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) 337-9335

F

August 28, 2007

Mr. Peter Yee
Shell/Chan's Service Station
1000 San Antonio Avenue
Alameda, CA 94501

Mr. Kin Chan
Chan's Shell Oil
4328 Edgewood Avenue
Oakland, CA 94602-1316

Subject: Fuel Leak Case No. RO0000321 (Global ID# T0600102122), Shell/Chan's Service Station, 726 Harrison Street, Oakland, CA

Dear Mr. Yee and Mr. Chan:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above referenced site including the most recent report entitled, "Quarterly Groundwater Monitoring Report" dated May 15, 2007 and prepared on your behalf by Aqua Science Engineers, Inc (ASE). ACEH is concerned with the high concentrations of fuel hydrocarbons in soil and groundwater at your site and the lack of progress that you have made towards site cleanup. Furthermore, ACEH is concerned that dissolved phase hydrocarbon contamination from your site may be impacting the downgradient site located at 706 Harrison Street.

In October 2005, ACEH issued a directive requiring the implementation of pilot study to determine the efficacy of in-situ chemical oxidations in order to mitigate the impacts of dissolved phase hydrocarbon contamination to soil and groundwater. However, prior to the implementation of the pilot study, ACEH requests that a baseline soil and groundwater evaluation must be conducted at your site. Lastly, your site has been identified as having a commingled plume with the site at 706 Harrison Street (downgradient of your site) and the site at 800 Harrison Street (upgradient of your site). Therefore, ACEH strongly encourages you to participate as a joint claimant in the UST Cleanup Fund's Commingled Plume Account Program.

Based on ACEH staff review of the case file, we request that you address the following technical comments and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to steven.plunkett@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Downgradient Migration of MtBE and Commingled Plume.** ACEH has determined that the discrete unauthorized release at your site has mixed with or encroached upon the discrete unauthorized release associated with the site at 706 Harrison Street, to the extent that the corrective action performed on one dissolved hydrocarbon plume will necessarily affect the other.

   Water quality data collected during the second quarter of 2007 suggest that the unauthorized release beneath your site may be migrating offsite, downgradient beneath 706 Harrison

Street. Of particular concern are concentrations of dissolved phase TPH and TPH constituents in groundwater collected from monitoring well MW-5, located at the property boundary. Currently, groundwater analytical data collected in April 2007 identified high levels of dissolved phase TPHg, benzene and MtBE in onsite monitoring wells at concentrations of up to 30,000 µg/L, 4,300 µg/L and 27,000 µg/L, respectively. In addition, the environmental consultant working for the property owner (Mr. Bo Gin) at 706 Harrison Street asserts that an offsite, up-gradient source of MtBE contamination emanating from 726 Harrison Street is impacting their site. Further, the consultant for Mr. Bo Gin has implied that MtBE contamination downgradient of 706 Harrison Street is the result of dissolved phase MtBE contamination in groundwater from your site migrating beneath 706 Harrison Street and impacting downgradeint well MW-5.

To fully assess the extent contamination on your site and to evaluate the impact of dissolved phase hydrocarbon contamination to the downgradient site located at 706 Harrison Street, ACEH requests that you perform a baseline site characterization. The soil and groundwater investigation conducted at your site should be coordinated with the onsite investigations that ACEH has requested for the properties located at 706 Harrison Street and 800 Harrison Street. ACEH request that you prepare a Work Plan that details your proposal to collect baseline soil and groundwater data according to the schedule defined below.

2. **Contaminant Plume Definition**

The purpose of contaminant plume definition is to determine the three-dimensional extent of contamination (MTBE, petroleum products, and associated blending compounds and additives) in soil and groundwater from the unauthorized release at your site.

The three-dimensional extent of contamination in soil and groundwater at your site is undefined. The results of recent groundwater monitoring indicate the presence of high levels of dissolved MTBE and other petroleum products at concentrations of up to 72,000 µg/L TPHg, 4,700 µg/L benzene and 66,000 µg/L MTBE, respectively

MTBE is highly soluble and very mobile in groundwater and is not readily biodegradable. Conventional monitoring well networks currently installed at fuel leak sites are generally insufficient to properly locate and define the extent of MTBE plumes. MTBE plumes can be long, narrow, and erratic (meandering). Movement of MTBE plumes, as with other dissolved contaminants, is primarily controlled by groundwater gradient. In addition, dissolved MTBE plumes can appear as discontinuous slugs, particularly for those releases that occurred during the use of MTBE as an oxygenate (the period 1991 to 1995 in northern California). Consequently, the positioning of current monitoring well networks can miss the MTBE plume core, and the monitoring well's design can incorrectly reflect the severity of the release. Therefore, we request that you perform a detailed, expedited site assessment using depth discrete sampling techniques on borings installed along transects to define and quantify the full three-dimensional extent of MTBE, Total Petroleum Hydrocarbons, Benzene, and other contamination in groundwater.

A substantial part of your plume(s) should be defined with one mobilization by using expedited site assessment techniques at your site. The appropriately-qualified professionals performing field work at your site will be using the data obtained from the field work to refine the initial three-dimensional conceptual model of site conditions developed during the conduit

study and review of background information. Using expedited site assessment techniques, the appropriately-qualified professionals are to analyze the field data as it is collected, refine the conceptual model as new data is produced and evaluated, and modify the sampling and analysis program as needed, filling data gaps and resolving anomalies prior to demobilization.

Expedited site assessment tools and methods are a scientifically valid and cost-effective approach to fully define the three-dimensional extent of the plume. Technical protocol for expedited site assessments are provided in the U.S. Environmental Protection Agency's (EPA) "Expedited Site Assessment Tools for Underground Storage Tank Sites: A Guide for Regulators" (EPA 510-B-97-001), dated March 1997.

Discuss your proposal for performing this work in the work plan requested below. Report the results of your investigation in the Soil and Water Investigation (Results of Expedited Site Assessment) Report requested below.

3. **Preferential Pathway Study.**

In February 2003, April 2002 and November 2000 ACEH requested a preferential pathway study be completed for your site. To date, we have not received verification the preferential pathway study was completed, nor have we received the requested document. ACEH request that you perform a preferential pathway study that details the potential migration pathways and conduits (wells, utilities, pipelines, etc.) for horizontal and vertical migration, which may be present near the site. Discuss your analysis and interpretation of the results of the preferential pathway study (including the detailed well survey and utility survey requested below) and report your results in the Soil and Groundwater Investigation Report requested below. Include an evaluation of the probability of the dissolved phase and NAPL plumes for all constituents of concern encountering preferential pathways and conduits that could spread the contamination, particularly in the vertical direction to deeper aquifers. The results of your study shall contain all information required by 23 CCR, Section 2654(b).

a) **Utility Survey**

An evaluation of all utility lines and trenches (including sewers, storm drains, pipelines, trench backfill, etc.) within and near the site and plume area(s) is required as part of your study. Submittal of map(s) and cross-sections showing the location and depth of all utility lines and trenches within and near the site and plume area(s) is required as part of your study.

b) **Well Survey**

The preferential pathway study shall include a detailed well survey of all wells (monitoring and production wells: active, inactive, standby decommissioned (sealed with concrete), abandoned, (improperly decommissioned or lost); and dewatering and cathodic protection wells) within a ½ mile radius of the subject site. The well survey should include well data from California Department of Water Resource well database and Alameda County Department of Public Works. As part of your detailed well survey, please perform a background study of the historical land uses of the site and properties nearby the site. Use the results of your background study to determine the existence or unrecorded/unknown (abandoned) wells,

which can act as pathways for migration of contamination at and/or from your site. Please review historical maps such as Sanborn maps, aerial photos, etc., when performing the background study. Submittal of map(s) showing the location of all wells identified in your study, and the use of tables to report the data collected as part of your survey are required. Please refer to the Regional Board's guidance for identification, location, and evaluation of potential deep well conduits when conducting your preferential pathway study. Present the result from the preferential pathway study in the report requested below.

