



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
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July 21, 2015

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

Rodney and Janet Kwan
1834 Alameda Ave.
Alameda, CA 94501

Subject: Case File Review for Fuel Leak Case No. RO0000145 and GeoTracker Global ID T0600101876, Shell/Auto Tech West, 2703 Martin Luther King, Jr. Way, Oakland, CA 94612

Dear Mr. Pineda and Mr. and Ms. Kwan:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the document entitled, "*Subsurface Investigation Report*," dated June 5, 2015 (Report). The Report, which was prepared on Shell's behalf by Conestoga-Rovers & Associates, Inc., presents results from on-site and off-site soil, soil vapor, and groundwater sampling. The scope of work, which was proposed in a work plan dated July 19, 2012, was conditionally approved by ACEH on August 15, 2012. Subsequent to work plan approval, the work was substantially delayed by repeated attempts to obtain access to off-site properties. One groundwater monitoring well and two soil vapor probes proposed in the July 19, 2012 work plan were not installed because property owners would not allow access. On-site soil vapor probes VP-2 at 3 and 5 feet bgs and VP-3 at 3 feet bgs could not be sampled due to water in the probes.

On-site soil vapor samples contained up to 800,000,000 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) TPHg and 690,000 $\mu\text{g}/\text{m}^3$ benzene. Off-site soil vapor samples contained up to 320,000 $\mu\text{g}/\text{m}^3$ TPHg and 770 $\mu\text{g}/\text{m}^3$ benzene. These maximum concentrations exceed Environmental Screening Levels (San Francisco Bay Regional Water Quality Control Board December 20134) for both residential and commercial land use. The concentrations of TPHg and benzene detected in off-site soil vapor sample VP-13-3 are higher than the concentrations detected in nearby soil vapor sample VP-12-2 and previously detected at nearby probe VP-7. Further assessment of the potential for vapor intrusion is required. We request that you implement an additional sampling event to evaluate these initial detections. Soil vapor samples are to be collected using approved methods from soil vapor probes VP-3, VP-7, VP-12, VP-13, and VP-14. Sampling of vapor probes VP-2 and VP-3 where samples could not be collected due to water in the probes is to be attempted.

Please present an assessment of the results of the soil vapor sampling in a report no later than October 13, 2015. We have no objection to updating the site conceptual model (SCM) as recommended in the "*Subsurface Investigation Report*," dated June 5, 2015. The SCM should incorporate the additional soil vapor sampling results and should include the history of remedial actions for the site. Excavation in the area of hydrocarbon-impacted soil followed by biosparging was the remedial alternative selected for this site in 2008. A public comment period on the proposed remedial action took place from September 15, 2008 to October 15, 2008. No

comments were received and the proposed remedial action was approved for implementation. However, implementation of this remedial action was delayed during assessment and a remedial action for shallow soil containing elevated concentrations of lead and PAHs in the northern portion of the site. Implementation of excavation and biosparging was further delayed while waiting for access issues to be resolved and off-site investigations to be completed. Since the remedial action for the primary source of petroleum hydrocarbons has not been implemented, the on-site source remains in place and appears to be contributing to a groundwater plume that extends off-site. Please include recommendations for implementing the approved remedial action in the October 13, 2015 report requested below.

TECHNICAL REPORT REQUEST

Please upload technical reports to ACEH ftp site (Attention: Jerry Wickham), and to the State Water Resources Control Board's GeoTracker website, in accordance with the specified naming convention below, according to the following schedule:

- **August 14, 2015** – Second Quarter 2015 Groundwater Monitoring Report
File to be named: GWM_R_yyyy-mm-dd_RO145
- **October 13, 2015** – Soil Vapor Assessment Report
File to be named: SWI_R_yyyy-mm-dd
- **February 14, 2016** – Fourth Quarter 2015 Groundwater Monitoring Report
File to be named: GWM_R_yyyy-mm-dd_RO145

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org. Case files can be reviewed online at the following website: <http://www.acgov.org/aceh/index.htm>. If your email address does not appear on the cover page of this notification ACEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

Sincerely,

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

Attachment: Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

Responsible Parties
RO0000145
July 21, 2015
Page 3

cc: Scott Merillat, 664 27th Street, Oakland, CA 94612 (Parcel #9-691-7)
Jack Chang, 559 9th Avenue, San Francisco, CA 94118-3716
Frank Bailey, 672 27th Street, Oakland, CA 94612 (Parcel #9-691-10)
Rafael Catapang, 668 27th Street, Oakland, CA 94612 (Parcel #9-691-8)
Monique Oatis, 670 27th Street, Oakland, CA 94612 (Parcel #9-691-9)
Wilfrid Kintonouza, 721 31st Street, Oakland, CA 94598 (Parcel #9-691-1-1)
Solomon Tesfa, 484 Lake Park Avenue #288, Oakland, CA 94610 (Parcel #9-691-2)
Novella Carpenter, 6645 28th Street, Oakland, CA 94609 (Parcel #9-691-1-2)
Teresa Miller, 673 28th Street, Oakland, CA 94609 (Parcel #9-691-42)
Thanh and Pham Phung, 2535 East 24th Street, Oakland, CA 94601 (Parcel #9-691-43)
Resident, 663 28th Street, Oakland, CA 94609 (Parcel #9-691-1)
Resident, 669 28th Street, Oakland, CA 94609 (Parcel #9-691-43)
Peter Schaefer, Conestoga-Rovers & Associates, 5900 Hollis Street, Suite A
Emeryville, CA 94608 (Sent via E-mail to: pschaefer@croworld.com)
Jerry Wickham, ACEH (Sent via E-mail to: jerry.wickham@acgov.org)
GeoTracker, eFile

Attachment 1

Responsible Party(ies) Legal Requirements / Obligations

REPORT REQUESTS

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of reports in electronic form. The electronic copy replaces paper copies and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) GeoTracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the GeoTracker database over the Internet. Beginning July 1, 2005, these same reporting requirements were added to Spills, Leaks, Investigations, and Cleanup (SLIC) sites. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites is required in GeoTracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/).

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	REVISION DATE: May 15, 2014
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities.

REQUIREMENTS

- **Please do not submit reports as attachments to electronic mail.**
- Entire report including cover letter must be submitted to the ftp site as **a single portable document format (PDF) with no password protection.**
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- **Signature pages and perjury statements must be included and have either original or electronic signature.**
- **Do not password protect the document.** Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:

RO#_Report Name_Year-Month-Date (e.g., RO#5555_WorkPlan_2005-06-14)

Submission Instructions

- 1) Obtain User Name and Password
 - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
 - i) Send an e-mail to deh.loptoxic@acgov.org
 - b) In the subject line of your request, be sure to include "**ftp PASSWORD REQUEST**" and in the body of your request, include the **Contact Information, Site Addresses**, and the **Case Numbers (RO# available in Geotracker) you will be posting for.**
- 2) Upload Files to the ftp Site
 - a) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
 - (i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) Click on Page located on the Command bar on upper right side of window, and then scroll down to Open FTP Site in Windows Explorer.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
 - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
 - a) Send email to deh.loptoxic@acgov.org notify us that you have placed a report on our ftp site.
 - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name @acgov.org. (e.g., firstname.lastname@acgov.org)
 - c) The subject line of the e-mail must start with the RO# followed by **Report Upload**. (e.g., Subject: RO1234 Report Upload) If site is a new case without an RO#, use the street address instead.
 - d) If your document meets the above requirements and you follow the submission instructions, you will receive a notification by email indicating that your document was successfully uploaded to the ftp site.