

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 #: 7011 3500 0003 1848 1134

August 15, 2013

NOTICE OF RESPONSIBILITY

Site Name & Address:

**COLLEGE AVENUE SHELL
6039 COLLEGE AVE
Oakland, CA 94618**

**Local ID: RO0003123
Related ID: NA
RWQCB ID: NA
Global ID: T10000005056**

Responsible Party:

**PERRY PINEDA
SHELL OIL PRODUCTS
20945 SOUTH WILMINGTON AVENUE
CARSON CA 90810--**

Date First Reported: 1/29/2013

**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 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.

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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: 8/16/13

ARIU LEVI, Director
Contract Project Director

Action: Add
Reason: NEW CASE

Attachment A: Responsible Parties Data Sheet

cc: Sally Meza, SWRCB (email: smeza@waterboards.ca.gov) | Donna Drogos (email: donna.drogos@acgov.org), File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

August 14, 2013

Site Name & Address:

**COLLEGE AVENUE SHELL
6039 COLLEGE AVE
Oakland, CA 94618**

Local ID: NA

Related ID: NA

RWQCB ID: NA

Global ID:

All Responsible Parties

RP has been named a Primary RP - JIM GRAHAM

MONTROSE INVESTMENT

242 RIVERA CIRCLE GREENBRIAR MARINE | LARKSPUR, CA 94939-- | Phone No Phone Number Listed

RP has been named a Primary RP - PERRY PINEDA

SHELL OIL PRODUCTS

20945 SOUTH WILMINGTON AVENUE | CARSON, CA 90810-- | Phone (425) 413-1164

RP has been named a Primary RP - JOAN J BRUZZONE

BRUZZONE INC

899 HOPE LN | LAFAYETTE, CA 94549 | Phone No Phone Number Listed

RP has been named a Primary RP - MIKE AHMADI

PETROMART RETAIL GROUP INC

587 YGNACIO VALLEY ROAD | 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)

August 14, 2013

Responsible Party Identification

Existence of Unauthorized Release

During the removal of three underground storage tanks (USTs) on January 29, 2013, holes were observed in one of the three USTs. A large hole caused by accidental damage during removal was observed in the end of one tank and two holes which were not a result of damage were observed in the other end of the tank. Obvious corrosion, odor, and soil discoloration were also observed in the in the area of the tank with holes. Soil samples collected from the tank excavation had up to 1,700 parts per million (ppm) of total petroleum hydrocarbons as gasoline (TPHg), 15 ppm of ethylbenzene, and 17 ppm of naphthalene. Based on these results from the UST removals, an unauthorized release or releases occurred from the UST system.

Responsible Party Identification

Shell Oil Products is a responsible party for the fuel leak because they were the former business owner, tank owner, and tank operator (Definition 1), was the former property owner (Definition 3), and had control of the UST at the time of or following an unauthorized release (Definition 4).

Montrose Investment, Inc. is a responsible party because they are the current owner of one parcel within the property where an unauthorized release occurred (Definition 3).

Russell J. Bruzzone, Inc. is a responsible party because they are the current owner of one parcel within the property where an unauthorized release occurred (Definition 3).

Petromart Retail Group is a responsible party because they are the current business owner, tank owner, and tank operator (Definition 1) and had control of the UST at the time of or following an unauthorized release (Definition 4).



Certified Mail #: 7011 3500 0003 1848 1141

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**Local ID: RO0003123
Related ID: NA
RWQCB ID: NA
Global ID: T10000005056**

Responsible Party:

**JOAN J. BRUZZONE
BRUZZONE INC
899 HOPE LN
LAFAYETTE CA 94549**

Date First Reported: 1/29/2013

**Substance: 8006619 Gasoline-Automotive (motor gasoline
and additives), leaded & unleaded**

Funding for Oversight: LOPS - LOP State Fund

Multiple RPs?: Yes

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ARIU LEVI, Director
Contract Project Director

Date: 8/14/13

Action: Add
Reason: NEW CASE

Attachment A: Responsible Parties Data Sheet

cc: Sally Meza, SWRCB (email: smeza@waterboards.ca.gov) | Donna Drogos (email: donna.drogos@acgov.org), File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

August 14, 2013

Site Name & Address:

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6039 COLLEGE AVE
Oakland, CA 94618

Local ID: NA

Related ID: NA

RWQCB ID: NA

Global ID:

All Responsible Parties

RP has been named a Primary RP - JIM GRAHAM
MONTROSE INVESTMENT
242 RIVERA CIRCLE GREENBRIAR MARINE | LARKSPUR, CA 94939-- | Phone No Phone Number Listed

RP has been named a Primary RP - PERRY PINEDA
SHELL OIL PRODUCTS
20945 SOUTH WILMINGTON AVENUE | CARSON, CA 90810-- | Phone (425) 413-1164

RP has been named a Primary RP - JOAN J BRUZZONE
BRUZZONE INC
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RP has been named a Primary RP - MIKE AHMADI
PETROMART RETAIL GROUP INC
587 YGNACIO VALLEY ROAD | WALNUT CREEK, CA 94596-- | Phone No Phone Number Listed

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ACEH has named the responsible parties for this site as detailed below.

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

August 14, 2013

Responsible Party Identification

Existence of Unauthorized Release

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RWQCB ID: NA
Global ID: T10000005056

Responsible Party:

JIM GRAHAM
MONTROSE INVESTMENT
242 RIVERA CIRCLE GREENBRIAR
MARINE
LARKSPUR CA 94939--

Date First Reported: 1/29/2013

Substance: 8006619 Gasoline-Automotive (motor gasoline and additives), leaded & unleaded

Funding for Oversight: LOPS - LOP State Fund

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ARIU LEVI, Director
Contract Project Director

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Reason: NEW CASE

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ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

August 14, 2013

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August 14, 2013

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Global ID: T10000005056**

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**MIKE AHMADI
PETROMART RETAIL GROUP INC
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