4. **Proposed Pilot Study for In-situ Chemical Oxidation**

   In March 2003, ASE proposed remediation of petroleum hydrocarbon impacted soil and groundwater by in-site chemical oxidation using Fenton's reagents. ACEH concurred with the proposed remedial alternative in a letter dated August 2003. Subsequent delays in the implementation of the remedial action resulted in the issuance of a Notice of Violation for non-compliance with directives from ACEH.

   Our review of historical soil and groundwater analytical data indicate a source of residual petroleum hydrocarbon contamination exists on your site, and may be continuing to add mass to the dissolved phase hydrocarbon plume. In particular, high levels of TPHg, benzene and MtBE were detected in soil in the source area during the July 2002 investigation at concentration of up to 2,100 mg/kg, 7.3 mg/kg and 40 mg/kg, respectively.

   Therefore, ACEH requests you perform additional onsite characterization to determine if the former UST tank pit is a source of residual dissolved phase pollution. Please prepare a work plan that details your proposal to perform soil and groundwater sampling adjacent to the former UST tank pit. Please submit a work plan for onsite soil and groundwater characterization according to the schedule outlined below.

5. **Hydrogeologic Cross Sections.** Please incorporate historical soil boring data including soil and groundwater analytical data, static water level and first water encountered, distinct geologic units and the location of former UST tank pit and appurtenance into a minimum of two cross sections that are parallel and perpendicular to groundwater flow. Please present the cross sections in the Soil and Groundwater Investigation Report requested below.

TECHNICAL REPORT REQUEST

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

- **September 30, 2007** – Work Plan for Soil and Groundwater Investigation

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

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.

LANDOWNER NOTIFICATION REQUIREMENTS

Pursuant to California Health & Safety Code Section 25297.15, the active or primary responsible party for a fuel leak case must inform all current property owners of the site of cleanup actions or requests for closure. Furthermore, ACEH may not consider any cleanup proposals or requests for case closure without assurance that this notification requirement has been met. Additionally, the active or primary responsible party is required to forward to ACEH a complete mailing list of all record fee title holders to the site

UNDERGROUND STORAGE TANK CLEANUP FUND

Please be aware that you may be eligible for reimbursement of the costs of investigation from the California Underground Storage Tank Cleanup Fund (Fund). In some cases, a deductible amount may apply. If you believe you meet the eligibility requirements, we strongly encourage you to call the Fund for an application.

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) 383-1767.

Sincerely,

Steven Plunkett
Hazardous Materials Specialist

cc: Mr. Mark Jonas, Conestoga Rover & Associates, 5900 Hollis Street, Suite A, Emeryville, CA 94608
Mr. Robert Kitay, Aqua Science Engineers, West Pintado Road, Danville, CA 94526
Mr. Sunil Ramdass, SWQCB UST Cleanup Fund, 1001 I Street, 17th Floor, Sacramento, CA 95814-2828
Mr. Eric Hetrick, Conoco Phillips, 76 Broadway, Sacramento, CA 95818
Mr. Kin Chan, Chan's Shell, 4328 Edgewood Avenue, Oakland, CA 94602-1316
Mr. Bo Gin, 342 Lester Avenue, Oakland, CA 94606
Donna Drogos, ACEH
Steven Plunkett, ACEH
File

RO 321

October 28, 2005

Mr. Jerry Wickham
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway
Alameda, CA 94502

SUBJECT: CURRENT ENVIRONMENTAL STATUS
Former Shell Service Station
726 Harrison Street
Oakland, California

Dear Mr. Wickham:

Please accept this letter as a response to your letter dated October 7, 2005 addressed to both me and Mr. Kin Chan. The chemical oxidation pilot test has not yet been completed for the following reason. I have only recently acquired the property from Mr. Chan. Since acquiring the site, I have been working with the Underground Storage Tank Cleanup Fund (USTCF) to get the funding for future work switched from Mr. Chan to me. Only recently have I received word from the USTCF that all of the paperwork has been completed. I was hesitant to perform the proposed costly work until I was certain that my application was approved by the USTCF. I have recently requested that Aqua Science Engineers, Inc. (ASE) prepare a current proposal for the work that your agency approved in August 2003. It is my intent to have this work begin in the near future. I appreciate your agency's patience in this matter. Should you have any questions or comments, please feel free to contact me at (510) 495-4849.

Sincerely,

Peter Yee 11-15-05

Peter Yee
1000 San Antonio Avenue
Alameda, CA 94501

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

7

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

October 7, 2005

Mr. Peter Yee
1000 San Antonio Avenue
Alameda, CA 94501

Kin Chan
4328 Edgewood Avenue
Oakland, CA 94602-1316

Subject: Fuel Leak Case No. [redacted] Chan Service Station, 726 Harrison Street, Oakland, CA

Dear Mr. Yee and Mr. Chan:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site, including the most recent report entitled, "Quarterly Groundwater Monitoring Report, April 2005 Groundwater Sampling" dated July 12, 2005 and prepared on your behalf by Aqua Science Engineers, Inc. ACEH is concerned with the elevated concentrations of fuel hydrocarbons in soil and groundwater at your site and the lack of progress that you have made towards site cleanup. A chemical oxidation pilot test was proposed by your consultant, Aqua Science Engineers, in a work plan dated May 23, 2003 and supplemented by a work plan addendum dated June 15, 2003. ACEH approved the work plan in correspondence dated August 12, 2003. To date, that pilot study has not been started and no cleanup has been conducted at your site. ACEH has repeatedly requested in the correspondence listed below that you initiate this work and submit the required technical reports:

- December 11, 2003 - ACEH correspondence requesting that the pilot study be initiated by September 15, 2003 and that reports be submitted 30 days after the conclusion of the test.
- April 6, 2004 – Notice of Violation. ACEH correspondence informing you that your site is out of compliance and requesting that the results of the pilot test be submitted by June 10, 2004.
- July 26, 2004 – ACEH correspondence requesting that the pilot study be initiated by September 24, 2004 and that reports be submitted 30 days after the conclusion of the test.
- March 21, 2005 – ACEH correspondence requesting that the pilot study be initiated by September 24, 2004 and that reports be submitted 30 days after the conclusion of the test.

No extensions of due dates or approval of delays have been granted by this office. Therefore, your site is out of compliance with ACEH directives. We are providing a copy of this letter to the Underground Storage Tank Fund. Please not that delays in investigation, late reports, or enforcement actions may result in your site becoming ineligible to receive grant money from the state's Underground Storage Tank Fund (Senate Bill 2004) to reimburse you for the cost of

cleanup. In addition, we may refer 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

We request that you immediately provide this office with notice of your intent to initiate the approved work plan. If you have any questions, please call me at (510) 567-6791.

Sincerely,

Jerry Wickham
Hazardous Materials Specialist

cc: Sunil Ramdass, SWRCB Cleanup Fund, 1001 I Street, 17th floor, Sacramento, CA 95814-2828
Susan D. Barba, 242 California Avenue, San Leandro, CA 94526
Robert Kitay, Aqua Science Engineers, Inc., 208 W. El Pintado, Danville, CA 94526
Matt Meyers, Cambria Environmental Technology, Inc., 5900 Hollis Street, Suite A, Emeryville, CA 94608

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

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) 337-9335

March 21, 2005

Mr. Peter Yee
1000 San Antonio Ave.
Alameda, CA 94501

Dear Mr. Yee

Subject: Fuel Leak Site RO0000321, 726 Harrison St., Oakland, CA 94607

Alameda County Environmental Health, has reviewed the case file for the subject site including the March 15, 2005 Quarterly Groundwater Monitoring Report prepared by Aqua Science Engineers, (ASE), your consultant. We notice that the previously approved work plan for the chemical oxidation pilot study has still not been started. As you are aware, the County reissued an approval to you, per your request, in a July 26, 2004 letter. The following technical report requests were made:

- September 24, 2004- Initiate Chemical Oxidation Bench Test
- Chemical Oxidation Bench Test Report- 30 days after the conclusion of the test
- Pilot Study- Initiate 30 days after County concurrence with recommendation to proceed.

