



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

January 21, 2014

Bruce Miller
P.O. Box 11165
Oakland, CA 94611

Subject: Request for Access Agreement for Fuel Leak Case RO0000026 and GeoTracker Global ID T0600101270, Shell#13-5699, 5755 Broadway, Oakland, CA 94618

Dear Mr. Miller:

Under the direction of this office, Shell Oil Products US is conducting an environmental investigation for a property located at 5755 Broadway in Oakland. A fuel leak from a gasoline service station at 5755 Broadway has resulted in soil, soil vapor, and groundwater contamination in the area of the site. Petroleum hydrocarbons were detected in two soil vapor samples collected along the property boundary between the service station and the apartment building at 5606 Taft Avenue. Further investigation is required to assess whether the soil vapor contamination extends beneath the apartment building at 5606 Taft Avenue.

Alameda County Environmental Health (ACEH) is requiring Shell Oil Products US to complete an assessment of the soil vapor contamination. In order to do this, soil vapor sampling has been proposed in the walkway of the apartment building at 5606 Taft Avenue. We understand that Conestoga-Rovers & Associates (on behalf of Shell Oil Products US) sent you a Request for Access dated June 19, 2013 (attached). We understand that you have not allowed access.

We request that you allow access in order to define and assess the extent of contamination. It is important to complete the investigation as part of the current fuel leak case. By not allowing the investigation to be completed under the current fuel leak case, you may be retaining some future liability for any contamination that may exist beneath your property.

ACEH requests you complete negotiations with Conestoga-Rovers & Associates, on behalf of Shell Oil Products US, by February 21, 2014. This request is made pursuant to Water Code Section 13267, which allows ACEH to require technical reports from persons whose activities may have an impact on water quality.

If you have any questions, please call me at 510-567-6791 or send me an electronic mail message at jerry.wickham@acgov.org. Online case files can be viewed over the Internet on the Alameda County Environmental Health website (<http://www.acgov.org/aceh/lop/ust.htm>) or the State of California Water Resources Control Board GeoTracker website (<http://geotracker.swrcb.ca.gov>).

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Mary Williams, Trustee
RO0000026
January 21, 2014
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Attachment: Request for Access to Property Located at 5606 Taft Avenue dated June 19, 2013

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 2032 (*Sent via E-mail to: lgriffin@oaklandnet.com*)

Peter Schaefer, Conestoga-Rovers & Associates, 5900 Hollis Street, Suite A
Emeryville, CA 94608 (*Sent via E-mail to: pschaefer@croworld.com*)

Perry Pineda, Shell Oil Products US, 20945 S. Wilmington Ave., Carson, CA 90810-1039 (*Sent via E-mail to: perry.pineda@shell.com*)

Raymond Fredricksen, Orkin Inc. dba Thrifty Oil Company, P.O. Box 2128, Santa Fe Springs, CA 90670

Jerry Wickham, ACEH (*Sent via E-mail to: jerry.wickham@acgov.org*)

GeoTracker, e-File

June 19, 2013

Bruce Miller
P.O. Box 11165
Oakland, California 94611

I will have to refuse this request. Your two wells will greatly hamper the tenants only entrance to and from the building. I could be held liable for any injuries; the insurance company

Re: Request for Access to Property Located at
5606 Taft Avenue, Oakland, California

Dear Mr. Miller:

may not accept responsibility and who knows how the fire dept would react. Sorry I can't help you on this. Bruce G Miller

As a result of an ongoing environmental assessment at the Shell-branded service station located at 5755 Broadway, Oakland, Shell Oil Products US ("SOP US") has been advised that there may be hydrocarbons (gasoline, oil, etc.) in or about your property located at 5606 Taft Avenue, Oakland, in the vicinity of the service station. Therefore, on behalf of SOP US we request permission to enter your property and perform the work outlined below to determine if hydrocarbons originating from the Shell service station are present and remediate such hydrocarbons as may be required by applicable law.

The work to be performed may include the installation of monitoring well(s) and periodic monitoring of such wells, tests, inspections, borings, engineering studies, surveys, appraisals, environmental studies, remediation operations and/or other activities that SOP US deems necessary to comply with all applicable federal, state and local statutes, regulations, ordinances, directives, orders and standards governing underground storage tank systems and the assessment or remediation of petroleum hydrocarbons. Any monitoring wells we install will be capped at grade level. The proposed locations for the wells are indicated on the attached site map.

A licensed contractor retained by SOP US will perform the above work. This work is being performed on behalf of SOP US to comply with the environmental requirements of the State of California.

The work may result in minor disruptions of the normal use of your property. The property will be restored to its approximate former condition as soon as possible after we have ascertained if hydrocarbons from the Shell service station are present and, to the extent required, such hydrocarbons have been remediated. SOP US agrees to indemnify you from any and all claims by third parties arising out of the work performed by SOP US under this agreement.

Please sign below to signify your consent and return this letter with the attachments in the enclosed stamped envelope.