

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**  
AGENCY  
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-93

September 10, 2009

Ms. Cate Boskoff, Facilities Counsel  
Oakland Unified School District  
1025 Second Avenue, 4<sup>th</sup> Floor  
Oakland, CA 94606

Subject: Fuel Leak Case RO0000145 and Geotracker Global ID T0600101876; Property at 2703 Martin Luther King, Jr. Way, Oakland, – Request for Access Agreement for Off-Site Investigation

Dear Ms. Boskoff:

Under the direction of this office, Shell Oil Products US is conducting an environmental investigation for a property located at 2703 Martin Luther King, Jr. Way in Oakland. In June 2007, Conestoga-Rovers & Associates, on behalf of Shell Oil Products US, completed an access agreement with the Oakland Unified School District (OUSD) to advance one soil boring in the corner of Marcus Foster Elementary School. Fuel hydrocarbons were detected in groundwater in the soil boring advanced at Marcus Foster Elementary School in June 2007. Alameda County Environmental Health (ACEH) requested additional investigation since the extent of the groundwater contamination was undefined based on the results to date. In November 2007, Shell Oil Products US proposed three monitoring wells and one soil vapor probe on the Marcus Foster Elementary School property to further characterize the extent of contamination from their site. In December 2007, Conestoga-Rovers & Associates, on behalf of Shell Oil Products US initiated efforts to obtain an access agreement for the additional proposed investigation on the Marcy Foster Elementary School property. We understand that various communications regarding the access agreement have taken place since June 2008 between representatives of OUSD and CRA but that no access agreement has been completed. It is imperative that the access agreement be resolved promptly and reasonably in order to define the extent of contamination and prevent future contaminant migration.

ACEH requests you complete the access agreement with Conestoga-Rovers & Associates and Shell Oil Products US by October 27, 2009 that (i) enables Shell Oil Products US and their consultants, Conestoga-Rovers & Associates, to perform the necessary work and (ii) is signed by all relevant parties. 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](mailto:jerry.wickham@acgov.org).

Sincerely,

A handwritten signature in black ink that reads "Jerry Wickham".

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