No extension of due dates or approval of delays has been granted by our office. Please note that delays in investigation, late 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.

Our office requests that you initiate the approved work plan starting with the chemical oxidation bench test by April 21, 2005 and submit your test report within 30 days of completing this test.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M Chan

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, D. Drogos
Mr. R. Kitay, ASE, 208 W. Pintado Rd., Danville, CA 94526
Ms. S. Chan-Barba, 242 California Ave., San Leandro, CA 94526
Mr. Bo Gin, 342 Lester Ave., Oakland, CA 94606
Mr. M. Meyers, Cambria, 5900 Hollis St., Suite A, Emeryville, CA 94608
Mr. S. Ramdass, SWRCB Cleanup Fund, 1001 I St., 17th Floor, Sacramento, CA 95814-2828

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

July 26, 2004

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

Mr. Peter Yee
1000 San Antonio Ave.
Alameda, CA 94501

Dear Mr. Yee

Subject: Fuel Leak Site RO0000321, 726 Harrison St., Oakland, CA 94607

Alameda County Environmental Health, Local Oversight Program (LOP) understand that you are the new property owner of the referenced site and you would like a re-issuance of the approval letter for the interim work plan for chemical oxidation. We further understand that this approved work was not performed by Mr. Kin Chan, the previous property owner. This letter complies with your request. The May 23, 2003 *Workplan for a Chemical Oxidation Pilot Study* prepared by Aqua Science Engineers, your consultant is approved. The proposal submitted includes the following elements:

1. Chemical Oxidation Bench Test
2. Assuming the bench test proves positive, a 20% Pilot Study will be performed at the site.
3. Three Geoprobe borings will be advanced within the treated area and soil and groundwater samples collected and analyzed to determine the effectiveness of the treatment.
4. Should the results of the pilot study prove positive, the rest of the impacted area will be treated and sampled similarly to that of the pilot test.

Our office concurs with this proposal. Please provide the following technical reports according to the following schedule.

- September 24, 2004- Initiate Chemical Oxidation Bench Test
- Chemical Oxidation Bench Test Report- 30 days after the conclusion of the test
- Pilot Study- Initiate 30 days after County concurrence with recommendation to proceed.

Please be informed that a new caseworker has been assigned to your site. In the interim, if you have any questions please contact Ms. Donna Drogos, LOP Program Manager at (510) 567-6721.

Sincerely,

Barney M Chan

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, D. Drogos
Mr. R. Kitay, ASE, 208 W. Pintado Rd., Danville, CA 94526
Ms. S. Chan-Barba, 242 California Ave., San Leandro, CA 94526
Mr. Bo Gin, 288 11th St., Oakland, CA 94607 RETURNED, 9/3/04 SENT TO:
Mr. M. Meyers, Cambria, 5900 Hollis St., Suite A, Emeryville, CA 94608
Mr. S. Ramdass, SWRCB Cleanup Fund, 1001 I St., 17th Floor, Sacramento, CA 95814-2828

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342 LESTER AVE.
OAKLAND 94606

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) 337-9335

April 6, 2004

Mr. Kin Chan
432 Edgewood Avenue
Oakland, CA 94602

NOTICE OF VIOLATION

Dear Mr. Chan:

Subject: Fuel Leak Case No. RO0000321, 726 Harrison St., Oakland 94607

Alameda County Environmental Health, Local Oversight Program (LOP) staff wrote to you last in my December 9, 2003 letter. In this letter, we requested that you perform the approved chemical oxidation pilot test at your site and submit your investigation report by March 10, 2004. As of the current date, our office has not received the requested report and we are not aware that the pilot tests have been scheduled.

Your site is considered out of compliance and is at risk of losing its eligibility to the state's Underground Storage Tank Cleanup Fund. You will then not be eligible to receive reimbursement of your cleanup costs.

Please submit the results of your pilot test to our office by June 10, 2004.

This report is being requested pursuant to the Regional Water Quality Control Board's authority under Section 13267 of the California Water Code. Failure to submit the requested report may subject you to enforcement actions.

You may contact me at (510) 567-6765.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, D. Drogos, files
Mr. R. Kitay, ASE, 208 W. Pintado, Danville, CA 94526
Ms. Susan Chan-Barba, 242 California Ave., San Leandro, CA 94577
Mr. Matt Meyers, Cambria Environmental, 5900 Hollis St., Emeryville, CA 94608
Mr. Bo Gin, 342 Lester Ave., Oakland, CA 94606
Mr. S. Ramdass, SWRCB Cleanup Fund, 1001 I St., 17th Floor, Sacramento, CA 95814-2828

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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) 337-9335

December 11, 2003

Mr. Kin Chan
432 Edgewood Avenue
Oakland, CA 94602

Dear Mr. Chan:

Subject: Fuel Leak Case No. RO0000321, 726 Harrison St., Oakland 94607

Alameda County Environmental Health, Local Oversight Program (LOP) staff has reviewed the case file for the subject site including the September 5, 2003 Quarterly Groundwater Monitoring Report. I have spoke with your consultant and have been informed that this report contained errors and a revised monitoring report with corrections will be sent to our office, however, the analytical data and recommendations in the report are correct.

It appears that significant delays are occurring in the implementation of the approved interim corrective action plan, ie in-situ chemical oxidation. The receipt of pre-approval from the Clean-Up Fund is not an acceptable excuse for delaying this work, particularly since the Fund is not currently issuing pre-approval letters. Therefore, our office requests that you perform the approved pilot test and submit an investigation report by **March 10, 2004**.

This report is being requested pursuant to the Regional Water Quality Control Board's authority under Section 13267 of the California Water Code. Failure to submit the requested report may subject you to enforcement actions.

You may contact me at (510) 567-6765.

Sincerely,

Barney M Chan

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, D. Drogos, files
Mr. R. Kitay, ASE, 208 W. Pintado, Danville, CA 94526
Ms. Susan Chan-Barba, 242 California Ave., San Leandro, CA 94577
Mr. Matt Meyers, Cambria Environmental, 5900 Hollis St., Emeryville, CA 94608
Mr. Bo Gin, 342 Lester Ave., Oakland, CA 94606
Mr. S. Ramdass, SWRCB Cleanup Fund, 1001 I St., 17th Floor, Sacramento, CA 95814-2828

726HarrisonSt12_9_03

ALAMEDA COUNTY
HEALTH CARE SERVICES
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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) 337-9335

August 12, 2003

Mr. Kin Chan
4328 Edgewood Ave.
Oakland, CA 94602

Dear Mr. Chan

Subject: Fuel Leak Site RO0000321, 726 Harrison St., Oakland, CA 94607

Alameda County Environmental Health, Local Oversight Program staff has received and reviewed the May 23, 2003 *Workplan for a Chemical Oxidation Pilot Study* prepared by Aqua Science Engineers, your consultant. We have also received additional information from Mr. Jim Jacobs of Fast-Tek. The proposal responds to our office's March 23, 2003 letter, which asked that you compare remediation costs and effectiveness for chemical treatment versus soil excavation, water pumping and ORC addition. Therefore, the proposal submitted includes the following elements:

1. Chemical Oxidation Bench Test
2. Assuming the bench test proves positive, a 20% Pilot Study will be performed at the site.
3. Three Geoprobe borings will be advanced within the treated area and soil and groundwater samples collected and analyzed to determine the effectiveness of the treatment.
4. Should the results of the pilot study prove positive, the rest of the impacted area will be treated and sampled similarly to that of the pilot test.

