

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

Certified Mail #: 7006 3450 0000 0503 3732

July 17, 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 #2611128 / BP #11128
4707 FIRST ST
LIVERMORE, CA 94551**

**Local ID: RO0002970
Related ID: NA
RWQCB ID: NA
Global ID: T0619756184**

Responsible Party:

PYONG O AND GYEONG S JUNG

**4707 1ST STREET
LIVERMORE CA 94551-9293**

Date First Reported: 10/24/2007

**Substance: 12034 Diesel fuel oil and additives, Nos. 1-D, 2-D,
2-4**

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


ARIU LEVI, Director
Contract Project Director

Date: 7/18/08

Action: Add
Reason: Add RP

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

July 17, 2008

Site Name & Address:

UNOCAL #2611128 / BP #11128
4707 FIRST ST
LIVERMORE, CA 94551

Local ID: RO0002970

Related ID: NA

RWQCB ID: NA

Global ID: T0619756184

All Responsible Parties

RP has been named a Primary RP - BILL BORGH

CONOCOPHILLIPS

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

RP has been named a RP - PYONG O AND GYEONG S JUNG

4707 1ST STREET | LIVERMORE, CA 94551-9293 | 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)

July 17, 2008

Responsible Party Identification

Existence of Unauthorized Release

Soil and groundwater samples were collected at the site in August 2007 as part of a due diligence baseline site assessment. The site is an active service station with three fuel USTs and two dispenser islands. Petroleum hydrocarbons were detected in soil and groundwater samples collected in the area of the underground storage tanks (USTs) and dispenser islands. Total petroleum hydrocarbons as diesel was detected in soil and groundwater samples at concentrations up to 80 micrograms per kilogram and 6,300 micrograms per liter, respectively. 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

ConocoPhillips Company, or a predecessor to or holding company for ConocoPhillips Company, owned and operated the tanks and owned the property until February 5, 2008. ConocoPhillips Company is the primary responsible party because they owned and operated a UST that had an unauthorized release (Definition 1), were the property owner 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).

Pyung O. and Gyeong S. Jung purchased the property on February 5, 2008. Pyung O. and Gyeong S. Jung are responsible parties because they are the current owners of a property where an unauthorized release from a UST has occurred (Definition 3).