

**ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY**

ALEX BRISCOE, Agency Director



ENVIRONMENTAL HEALTH DEPARTMENT
OFFICE OF THE DIRECTOR
1131 HARBOR BAY PARKWAY
ALAMEDA, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

Certified Mail #: 7002 2030 0006 9574 2034

March 22, 2011

NOTICE OF RESPONSIBILITY

Site Name & Address:

**GENO COUNTRY STORE
1000 N VASCO RD
LIVERMORE, CA 94551**

**Local ID: RO0003073
Related ID: NA
RWQCB ID: NA
Global ID: T10000002919**

Responsible Party:

**EUGENE AND SHIRLEY MACEDO
EUGENE AND SHIRLEY MACEDO TRUST
2995 TAYLOR WAY
BYRON CA 94514**

**Date First Reported: 3/17/2011
Substance: 12032, 12034 Multiple Releases
Funding for Oversight: LOPF - LOP Federal Fund
Multiple RPs?: No**

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 EUGENE AND SHIRLEY MACEDO TRUST 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

Please contact your caseworker, at this office at if you have questions regarding your site.



ARIU LEVI, Director
Contract Project Director

Date: 3/25/2011

Action: Add
Reason: NEW CASE

Attachment A: Responsible Parties Data Sheet

cc: Jenniffer Jorden, SWRCB, D. Drogos (Sent via electronic mail to donna.drogos@acgov.org), File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

March 22, 2011

Site Name & Address:

**GENO COUNTRY STORE
1000 N VASCO RD
LIVERMORE, CA 94551**

**Local ID: RO0003073
Related ID: NA
RWQCB ID: NA
Global ID: T10000002919**

All Responsible Parties

**RP has been named a Primary RP - EUGENE AND SHIRLEY MACEDO
EUGENE AND SHIRLEY MACEDO TRUST
2995 TAYLOR WAY | BYRON, CA 94514 | 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)

March 22, 2011

Responsible Party Identification

Existence of Unauthorized Release

On January 21, 2011, three underground storage tanks (USTs) were removed from the site. Petroleum hydrocarbons as diesel were detected in soil samples collected below the product lines at concentrations up to 3,200 milligrams per kilogram (mg/kg). TPH as diesel and benzene were detected in a groundwater sample collected from the diesel tank pit at concentrations of 540,000 and 190 micrograms per liter, respectively. The detections of fuel hydrocarbons in the areas of the former USTs and product lines are indicative of an unauthorized release from the UST system.

Responsible Party Identification

The Eugene and Shirley Macedo Trust is the current owner of the property and has owned the property since at least 1995. The Eugene and Shirley Macedo Trust is a responsible party because they owned and operated the USTs immediately before the discontinuation of their use (Definition 2), are 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).