Our office concurs with this proposal. Please provide the following technical reports according to the following schedule.

- September 15, 2003- Initiate Chemical Oxidation Bench Test
- Chemical Oxidation Bench Test Report- 30 days after the conclusion of the test
- Pilot Study- Initiate 30 days after County concurrence with recommendation to proceed.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M Chan

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, D. Drogos
Mr. R. Kitay, ASE, 208 W. Pintado Rd., Danville, CA 94526
Ms. S. Chan-Barba, 242 California Ave., San Leandro, CA 94526
Mr. Bo Gin, 288 11th St., Oakland, CA 94607
Mr. M. Meyers, Cambria, 5900 Hollis St., Suite A, Emeryville, CA 94608
Mr. S. Ramdass, SWRCB Cleanup Fund, 1001 I St., 17th Floor, Sacramento, CA 95814-2828

Oxwpap726Harrison

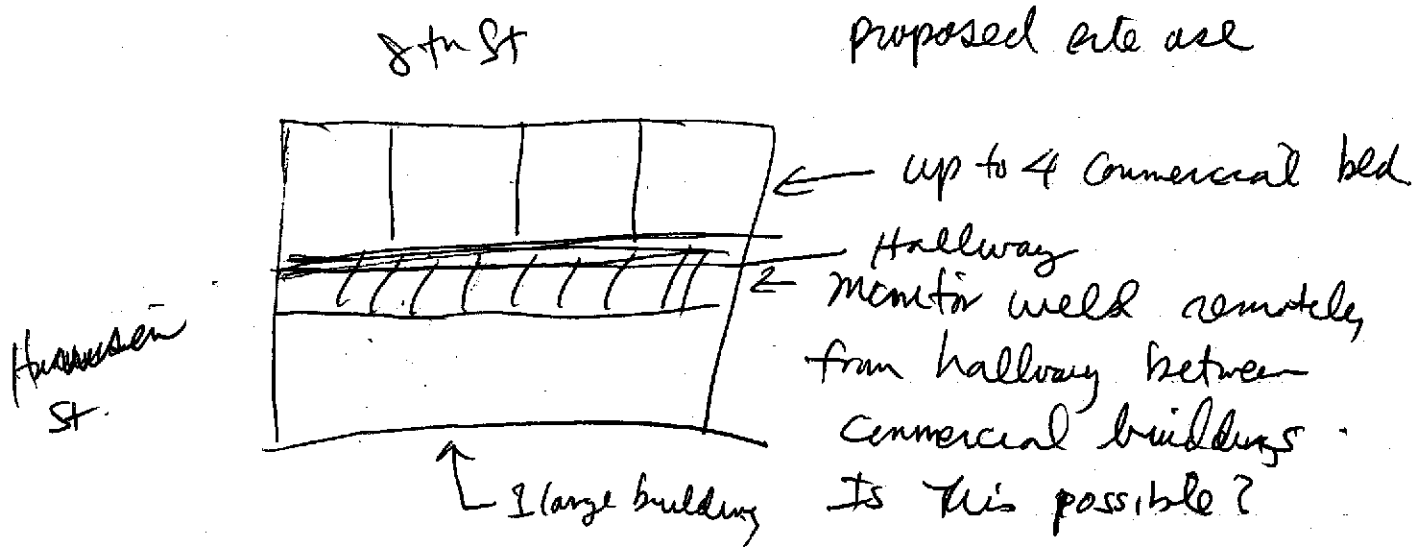
8/8/03 R0321

Meeting w/ Mr. Peter Yee, potential buyer.

* ◦ Mr. K. Chan is waiting for wp approval

Next week

◦ Use existing building as meeting place for Chinese association



SORRY, CLOSED WEDNESDAY

PETER YEE

中國餐廳

China House
Restaurant

Fine Szchuan and Cantonese Cuisine

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RO 321

PRiME
PROPERTY SERVICES

4096 Piedmont Ave, #229 Oakland, CA 94611 Tel: (510) 428-1848 Fax: (510) 428-1881 Email: ireneli988@AOL.com

August 7, 2003

Alameda County

AUG 11 2003

Environmental Health

Mr. Barney M. Chan
Hazardous Materials Specialist
Alameda County Health Care Services
Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

SUBJECT: 726 Harrison Street, Oakland, California

Dear Mr. Chan:

I am writing this letter to seek your assistance in expediting review of the work plan submitted by Aqua Science Engineers on the subject property.

I am the real estate broker who represents Mr. Kin Chan in the sale of his property. I have been trying to market this property for over two years and have generated numerous interests among users and developers. However, the biggest obstacle to consummate the sale has been the seller's ability for a timely completion of the remediation work. There is currently a sale negotiation pending and the success of this transaction will be predicated upon the approval of the work plan submitted and the approximate completion date of the work to be performed.

As you probably know, Mr. Chan is anxious to close the sale and move on to his retirement. It is, therefore, with great appreciation that this request is granted.

Should you wish to contact me, I can be reached at (510) 331-1788.

Thank you in advance for your attention.

Sincerely yours,

Irene A Li
Prime Property Services

Irene A. Li, CCIM
Broker

PRiME
PROPERTY SERVICES

4096 Piedmont Ave., #229
Oakland, CA 94611
Tel: (415) 928-9868
Fax: (415) 928-9898
E-Mail: ireneli988@aol.com

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) 337-9335

March 23, 2003

Mr. Kin Chan
4328 Edgewood Ave.
Oakland, CA 94602

Dear Mr. Chan:

Subject: Fuel Leak Case RO0000321, 726 Harrison St., Oakland, CA 94607, Former Chan's Shell Station

Alameda County Environmental Health, Local Oversight staff has reviewed the case file for the subject site including the February 11, 2003 Workplan for a Soil and Groundwater Remediation Project prepared by Aqua Science Engineers, Inc., (ASE). At this time we cannot concur with the Workplan proposal based upon the technical observations below.

Technical Comments

- Upon review of the work plan it appears that the anticipated cost versus benefits of remediation is not attractive. Significant costs associated with shoring of the pit, segregation of clean and dirty soil and the logistics of stockpiling the soil for segregation make this work plan unattractive.
- Significant clean soil remains above contaminated soil, which would require significant segregation, characterization, stockpiling, reuse and compaction.
- The pumping, storage and disposition of groundwater would also incur significant expense and difficulty due to the lack of onsite space.
- It appears that at least one other potentially viable remediation approach was not evaluated in your Corrective Action Plan that being in-situ chemical treatment. Chemical oxidation combined with injection of oxygen releasing compounds may be comparable or better option than that proposed. You are invited to offer additional viable options.

Technical Report Request

- April 23, 2003- Please submit a work plan to evaluate remediation by chemical treatment at your site. Please include a cost comparison versus the prior proposal; excavation, groundwater extraction and ORC addition.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, D. Drogos, files
Mr. R. Kitay, ASE, 208 W. Pintado Rd., Danville, CA 94526
Ms. S. Chan-Barba, 242 California Ave., San Leandro, CA 94526
Mr. Bo Gin, 288 11th St., Oakland, CA 94607
Mr. M. Meyers, Cambria, 5900 Hollis St., Suite A, Emeryville, CA 94608
Mr. S. Ramdass, SWRCB Cleanup Fund, 1001 I St., 17th Floor, Sacramento, CA 95814-2828

Oxwp726Harrison St.

