



May 7, 2018

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

Equilon Enterprises, LLC
Attn: Andrea Wing
20945 S. Wilmington Ave
Carson, CA 90810-1039

AU Energy, LLC.
Attn: Nick Goyal
41805 Albrae Street 2nd Floor
Fremont, CA 94538

Subject: Case Closure Public Notification, List of Landowners Form, Investigation Derived
Waste Removal for Fuel Leak Case RO0000254 – Shell #13-5266, Geotracker Global
ID T0600101231, 1800 Powell Street, Emeryville, CA 94608

Dear Responsible Parties:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the above-referenced fuel leak case file for proposed case closure pursuant to California Health and Safety Code (H&SC) Section 25296.10 and the State Water Board's Low-Threat Underground Storage Tank Case Closure Policy (LTCP). Based on our review, ACDEH has determined that the site appears to qualify for case closure and therefore, no further action related to the underground storage tank fuel release is required at this time. ACDEH has sent out the enclosed public participation fact sheet (**Attachment 1**), which describes the site and the proposed case closure. Public comments on the proposed case closure will be accepted for a period of sixty (60) days beginning **May 7, 2018** through **July 6, 2018**. ACDEH will send you written notification if any comments are received. ACDEH will consider all comments from the public prior to potential case closure and will respond to all comments prior to issuance of the Remedial Action Completion Certificate (RACC).

Prior to case closure you must complete the following actions:

1. Notify all current record owners of fee title to the site in accordance with H&SC 25297.15;
2. Remove all waste piles, drums, debris and other investigation or remediation derived material in accordance with State laws.

Therefore at this juncture, ACDEH requests that you address the following comments, perform the proposed work, and submit the documents requested below by the associated compliance dates. Upon completion of the public comment period and receipt of the requisite documents, ACDEH will close the case and issue a Remedial Action Completion Certificate (RACC).

COMMENTS

1. **Landowner Notification Form** – Pursuant to H&SC Section 25297.15, ACDEH shall not consider cleanup or site closure proposals from the primary or active responsible party, issue a closure letter, or make a determination that no further action is required with respect to a site upon which there was an unauthorized release of hazardous substances from an underground storage tank subject to H&SC Chapter 6.7 unless the primary or active responsible party has notified all current record owners of fee title to the site of the proposed action.

To satisfy this requirement, please complete the List of Landowners Form in **Attachment 2** and mail or e-mail it back to ACDEH by the compliance date listed below.

- **Submittal of Landowner Notification Form – May 17, 2018**

2. **Waste Removal** – All investigation and remediation derived materials must be removed from the site and properly disposed of at an appropriate designated facility in accordance with applicable State laws.

To satisfy this requirement, please complete waste removal activities by the compliance date listed below.

- **Waste Removal – July 6, 2018**

NOTIFICATION OF FIELDWORK ACTIVITIES

Please provide ACDEH with at least three (3) business day notification prior to conducting the fieldwork.

SUBMITTAL REQUIREMENTS

Please submit all requested documents in accordance with the requirements in **Attachment 3** (Attention: Dilan Roe).

Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, please call me at (510) 567- 6767 or send me an electronic mail message at dilan.roe@acgov.org

Sincerely,



Paresh Khatri
Supervising Hazardous Materials Specialist

Attachment 1 - *Invitation to Comment – Potential Case Closure* and Address List

Attachment 2 - *List of Landowners Form*

Attachment 3 - Responsible Party(ies) Legal Requirements/Obligations and Electronic Report Upload Instructions

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RO0000254
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cc: Shane Olton, 2020 L Street, Suite 400; Sacramento, CA 95811 (Sent via E-mail to: shane.olton@aecom.com)

Mark Williams, Bureau Veritas North America, Inc., 2430 Camino Ramon, Suite 122, San Ramon, CA 94583. (Sent via E-mail to: mark.williams@us.bureauveritas.com)

Sara Heikkila, 300 South Grand Avenue, Suite 200; Los Angeles, CA 90071(Sent via E-mail to: sara.heikkila@aecom.com)

Jeff Bullen, Shell Oil Products US, One Shell Plaza, P.O. Box 2463; Houston, TX 77252 (Sent via E-mail to: jeff.bullen@shell.com)

John Ellis, Vintners Distributors, 41805 Albrae Street, 2nd Floor; Fremont, CA 94538 (Sent via E-mail to: johne@vintnersdist.com)

Dilan Roe, ACDEH (Sent via E-mail to: dilan.roe@acgov.org)
Tamami French, ACDEH (Sent via E-mail to: tamami.french@acgov.org)
Paresh Khatri, ACDEH, (Sent via E-mail to: paresh.khatri@acgov.org)
Electronic File, GeoTracker



