

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

REBECCA GEBHART, Interim Director

DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP) FOR
HAZARDOUS MATERIALS RELEASES
1131 HARBOR BAY PARKWAY, SUITE 250
ALAMEDA, CA 94502
(510) 567-6700
FAX (510) 337-9335

April 4, 2017

Chevron Environmental Management Company
6101 Bollinger Canyon Road, C2102
San Ramon, California 94583
Attn.: Environmental Compliance Officer

Kim and Toan Nguyen

~~4100 Mera Street~~

~~Oakland, CA 94601-4246~~

*5425 MARTIN LUTHER KING JR.
WAY*

OAKLAND, CA 94609

Antony Little
Address unknown

Subject: LOP Case No. RO0003224 and Geotracker Global ID T10000009600, 5815 Market St., 5815 Market Street, Oakland, CA 94608

Dear Responsible Parties:

In a Notice of Responsibility dated November 15, 2016, Antony Little and Kim and Toan Nguyen were notified that the above referenced site had been placed in the Local Oversight Program and were named as Responsible Parties for the fuel leak case. Chevron Corporation, doing business as Chevron Environmental Management Company, has been named as an additional Responsible Party for the fuel leak case as defined under 23 C.C.R Sec. 2720. Please see Attachment A – Responsible Parties Data Sheet, which identifies all Responsible Parties and provides background on the unauthorized release and Responsible Party Identification.

If you have any questions, please call me at (510) 567-6764 or send me an electronic mail message at keith.nowell@acgov.org.

Sincerely,



Digitally signed by Keith Nowell
DN: cn=Keith Nowell, o=Alameda County, ou=Department of
Environmental Health, email=keith.nowell@acgov.org, c=US
Date: 2017.04.03 12:50:46 -0700

Keith Nowell, PG, CHG
Hazardous Materials Specialist

Attachment A – Responsible Parties Data Sheet

cc: Mark Watrous-Heyliger, Graphics, Arts & Presentations, PO Box 640081, San Francisco, CA 94164-0081 (sent via electronic mail to mlwh.gap@gmail.com)

Dilan Roe, ACDEH, (sent via electronic mail to dilan.roe@acgov.org)

Paresh Khatri, ACDEH (sent via electronic mail to paresh.khatri@acgov.org)

Keith Nowell, ACDEH, (sent via electronic mail keith.nowell@acgov.org)

Geotracker, Electronic File



AGENCY

REBECCA GEBHART, Interim Director

Certified Mail #: 7011 3500 0003 1934 7613

April 4, 2017

NOTICE OF RESPONSIBILITY

Site Name & Address:

5815 MARKET ST
5815 MARKET STREET
OAKLAND, CA 94608

Local ID: RO0003224
Related ID: NA
RWQCB ID: NA
Global ID: T10000009600

Responsible Party:

**CHEVRON CORPORATION
DBA CHEVRON ENVIRONMENTAL MANAGEMENT
COMPANY
6101 BOLLINGER CANYON ROAD
SAN RAMON, CA 94583**

Date First Reported: 1/27/2006
Substance: • 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 **CHEVRON ENVIRONMENTAL MANAGEMENT COMPANY** as the primary or active Responsible Parties. 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) 341-5752.

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 KEITH NOWELL at this office at (510) 567-6764 if you have questions regarding your site.

Date: 04-03-2017

RONALD BROWDER, Director
Contract Project Director

Action: ADD
Reason: ADD

Attachment A: Responsible Parties Data Sheet

cc: Cindy Davis, SWRCB (email: cindy.davis@waterboards.ca.gov) | Dilan Roe (email: dilan.roe@acgov.org), File

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

April 4, 2017

Site Name & Address:
5815 MARKET ST
5815 MARKET STREET
OAKLAND, CA 94608

Local ID: RO0003224
Related ID: NA
RWQCB ID: NA
Global ID: T10000009600

All Responsible Parties

RP has been named a Primary RP - CHEVRON ENVIRONMENTAL MANAGEMENT COMPANY

6101 BOLLINGER CANYON ROAD | SAN RAMON, CA 94583 | No Phone Number Listed

RP has been named a Primary RP - KIM AND TOAN NGUYEN

~~4100 MERA ST. | OAKLAND, CA 94601-4246 | No Phone Number Listed~~ *LATEST ADDRESS → 5425 MARTIN LUTHER KING JR. WAY
OAKLAND, CA 94609
510-655-0803*

RP has been named a Primary RP - ANTONY LITTLE

ADDRESS UNKNOWN | No Phone Number Listed

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

April 4, 2017

Responsible Party Identification Background

Alameda County Department of Environmental Health (ACDEH) 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."
-

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET (Continued)

April 4, 2017

Existence of Unauthorized Release

The site is reported to have been occupied by a retail gasoline service station in operation between 1954 until about 1976. Facility operation included that of a Texaco-branded station. In January, 2006 four soil bores were advanced for the recovery of soil and grab-groundwater (GGW) samples. Laboratory analysis of soil samples were reported to include up to 320 milligrams per kilogram (mg/Kg) total petroleum hydrocarbons as gasoline (TPH-g), 1.6 mg/kg benzene, and 3.6 mg/kg ethyl benzene. Laboratory analysis of GGW samples were reported to include up to 7,400 micrograms per liter (ug/L) TPH-g, 370 ug/L benzene, and 250 ug/L ethyl benzene with methyl tertiary butyl ether (MTBE) and naphthalene concentrations reported to 14 ug/L and 230 ug/L, respectively. Additionally, light non-aqueous phase petroleum hydrocarbons (LNAPL) were observed in one soil bore. These concentrations and observations indicate an unauthorized release has occurred from the underground storage tank system at this site.

Responsible Party Identification

Antony Little acquired the property in February 2004 and was the property owner at the time the release was discovered. Antony Little meets the definition of a responsible party for the site because he owned the property where an unauthorized release occurred (Definition 3).

Kim and Toan Nguyen acquired title of the property in March 2007. Kim and Toan Nguyen meet the definition of a responsible party for the site because they own the property where an unauthorized release occurred (Definition 3).

Texaco was the station owner and operator. Texaco was acquired by Chevron Corporation in 2001. Chevron Corporation, doing business as Chevron Environmental Management Company, meets the definition of a responsible party for the site because it owned or operated an underground storage tank used for the storage of any hazardous substance (Definition 1).