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

August 14, 2002

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

Mr. and Mrs. Kin Chan
4328 Edgewood Ave.
Oakland, CA 94602

Dear Mr. and Mrs. Chan:

Subject: Fuel Leak Case No. RO0000321, 726 Harrison St., Oakland, CA 94607

Alameda County Environmental Health, Local Oversight Program (LOP), has received and reviewed the August 7, 2002 Report of Additional Soil and Groundwater Assessment and Remediation Recommendations for the referenced site, prepared by Aqua Science Engineers, ASE. We have the following technical comments and technical report request for you to address.

Technical Comments

1. Significant residual petroleum contamination in soil and groundwater was found within the former underground storage tank pit, particularly in boring BH-E. This is evidence that not much, if any, excavation was done below the original tank pit depth of 11' after tank removals. Although not all the soil samples within the pit showed equally elevated contamination, soil excavation appears to be the only technical and economically feasible remediation approach for this site. Prior air sparge and groundwater pump tests did not indicate these to be viable remediation approaches. Our office, therefore, concurs with the ASE recommendation for additional excavation at this site. They also recommend adding oxygen releasing compound (ORC) to the tank pit floor to oxygenate groundwater. ASE also states that the existing building should be taken down to facilitate the excavation.
2. Groundwater contamination does not appear to have migrated down-gradient across Harrison St. as evidenced by the lack of contamination found in boring BH-H.

Technical Report Request

Please submit a formal work plan for the above-mentioned work within 45 days or no later than September 16, 2002. The work plan should minimally include such items as:

- An estimate of the proposed amount of soil excavation
- A description of soil storage, characterization for reuse and disposal
- A discussion of soil cleanup levels
- Proposal for groundwater disposal and treatment
- Proposal for replacement wells after excavation is performed

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, files
Mr. R. Kitay, ASE, 208 W. Pintado Rd., Danville, CA 94526
Ms. S. Chan-Barba, 242 California Ave., San Leandro, CA 94526
Mr. Bo Gin, 288 11th St., Oakland, CA 94607
Mr. R. Scheele, Cambria Environmental, 1144 65th St., Suite B, Oakland, CA 94608
Excwp726Harrison

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) 337-9335

June 25, 2002

Mr. and Mrs. Kin Chan
4328 Edgewood Ave.
Oakland, CA 94602

Re: Fuel Leak Case No. RO0000321, 726 Harrison St., Oakland CA 94607

Dear Mr. and Mrs. Chan:

Alameda County Environmental Health, Local Oversight Program (LOP), has received and reviewed the June 13, 2002 Workplan for Soil and Groundwater Assessment for the referenced site prepared by Aqua Science Engineers, Inc. (ASE). This work plan responds to my May 21, 2002 letter and proposes the advancement of five (5) borings, one off-site and four on-site within the former tank pit. It is hoped that this investigation will delineate the contaminant plume off-site as well as determine if residual contamination lies within the former tank pit. This information can be used to design appropriate remediation for the site. The work plan is approved. As previously requested, please submit your soil and groundwater investigation report to our office by July 29, 2002.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

cc: B. Chan, files
Mr. R. Kitay, ASE, 208 W. Pintado Rd., Danville, CA 94526
Ms. S. Chan-Barba, 242 California Ave., San Leandro, CA 94526
Mr. Bo Gin, 288 11th St., Oakland, CA 94607
Mr. R. Scheele, Cambria Environmental, 1144 65th St., Suite B, Oakland, CA 94608

Wpap726Harrison

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) 337-9335

May 21, 2002

Mr. and Mrs. Kin Chan
4328 Edgewood Ave.
Oakland, CA 94602

Re: Fuel Leak Case No. RO0000321, 726 Harrison St., Oakland CA 94607

Dear Mr. and Mrs. Chan:

Alameda County Environmental Health, Local Oversight Program (LOP), has received and reviewed the Quarterly Groundwater Monitoring Report April 2002 for the referenced site prepared by Aqua Science Engineers Inc.,(ASE), your consultant. I have discussed these results and the site status with Mr. Robert Kitay of ASE. There has been difficulty in finding an appropriate remediation approach for this site. Conventional pump and treatment of groundwater and vapor extraction tests have not given promising pilot test results. My last letter, January 10, 2002, suggested that you consider evaluating the alternative of enhanced bioremediation. However, since this approach requires the ability for chemicals to be transported in groundwater, it suffers from the same handicap experienced in groundwater extraction. Mr. Kitay believes that there still may be residual contamination at the site since the groundwater concentrations in the wells remain elevated. He also believes that the former tank pit may contain residual contamination in soil and groundwater. He, therefore, recommends additional investigation. Our office has the following comments:

1. **Additional Soil and Groundwater Investigation-** Approximately four borings are recommended to be advanced proximal and within the former tank pit. The borings should be screened minimally every five feet to groundwater for possible chemical analysis. A grab groundwater sample should be collected from each boring for analysis. Please run your samples for the following compounds: TPHg, BTEX and MTBE. In addition, another boring should be advanced across Harrison St. to determine the extent of the plume off-site. Please submit a work plan for this additional work as requested below.

Technical Report Request

Please submit the following technical reports to our office according to the following schedule:

- **June 21, 2002-** Work Plan
- **July 29, 2002-** Soil and Groundwater Investigation Report

Please contact me at (510) 567-6765 with any questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, files
Mr. R. Kitay, ASE, 208 W. Pintado Rd., Danville, CA 94526
Ms. S. Chan-Barba, 242 California Ave., San Leandro, CA 94526
Mr. Bo Gin, 288 11th St., Oakland, CA 94607
Mr. R. Scheele, Cambria Environmental, 1144 65th St., Suite B, Oakland, CA 94608

ssi726Harrison

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) 337-9335

January 10, 2002
StID 39/ RO0000321

Mr. Kin and Daisy Chan
4328 Edgewood Ave.
Oakland CA 94602

Re: Soil and Groundwater Assessment and Corrective Action Plan for 726 Harrison St., Oakland, CA 94607, Former Chan's Shell Station

Dear Mr. And Mrs. Chan:

Our office has received and reviewed the December 21, 2001 referenced report prepared by Aqua Science Engineers (ASE), your consultant. As you may recall, this report details the results of a number of activities, including a soil vapor extraction test, a groundwater extraction test, an air sparge test, the advancement of on-site borings and the installation of monitoring well MW-5. In conjunction with this work, a corrective action plan (CAP) was provided evaluating various remediation options with one being recommended.

The following conclusions can be made from this work:

- Since the groundwater sample from BH-C exhibited elevated gasoline, BTEX and MTBE, there may be a need to determine the off-site extent of the plume in the direction of Harrison St.
- Groundwater contamination, though present at elevated levels, appears to exist as a plume with a defined width. MW-2 has been non-detect for Total Petroleum Hydrocarbons for a long time and is currently not being sampled.
- Based upon soil sample results from the borings advanced, the shallow soil contamination is low in and has apparently migrated to groundwater.
- Monitoring well MW-5 exhibited elevated gasoline, BTEX and MTBE concentrations consistent with the elevated concentrations found in MW-1, therefore, the contamination being found in MW-4 on Mr. Bo Gin's property is likely from this site.
- The extraction and air sparge tests indicate that these technologies would not be effective for remediation at this site.

- Because of the relative absence of elevated contamination in the vadose soil in the proposed areas of excavation, our office does not concur with the proposed corrective action plan of limited excavation. After discussion with Mr. Robert Kitay of ASE, we agree that among other alternatives, enhanced bio-remediation should be considered. Technologies such as addition of designed microbes and oxygenation barriers will be explored. Pilot studies can be done to determine the migration rate groundwater, the population of naturally occuring microbes, and the effectiveness of MTBE and TPH as gasoline consumption versus variables.