INVITATION TO COMMENT-POTENTIAL CASE CLOSURE

Shell #13-5266
1800 Powell Street, Emeryville, CA 94608
FUEL LEAK CASE RO0000254
GEOTRACKER GLOBAL ID T0600101231

May 7, 2018

The above referenced site is a fuel leak case that is under the regulatory oversight of the Alameda County Department of Environmental Health (ACDEH) Local Oversight Program for the investigation and cleanup of a release of petroleum hydrocarbons from an underground storage tank system. Site investigation and cleanup activities have been completed and the site has been evaluated in accordance with the State Water Resources Control Board Low-Threat Closure Policy. The site appears to meet all of the criteria in the Low-Threat Closure Policy. Therefore, ACDEH is considering closure of the fuel leak case.

The public is invited to review and comment on the potential closure of the fuel leak case. This notice is being sent to the current occupants and landowners of the site and adjacent properties and other known interested parties. The entire case file can be viewed over the Internet on the ACDEH website (<http://www.acgov.org/aceh/lop/ust.html>) or the State of California Water Resources Control Board GeoTracker website (<http://geotracker.waterboards.ca.gov>). Both databases should be reviewed to obtain a complete history of the site. Please send written comments to Dilan Roe at the address below; all comments will be forwarded to the responsible parties. Comments received by **July 6, 2018** will be considered and responded to prior to a final determination on the proposed case closure.

If you have comments or questions regarding this site, please contact the ACDEH caseworker, Dilan Roe at 510-567-6767 or by email at dilan.roe@acgov.org. Please refer to ACDEH case RO0000254 in any correspondence.

Sort_APN	Parcel_APN	Name	StreetAddress	Unit	City	Zip	Zip_4
049 149500112	49-1495-1-12	AU ENERGY LLC	41805 ALBRAE ST, 2ND FL		FREMONT CA	94538	3144
049 149500112	49-1495-1-12	OCCUPANT	1800 POWELL ST		EMERYVILLE CA	94608	
049 149500118	49-1495-1-18	STATE OF CALIFORNIA	PO BOX 7791		SAN FRANCISCO CA	94120	
049 149500118	49-1495-1-18	OCCUPANT	POWELL ST		EMERYVILLE CA	94608	
049 149500120	49-1495-1-20	STATE OF CALIFORNIA	PO BOX 7791		SAN FRANCISCO CA	94120	
049 149500120	49-1495-1-20	OCCUPANT	POWELL ST		EMERYVILLE CA	94608	
049 149500126	49-1495-1-26	RLJ HGN EMERYVILLE LP	3 BETHESDA METRO CTR	1000	BETHESDA MD	20814	6347
049 149500126	49-1495-1-26	OCCUPANT	1800 POWELL ST		EMERYVILLE CA	94608	
049 149500211	49-1495-2-11	CITY OF EMERYVILLE	1333 PARK AVE		EMERYVILLE CA	94608	3517
049 149500211	49-1495-2-11	OCCUPANT	FRONTAGE RD		EMERYVILLE CA	94608	
049 149500212	49-1495-2-12	STATE OF CALIFORNIA	PO BOX 7791		SAN FRANCISCO CA	94120	
049 149500212	49-1495-2-12	OCCUPANT	POWELL ST		EMERYVILLE CA	94608	
049 149500213	49-1495-2-13	RLJ HGN EMERYVILLE LP	3 BETHESDA METRO CTR	1000	BETHESDA MD	20814	6347
049 149500213	49-1495-2-13	OCCUPANT	1800 POWELL ST		EMERYVILLE CA	94608	
049 149500800	49-1495-8	KBSIII TOWERS EMERYVILLE LLC	PO BOX 28270		SANTA ANA CA	92799	8270
049 149500800	49-1495-8	OCCUPANT	1900 POWELL ST		EMERYVILLE CA	94608	
049 149500900	49-1495-9	BRE POWELL PROPERTY OWNER LLC	PO BOX A-3879		CHICAGO IL	60690	3879
049 149500900	49-1495-9	OCCUPANT	2100 POWELL ST		EMERYVILLE CA	94608	
049 151600307	49-1516-3-7	EAST BAY REGIONAL PARK DISTRICT	PO BOX 5381		OAKLAND CA	94605	0381
049 151600307	49-1516-3-7	OCCUPANT	POWELL ST		EMERYVILLE CA	94608	

