

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

Certified Mail #: 7002 2030 0006 9574 2485

October 13, 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:

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

Local ID: RO0002967
Related ID: NA
RWQCB ID: NA
Global ID: T0619732490

Responsible Party:

MOHAMMAD AHMADI
LAFAYETTE INVESTMENT GROUP, LLC
587 YGNACIO VALLEY RD.
WALNUT CREEK CA 94596

Date First Reported: 11/20/2007

Substance: 12034,8006619 Multiple Releases

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 CONOCOPHILLIPS 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 JAKUB, BARBARA, at this office at (510)639-1287 if you have questions regarding your site.


ARIU LEVI, Director
Contract Project Director

Date: 10/16/08

Action: Update
Reason: Remove and Add RP

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).

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Sent To

MOHAMMAD AHMADI
LAFAYETTE INVESTMENT GROUP
LLC
587 YGNACIO VALLEY ROAD
WALNUT CREEK, CA 94596

PS Form 3800, June 2002 See Reverse for Instructions

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Environmental Health Services

Environmental Protection

1131 Harbor Bay Parkway

Alameda, CA 94502-6577

Attn: Barbara, RO# 2967

RECEIVED
OCT 23 2008
ENVIRONMENTAL HEALTH SERVICES

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**MOHAMMAD AHMADI
LAFAYETTE INVESTMENT GROUP
LLC
587 YGNACIO VALLEY ROAD
WALNUT CREEK, CA 94596**

2. Article Number

(Transfer from service label)

7002 2030 0006 9574 2485

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Said Rahang*

Agent

Addressee

B. Received by (Printed Name)

SAID RAHANG

C. Date of Delivery

10/22/08

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

Certified Mail #: 7002 2030 0006 9574 2478

October 13, 2008

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Local ID: RO0002967
Related ID: NA
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Global ID: T0619732490

Responsible Party:

ELIZABETH BOCHNAK

64 GLENWILD RD.
MADISON NJ 07940-2436

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ARIU LEVI, Director
Contract Project Director

Date: 10/16/08

Action: Update
Reason: Remove and Add RP

Attachment A: Responsible Parties Data Sheet
cc: Jenniffer Jordan, SWRCB, D. Drogos, File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

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Sent To	ELIZABETH BOCHNAK
Street, Apt. No. or PO Box No	64 GLENWILD ROAD
City, State, Zi	MADISON, NJ 07940-2436
PS Form 3800, June 2002	
See Reverse for Instructions	