Please provide a brief work plan to perform these and any other appropriate pilot and field studies. Further recommendations can be made after these tests are reviewed.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M Chan

Barney M. Chan
Hazardous Materials Specialist

cc: B. Chan, files
Mr. R. Kitay, ASE, 208 West Pintado Rd., Danville, CA 94526
Ms. S. Chan-Barba, 242 California Ave., San Leandro, CA 94577
Mr. Bo Gin, 288 11th St., Oakland, CA 94607
Mr. R. Scheele, Cambria Environmental, 1144 65th, Suite B, Oakland CA 94608
Mr. D. DeWitt, Tosco Marketing, 2000 Crow Canyon Place, Suite 400,
San Ramon, CA 94586

Cap726HarrisonSt

RO321
CHAN

State Water Resources Control Board

Division of Clean Water Programs
1001 I Street • Sacramento, California 95814
P.O. Box 944212 • Sacramento, California • 94244-2120
(916) 341-5742 • FAX (916) 341-5806 • www.swrcb.ca.gov/cwphome/ustcf

Winston H. Hickox
Secretary for Environmental Protection

Gray Davis
Governor

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July 12, 2001

JUL 19 2001

Kin Chan
4328 Edgewood Ave
Oakland, CA 94602

PRE-APPROVAL OF CORRECTIVE ACTION COSTS, CLAIM NO. 013525, PA # 1
SITE ADDRESS: 726 HARRISON ST, OAKLAND, CA 94607

I have reviewed your request, received on June 12, 2001, for pre-approval of corrective action costs. I have included a copy of the "Cost Pre-Approval Request" form; please use this form in the future for requesting pre-approval of corrective action costs.

With the following provisions, the total cost pre-approved as eligible for reimbursement for completing the April 30, 2001, Aqua Science Engineers, Inc. (ASE) workplan approved by the Alameda County EHD (County) in their December 19, 2000 letter, is **$ 46,499**; see the table below for a breakdown of costs.

Be aware that this pre-approval does not constitute a decision on reimbursement: **necessary** (as determined by the Fund) corrective action costs for action work **directed and approved by the County** will be eligible for reimbursement at costs consistent with those pre-approved in this letter. However, depending on what happens in the field, some costs may not actually be necessary.

In an effort to expedite future reimbursement requests associated with the implementation of the corrective action tasks pre-approved in this letter, we ask that the attached 'Pre-Approval Specific Reimbursement Request Form' be completed, updated and submitted with each reimbursement request. All relevant supporting documentation must also be included with each reimbursement request.

In order for future costs for corrective action to be part of the expedited reimbursement process, they must be pre-approved in writing by Fund staff.

All costs for corrective action must meet the requirements of Article 11, Chapter 16, Underground Storage Tank Regulations in order to be eligible for reimbursement.

COST PRE-APPROVAL BREAKDOWN

#	Task*	Amount Pre-Approved	Comments
1	Outside Costs	$29,670	Obtaining drilling permits from the regulatory agencies, drilling of five borings to a depth of 20 feet, conducting step drawdown and cosntant rate pump tests, vapor extraction and air spargin tests. Cost includes 15% markup.
2	Analytical Testing	$3,162	Soil and groundwater samples will be tested for contaminant of concern per EPA test methods. Cost also include 15% markup.
3	ASE Labor	$12,780	ASE personnel will conduct necessary testing, and prepare a technical report summarizing the result of investigation.
4	Miscellaneous	$ 887	This task includes procurement of well development equipment, and instrumentation necessary for the job.
	TOTAL PRE-APPROVED	**$ 46,499**	

* Task descriptions are the same as those identified in Aqua Science Engineers, Inc. (ASE)'s May 30, 2001 cost estimate.

- Only the tasks/costs reflected on the above table are pre-approved at this time. The Fund will review any tasks/costs that go beyond the pre-approved amount to be determined if the additional tasks and costs are necessary and reasonable. However, if costs exceed the above pre-approved amounts, the Fund will be unable to expedite your Reimbursement Request.

- The work products must be acceptable to the County and the Regional Water Quality Control Board.

- If a different scope of work becomes necessary, then you must request pre-approval of costs on the new scope of work.

- Although I have referred to the Aqua Science Engineers, Inc. (ASE) proposal in my pre-approval above, please be aware that you will be entering into a private contract: the State of California cannot compel you to sign any specific contract. This letter **pre-approves the costs** as presented in the proposal dated May 30, 2001 by Aqua Science Engineers, Inc. (ASE) for conducting the work approved by the County for implementing the April 30, 2001, Aqua Science Engineers, Inc. (ASE) workplan.

I also want to remind you that the Fund's regulations require that you obtain at least three bids, or a bid waiver from Fund staff, from qualified firms for all necessary future corrective action work. If you need assistance in procuring contractor and consultant services, don't hesitate to call me.

Please remember that it is still necessary to submit the actual costs of the work as explained in the Reimbursement Request Instructions to confirm that the costs are consistent with this pre-approval before you will be reimbursed. ***Please insure that your consultant prepares their invoices to include the required breakdown of costs on a time and materials basis, that invoiced tasks are consistent with the original proposal, and that reasonable explanations are provided for any changes made in the scope of work or increases in the costs.*** *When the invoices are submitted you must include copies of all:*

- *subcontractor invoices,*
- *technical reports, when available, and*
- *applicable correspondence from the County.*

Please call if you have any questions; I can be reached at (916) 341-5742.

Sincerely,

Abdul "Karim" Yusufzai, Associate Engineering Geologist
Technical Review Unit
Underground Storage Tank Cleanup Fund

Enclosure

cc: Ms. Susan Hugo
Alameda County EHD
1131 Harbor Bay Pkway, 2nd Fl.
Alameda, CA 94502-6577

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) 337-9335

May 14, 2001
StID #39

Mr. Kin Chan
4328 Edgewood Ave.
Oakland CA 94602

Re: 726 Harrison St., Oakland CA 94607

Dear Mr. Chan:

Our office has received and reviewed the May 9, 2001 Quarterly Groundwater Monitoring Report for the above site prepared by Aqua Science Engineers Inc. (ASE). Increased concentrations of gasoline, BTEX and MTBE were observed in MW-1, perhaps indicative of residual contamination in shallow soils. ASE recommends and our office concurs that groundwater sampling and analysis can be eliminated from MW-2 due to historical non-detectable levels of contaminants, however, please continue to take groundwater elevation readings from this well to incorporate in your gradient maps.

Please keep our office updated in the progress of your recently approved work plan for additional on-site investigation and extraction/air sparging tests.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M Chan

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, files
Mr. R. Kitay, ASE, 208 W. El Pintado, Danville, CA 94526

Monchg726Harrison

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

Post-It™ brand fax transmittal memo 7671	# of pages ▸ 2
To Dave Aller	From B. Chan
Co. ASE	Co. ACEH
Dept.	Phone # 510-567-6765
Fax # 925-837-4853	Fax #

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

May 8, 2001
StID # 39

Mr. Kin and Daisy Chan
4328 Edgewood Ave.
Oakland CA 94602

Re: Work Plan for Soil and Groundwater Assessment and Remediation Feasibility Tests at 726 Harrison St., Oakland CA 94607

Dear Mr. and Mrs. Chan:

Our office has received and reviewed the April 30, 2001 report referenced above for your property located at 726 Harrison St., Oakland. As you are aware, Aqua Science Engineers, Inc., (ASE), has submitted a work plan to perform additional site assessment and perform several remediation performance tests. The work plan has the following elements:

- Installing five borings to groundwater. Sample both soil and groundwater.
- Install one groundwater extraction well near MW-1 to be used in a step drawdown and constant rate groundwater extraction test. This well should also be incorporated in the sampling and gradient map on future monitoring events. Sample both soil and groundwater.
- Install one air sparge well in the same general area of MW-1 to perform an air sparge test upon. Sample both soil and groundwater.
- Install two vapor extraction wells, again in the highest impacted area, to perform a vapor extraction test. Sample both soil and groundwater. All samples collected will be analyzed for total petroleum hydrocarbons as gasoline, BTEX and MTBE.

