

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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September 21, 2007

Mr. Denis Brown
Shell Oil Products US
20945 S. Wilmington Ave.
Carson, CA 90810-1039

Subject: Fuel Leak Case No. RO0000173 and Geotracker Global ID T0600101805, Shell#13-5675, 2120 Montana Avenue, Oakland, CA 94602

Dear Mr. Brown:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the recently submitted report entitled, "Groundwater Monitoring Report – Second Quarter 2007," dated August 10, 2007. The report was prepared on Shell's behalf by Conestoga-Rovers & Associates. Based on diminishing removal rates from the groundwater extraction system and decreasing concentrations of dissolved hydrocarbons in wells EW-1, EW-2, TBW-N, and MW-2, the report recommends shutting down the groundwater extraction system and monitoring site wells for rebound. We concur with the recommendation to discontinue groundwater extraction and sample existing wells for rebound of dissolved concentrations.

We request that you address the technical comments below, perform the proposed work, and send us the reports described below.

TECHNICAL COMMENTS

1. **Groundwater Monitoring.** To assist with monitoring rebound, wells TBW-N, MW-1, and MW-4 are to be sampled monthly for a minimum period of three months with the results reported quarterly. Quarterly groundwater monitoring is to continue on the existing schedule for the remaining wells currently included in the monitoring program. Please present the results in the monitoring reports requested below.
2. **Soil Vapor Sampling.** We request that you continue negotiation to perform the proposed soil vapor sampling at 2110 Montana Street. Please present the results from off-site soil vapor sampling within 75 days of completing the access agreement. Please present the results from re-sampling of the on-site vapor probes no later than November 30, 2007.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **November 30, 2007** - Results from Re-sampling of On-site Soil Vapor Probes
- **75 days following Execution of Access Agreement** – Soil Vapor Investigation Report
- **60 days following end of each quarter** - Quarterly Monitoring Report

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

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. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

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. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for 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 monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

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

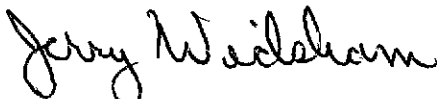
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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.

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Ana Friel
Conestoga-Rovers & Associates
19449 Riverside Drive, Suite 230
Sonoma, CA 95476

Donna Drogos, ACEH
Jerry Wickham, ACEH
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