East Bay Municipal Utility District P.O. Box 24055
City of Emeryville Public Works Department 1333 Park Avenue
City of Emeryville Planning Devisiion 1333 Park Avenue
City of Emeryville Environmental Programs Si 1333 Park Avenue
Regional Water Quality Control Board San Fr 1515 Clay St, Ste 1400

Oakland, CA 94623
Emeryville, CA 94608
Emeryville, CA 94608
Emeryville, CA 94608
Oakland, CA 94612

Chandra Johannesson cjohanne@ebmud.com
Michael Roberts mroberts@emeryville.org
Nancy Humphrey nhumphrey@emeryville.org
Cheryl Prowell cmccaulou@waterboards.ca.gov

LIST OF LANDOWNERS FORM

County of Alameda
Environmental Health Services
Environmental Protection
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR:

Site Name: Shell #13-5266
Address: 1800 Powell Street
City, State, Zip: Emeryville, CA 94608
Record ID #: RO0000254

Please fill out item 1 if there are multiple site landowners (attach an extra sheet if necessary). If you are the sole site landowner, skip item 1 and fill out item 2.

1. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I, _____ (name of primary responsible party), certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:

Name: _____
Address: _____
City, State, Zip: _____
E-mail Address: _____

Name: _____
Address: _____
City, State, Zip: _____
E-mail Address: _____

Name: _____
Address: _____
City, State, Zip: _____
E-mail Address: _____

2. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I _____, certify that I am the sole landowner for the above site.

Sincerely,

Signature of Primary Responsible Party Printed Name Date E-mail Address

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: December 14, 2017
	ISSUE DATE: July 25, 2012
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: Responsible Party(ies) Legal Requirements / Obligations

REPORT & DELIVERABLE REQUESTS

Alameda County Department of Environmental Health (ACDEH) Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) require submission of all reports in electronic form to the State Water Board's (SWB) GeoTracker website in accordance with California Code of Regulations, Chapter 30, Division 3, Title 23 and Division 3, Title 27.

Leaking Underground Fuel Tank (LUFT) Cases

Reports and deliverable requests are 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 (RP) in conjunction with an unauthorized release from a petroleum underground storage tank (UST) system.

Site Cleanup Program (SCP) Cases

For non-petroleum UST cases, reports and deliverables requests are pursuant to California Health and Safety Code Section 101480.

ELECTRONIC SUBMITTAL OF REPORTS

A complete report submittal includes the PDF report and all associated electronic data files, including but not limited to GEO_MAP, GEO_XY, GEO_Z, GEO_BORE, GEO_WELL, and laboratory analytical data in Electronic Deliverable Format™ (EDF). Additional information on these requirements is available on the State Water Board's website (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)

- Do not upload draft reports to GeoTracker
- Rotate each page in the PDF document in the direction that will make it easiest to read on a computer monitor.

GEOTRACKER UPLOAD CERTIFICATION

Each report submittal is to include a GeoTracker Upload Summary Table with GeoTracker valid values¹ as illustrated in the example below to facilitate ACDEH review and verify compliance with GeoTracker requirements.

GeoTracker Upload Table Example

Report Title	Sample Period	PDF Report	GEO_MAPS	Sample ID	Matrix	GEO_Z	GEO_XY	GEO_BORE	GEO_WELL	EDF
2016 Subsurface Investigation Report	2016 S1	✓	✓	Effluent	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
2012 Site Assessment Work Plan	2012	✓	✓			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2010 GW Investigation Report	2008 Q4	✓	✓	SB-10	W	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				SB-10-6	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				MW-1	WG	✓	✓	✓	✓	✓
				SW-1	W	✓	✓	✓	✓	✓

¹ GeoTracker Survey XYZ, Well Data, and Site Map Guidelines & Restrictions, CA State Water Resources Control Board, April 2005

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: NA
	ISSUE DATE: December 14, 2017
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: Responsible Party(ies) Legal Requirements / Obligations

ACKNOWLEDGEMENT STATEMENT

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to the State Water Board's GeoTracker website." This letter must be signed by the Responsible Party, or legally authorized representative of the Responsible Party.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6731, 6735, and 7835) 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 licensed or certified professional and include the professional registration stamp, signature, and statement of professional certification. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

UNDERGROUND STORAGE TANK CLEANUP FUND

For LUFT cases, RP's non-compliance with these regulations may result in ineligibility to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse the cost of cleanup. Additional information is available on the internet at: https://www.waterboards.ca.gov/water_issues/programs/ustcf/

AGENCY OVERSIGHT

Significant delays in conducting site assessment/cleanup or report submittals may result in referral of the case to the Regional Water 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.