ASE will evaluate the results of the three tests to determine the feasibility of each potential remediation action as well as the analytical data to estimate the extent of contamination.

I have spoke with Mr. Robert Kitay of ASE and the work plan is generally acceptable with the following additions, modifications and recommendations:

- The boring on the west side of Harrison St. may not be necessary to define the limits of the groundwater plume. If the westernmost onsite boring does not exhibit any contamination in soil and groundwater, this boring is not required.
- The southernmost boring should be converted into a monitoring well. This location is suspected to be impacted by MTBE and should be used to confirm or deny the source of elevated MTBE concentrations in MW-4 on 706 Harrison St., Mr. Bo Gin's property.
- Before your consultant makes their recommendations, please have them review the results of the air sparge/vapor extraction system installed and run at 706 Harrison St. I have not received an evaluation of the efficacy of their remediation as of yet. In addition, ASE should also evaluate the possibility of combining the remediation methods to increase hydrocarbon removal.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, files
Mr. R. Kitay, ASE, 208 West Pintado Rd., Danville, CA 94526
Mr. Bo Gin, 288 11th St., Oakland, CA 94607
Mr. R. Scheele, Cambria Environmental, 1144 65th St., Suite B, Oakland CA 94608
Mr. D. De Witt, Tosco Marketing, 2000 Crow Canyon Place, Suite 400, San Ramon, CA 94586

Wpap726HarrisonSt.

SUSAN D. CHAN-BARBA
242 CALIFORNIA AVENUE
SAN LEANDRO, CA 94577
510-635-6920

March 28, 2001

MAR 3 0 2001

Mr. Barney Chan
Environmental Specialist
Alameda County Environmental Health Services
1131 Harbor Bay Parkway
Alameda, CA 94502

Re: Kin Chan-Former Kins Shell Service
726 Harrison Street, Oakland, CA

Dear Barney:

It was a pleasure speaking with you the other day. As I said to you, I have authorized Aqua Science to draw up the necessary paper work to submit to your office regarding the two new test wells. Jerry Sasse at Aqua Science has informed me that this procedure will take up to two weeks and then he will submit it for your review.

I am sorry that this has taken so long to do. It wasn't until a month ago did my brother and I realize that my father had a dead line for this work and as you know, he has not been in the best of health.

I will do my best to get this taken care of as soon as possible and the work as well. Please excuse him if he calls you and bothers you as he doesn't remember well at all. He only trusts you.

If he should call you, please inform him that things are being taken care of and you will contact him once the paperwork is completed from Aqua Science. You may carbon copy me in all of the correspondence you send to my father. He might want to visit your office with my brother in the future.

Thank you for your time and patience.

Sincerely,

Susan D. Barba

Susan D. Barba

SDB/aka

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) 337-9335

March 19, 2001
StID # 39

Mr. Kin and Daisy Chan
4328 Edgewood Ave.
Oakland CA 94602

Re: Former Shell Station, 726 Harrison St., Oakland CA 94612

Dear Mr. and Mrs. Chan:

Our office previously requested in my December 19, 2000 letter that you submit a work plan for evaluating and recommending a remediation approach for the above referenced site. Your work plan was to be submitted by February 6, 2001, however, our office has yet to receive the work plan. I understand that a work plan has been prepared by your consultant, Aqua Science Engineer, (ASE), but you have not authorized its submittal. I further understand that you have been accepted into the Underground Storage Tank Clean-up Fund , the Fund, therefore, future work at your site will be reimbursed by the Fund.

Please submit your investigation and remediation work plan to our office within 30 days, or no later than April 20, 2001. Keep in mind that your compliance with regulatory requirements is required to maintain your eligibility in the Fund.

As requested in your February 5, 2001 quarterly groundwater monitoring report, you may discontinue sampling and analysis of groundwater from MW-2 due to its historical absence of petroleum contamination, however, please continue to take elevation readings from this well to incorporate into your groundwater gradient maps.

Our office is available to discuss your site with you and your consultant as requested. Please have ASE contact me at (510) 567-6765 to set up a date and time convenient to all.

Sincerely,

Barney M Chan

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, files
Mr. R. Kitay, ASE, 208 West Pintado Rd., Danville, CA 94526
Mr. Bo Gin, 288 11th St., Oakland, CA 94607
Mr. R. Scheele, Cambria Environmental, 1144 65th St., Suite B, Oakland CA 94608
Mr. D. DeWitt, Tosco Marketing, 2000 Crow Canyon Place, Suite 400, San Ramon, CA 94586

2wprq726Harrison

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) 337-9335

December 19, 2000
StID # 39

Mr. Kin and Daisy Chan
4328 Edgewood Ave.
Oakland CA 94602

Re: Former Shell Station, 726 Harrison St., Oakland CA 94612

Dear Mr. and Mrs. Chan:

As you may be aware, I have recently taken over the oversight of the above referenced site from Mr. Larry Seto of this office. I have reviewed the files for the site and it is apparent that a significant gasoline, BTEX (benzene, toluene, ethyl benzene and xylenes), and MTBE release has occurred at the site. Up to now, only groundwater monitoring has been performed at the site. Although there may be a potential of petroleum migration from the neighboring Unocal site onto this site and potential migration of petroleum contamination onto the former ARCO site from this site, the other sites have been doing some type of groundwater remediation. Unocal has installed oxygen releasing compound in their wells, while the ARCO site has been operating a soil vapor/air sparge remediation system for several years. The elevated concentration of contaminants (particularly MTBE) in well MW-1 will require remediation. Since these three sites are involved due commingling contaminant plumes, a concerted effort is necessary from all parties to remediate their own site according to the severity of their release.

Therefore, please submit a work plan for evaluating and recommending a remediation approach for the elevated groundwater contamination at this site. Minimally, remediation should encompass the area within the former tank pit and around well MW-1 and the effect of the remediation should be evidenced in ARCO's well MW-4. **Please submit your work plan to our office within 45 days or no later than February 6, 2001.**

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, files
Mr. R. Kitay, ASE, 208 West El Pintado Rd., Danville, CA 94526
Mr. D. DeWitt, Tosco Marketing, 2000 Crow Canyon Place, Suite 400, San Ramon CA 94586
Mr. D. Vossler, Gettler-Ryan Inc., 6747 Sierra Court, Suite J, Dublin, CA 94568
Mr. Bo Gin, 288 11th St., Oakland, CA 94607
Mr. R. Scheele, Cambria Environmental, 1144 65th St., Suite B., Oakland CA 94608

Wprq726Harrison

To: Files
From: Larry Seto
Date 1-27-2000
Subj: Alleged migration of MTBE from 726 to 706 Harrison Street, Oakland

On August 27, 1999, Cambria Environmental, consultants for 706 Harrison coordinated field activities with Aqua Science Engineers, consultants for upgradient site at 726 Harrison Street. Groundwater samples from both sites were sent to McCambell Analytical of Pacheco, CA. Cambria claims that the MTBE EPA Method 8260 analytical results from the combined sampling show that the source area for the MTBE plume emanates from 726 Harrison Street, the upgradient property (3rd Quarter 1999 Monitoring Report, dated 12-2-99, Cambria). I disagree with this conclusion for the following reasons:

1) MTBE concentrations of downgradient well MW-4 (3,300 ppb) in 706 Harrison is higher than upgradient well, MW-3 (1,600 ppb) in 726 Harrison. If there were migration from 726 to 706, you would expect the MTBE concentration to be lower in downgradient well MW-4 than upgradient well, MW-3.
2) Historical data reveals MTBE concentration at 706 Harrison is higher in downgradient well MW-1 compared to upgradient well MW-2. This is an indication there maybe an MTBE source at 706 Harrison.

