

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

Certified Mail #: 7002 2030 0006 9574 1976

June 29, 2010

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:**

**SHELL #16-5112  
4895 HACIENDA DR  
DUBLIN, CA 94568**

**Local ID: RO0002985  
Related ID: NA  
RWQCB ID: NA  
Global ID: T1000000423**

**Responsible Party:**

**CARL COX  
CJC HACIENDA LLC  
4431 STONERIDGE DRIVE #100  
PLEASANTON CA 94588-8412**

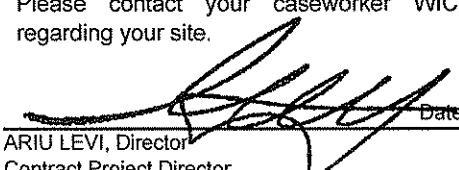
**Date First Reported: 9/30/2008  
Substance: 8006619 Gasoline-Automotive (motor gasoline  
and additives), leaded & unleaded  
Funding for Oversight: LOPS - LOP State Fund  
Multiple RPs?: Yes**

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 SHELL OIL PRODUCTS US 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.

  
Date: 6/30/2010  
ARIU LEVI, Director  
Contract Project Director

Action: Add  
Reason: ADD RP

ALAMEDA COUNTY ENVIRONMENTAL HEALTH  
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

June 29, 2010

Site Name & Address:

**SHELL #16-5112**  
**4895 HACIENDA DR**  
**DUBLIN, CA 94568**

Local ID: RO0002985  
Related ID: NA  
RWQCB ID: NA  
Global ID: T10000000423

**All Responsible Parties**

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**RP has been named a Primary RP - DENIS BROWN**  
**SHELL OIL PRODUCTS US**  
20945 S WILMINGTON AVE | CARSON, CA 90810-1039 | Phone (707) 865-0251

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**RP has been named a RP - CARL COX**  
**CJC HACIENDA LLC**  
4431 STONERIDGE DRIVE #100 | PLEASANTON, CA 94588-8412 | Phone No Phone Number Listed

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**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)

June 29, 2010

### **Responsible Party Identification**

#### Existence of Unauthorized Release

During a Phase II Environmental Site Assessment in August 2008, fuel hydrocarbons were detected in soil and groundwater samples collected from soil borings. Based on the detections of fuel hydrocarbons, an Underground Storage Tank Unauthorized Release Report was submitted on September 24, 2008.

#### Responsible Party Identification

Shell Oil Products is a responsible party for the fuel leak because they were the business owner, tank owner, and tank operator at the time of the unauthorized release (Definition 1) and had control of the UST at the time of or following an unauthorized release (Definition 4).

CJC Hacienda LLC purchased the property in December 2008. CJC Hacienda LLC is a responsible party because they are the current owner of the property where an unauthorized release occurred (Definition 3).