Party. Ruth Bochnak purchased the property in August 1994 and has been named an additional Responsible Party for the fuel leak case as defined under 23 C.C.R Sec. 2720. Lafayette Investment Group purchased the property in August 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,

Barbara J. Jakub
Hazardous Materials Specialist

Attachment A – Responsible Parties Data Sheet

cc: Elias and Elaine Adamopoulos, 18 Southamton Place, Lafayette, CA 94549
Donna Drogos, ACEH
Barbara Jakub, ACEH
File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

October 16, 2008

Site Name & Address:

UNOCAL #1028 / CONOCOPHILLIPS #251028
5300 BROADWAY
OAKLAND, CA 94618

Local ID: RO0002967

Related ID: NA

RWQCB ID: NA

Global ID: T0619732490

All Responsible Parties

RP has been named a Primary RP - TERRY L GRAYSON
CONOCOPHILLIPS

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

RP has been named a Primary RP - ELIZABETH BOCHNAK

64 GLENWILD RD. | MADISON, NJ 07940-2436 | Phone No Phone Number Listed

RP has been named a Primary RP - MOHAMMAD AHMADI
LAFAYETTE INVESTMENT GROUP, LLC

587 YGNACIO VALLEY RD. | WALNUT CREEK, CA 94596 | 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)

October 16, 2008

Responsible Party Identification

RO 2967, 5300 Broadway, Oakland, CA 94618

Existence of Unauthorized Release

A baseline site assessment conducted in 2007 revealed maximum concentrations of 25,000 micrograms per liter (ug/L) total petroleum hydrocarbons as diesel (TPHd) in groundwater from boring ATC-2 located adjacent to the fuel underground storage tanks and 5,300 ug/L total petroleum hydrocarbons as gasoline (TPHg) in boring ATC-5 located adjacent to the fuel dispenser islands. The maximum TPHd concentration in soil [23 milligrams per kilogram (mg/Kg)] was detected in ATC-2 at a depth of five feet below ground surface (bgs) and the maximum TPHg concentration (5.2 mg/Kg) was detected in ATC-5 from 5 ft bgs.

Responsible Party Identification

Conoco Phillips operated and owned the underground storage tanks from May 7, 1998 to May 18, 2007. Conoco Phillips meets the definition of a responsible party for the site because they had control over an underground storage tank at the time or following an unauthorized release of a hazardous substance (Definition 4).

Ruth Bochnak purchased the property in August 1994 and was the property owner following an unauthorized petroleum hydrocarbon release(s). Ruth Bochnak meets the definition of a responsible party for the site because she owned the property where an unauthorized release occurred, (Definition 3).

Lafayette Investment Group purchased the property in August 2008 and was the property owner following an unauthorized petroleum hydrocarbon release(s). Lafayette Investment Group meets the definition of a responsible party for the site because she owned the property where an unauthorized release occurred, (Definition 3).