Winston H. Hickox
Secretary for Environmental Protection

State Water Resources Control Board

Division of Clean Water Programs
2014 T Street • Sacramento, California 95814 • (916) 227-4366
Mailing Address: P.O. Box 944212 • Sacramento, California • 94244-2120
FAX (916) 227-4530 • Internet Address: http://www.swrcb.ca.gov/~cwphome/ustcf

Gray Davis
Governor

RO 0321
#39
ES
OCT 22 1999
BC

Kin Chan
4328 Edgewood Ave
Oakland, CA 94602

UNDERGROUND STORAGE TANK CLEANUP FUND, CLAIM NO. 013525, FOR SITE ADDRESS: 726 HARRISON ST, OAKLAND

The State Water Resources Control Board (State Board) is able to issue, pursuant to applicable regulations, the enclosed Letter of Commitment (LOC) in an amount not to exceed $5,000. This LOC is based upon our review of the corrective action costs you reported to have incurred to date. The LOC may be modified by the State Board.

It is very important that you read the terms and conditions listed in the enclosed LOC. Claims filed with the Underground Storage Tank Cleanup Fund far exceed the funding available and it is very important that you make use of the funding that has been committed to your cleanup in a timely manner.

You are reminded that you must comply with all regulatory agency time schedules and requirements and you must obtain three bids for any required corrective action. Only corrective action costs *required* by the regulatory agency to protect human health, safety and the environment can be claimed for reimbursement. **Unless waived in writing, you are required to obtain *preapproval of costs* for all future corrective action work (form enclosed).** If you have any questions on obtaining preapproval of your costs or the three bid requirement, please call Mark Owens, our Technical Reviewer assigned to claims in your Region, at (916) 227-7883. Failure to obtain preapproval of your future costs may result in the costs not being reimbursed.

The following documents needed to submit your reimbursement request are enclosed:

"Reimbursement Request Instructions" package. **Retain this package for future reimbursement requests**. These instructions must be followed when seeking reimbursement for corrective action costs incurred after January 1, 1988. Included in the instruction package are samples of completed reimbursement request forms and spreadsheets.

"Bid Summary Sheet" to list information on bids received which **must be completed and returned**.

"Reimbursement Request" forms which you **must use to request reimbursement of costs incurred**.

"Spreadsheet" forms which you **must use in conjunction with your reimbursement request**.

* **THIS IS IMPORTANT TO YOU, PLEASE NOTE:**

You have 90 calendar days from the date of this letter to submit your first reimbursement request for incurred corrective action costs. **NO EXTENSIONS CAN BE GRANTED**. If you fail to do so, your LOC funds will automatically be reduced to zero (deobligated). Once this occurs, any future funds for this site are subject to availability when you submit your first reimbursement request. We continuously review the status of all active claims. You must continue to remain in compliance and submit a reimbursement request every 6 months. Failure to do so will result in the Fund taking steps to withdraw your LOC.

If you have any questions regarding the enclosed documents, please contact Anna Torres at (916) 227-4388.

Sincerely,

Dave Deaner, Manager
UST Cleanup Fund Program

Enclosures

cc: Mr. Steve Morse
RWQCB, Region 2
1515 Clay Street, Ste. 1400
Oakland, CA 94612

Mr. Thomas Peacock
Alameda County EHD
1131 Harbor Bay Pkway, 2nd Fl.
Alameda, CA 94502-6577

State Water Resources Control Board

Division of Clean Water Programs
2014 T Street • Sacramento, California 95814 • (916) 227-4539
Mailing Address: P.O. Box 944212 • Sacramento, California • 94244-2120
FAX (916) 227-4530 • Internet Address: http://www.swrcb.ca.gov/~cwphome/ustcf

Winston H. Hickox
Secretary for Environmental Protection

Gray Davis
Governor

LS #5110 #39

99 MAR 30 PM 3:24

March 29, 1999

Kin Chan
4328 Edgewood Ave
Oakland, CA 94602

UNDERGROUND STORAGE TANK CLEANUP FUND PROGRAM, NOTICE OF PERMIT WAIVER AND ELIGIBILITY DETERMINATION: CLAIM NUMBER 013525 ; FOR SITE 726 HARRISON ST, OAKLAND 94607

Your claim has been accepted for placement on the Priority List in Priority Class "B".

Permit Waiver: Under the amended provisions of Section 25299.57 of the Health and Safety Code (H&SC), the State Board has granted your request for a waiver for the permit requirement as a condition for eligibility to the Fund. It is important to note that when a claimant failed to apply for or obtain the permits required pursuant to Chapter 6.7, Division 20, of the H&SC, by January 1, 1990, and the State Board grants a waiver pursuant to Section 2811(a)(2)(B) of the Underground Storage Tank Cleanup Fund Regulations, the claimant's level of financial responsibility (deductible) is twice the amount otherwise required. In this case, you will be responsible for the first $10,000 of eligible corrective action costs before the Fund coverage begins.

Compliance Review: After adoption of the Priority List, staff will review, verify, and process applications based on their priority and rank within a priority class. During this Compliance Review, staff may request additional information needed to verify eligibility. Once review of the application is complete and the claim is determined to be valid, a Letter of Commitment will be issued obligating funds toward the cleanup. After the compliance review, your claim may be rejected if Division staff determine that you have not complied with regulations governing site cleanup, you have not supplied necessary information or documentation, or your claim application contains a material error. In such event, you will be issued a Notice of Intended Removal from the Priority List, informed of the basis for the proposed removal of your claim an provided an opportunity to correct the condition that is the basis for the proposed removal. Your claim will be barred from further participation in the Fund, however, if the claim application contains a material error resulting from fraud or intentional or negligent misrepresentation.

Record keeping: During your cleanup project you should keep complete and well organized records of all corrective action activity and payment transactions. If you are eventually issued a Letter of Commitment, you will be required to submit: (1) copies of detailed invoices for all corrective action activity performed (including subcontractor invoices), (2) copies of canceled checks used to pay for work shown on the invoices, (3) copies of technical documents (bids, narrative work description, reports), and (4) evidence that the claimant paid for the work performed (not paid by another party). These documents are necessary for reimbursement and failure to submit them could impact the amount of reimbursement made by the Fund. ***It is not necessary to submit these documents at this time; however, they will definitely be required prior to reimbursement.***

Compliance with Corrective Action Requirements: In order to be reimbursed for your eligible costs of cleanup incurred after December 2, 1991, you must have complied with corrective action requirements of Article 11, Chapter 16, Division 3, Title 23, California Code of Regulations. Article 11 categorized the corrective action process into ***phases***. In addition, Article 11 requires the responsible party to submit an

investigative workplan/Corrective Action Plan (CAP) before performing any work. This phasing process and the workplan/CAP requirements were intended to:

1. help the responsible party undertake the necessary corrective action in a cost-effective, efficient and timely manner;

2. enable the regulatory agency to review and approve the proposed cost-effective corrective action alternative before any corrective action work was performed; and

3. ensure the Fund will only reimburse the most cost-effective corrective action alternative required by the regulatory agency to achieve the minimum cleanup necessary to protect human health, safety and the environment.

In some limited situations ***interim cleanup*** will be necessary to mitigate a demonstrated immediate hazard to public health, or the environment. Program regulations allow the responsible party to undertake interim remedial action after: (1) notifying the regulatory agency of the proposed action, and; (2) complying with any requirements that the regulatory agency may set. Interim remedial action should only be proposed when necessary to mitigate an immediate demonstrated hazard. ***Implementing interim remedial action does not eliminate the requirement for a CAP and an evaluation of the most cost-effective corrective action alternative.***

Three bids and Cost Preapproval: Only corrective action costs required by the regulatory agency to protect human health, safety and the environment can be claimed for reimbursement. You must comply with all regulatory agency time schedules and requirements and you must obtain three bids for any required corrective action. Unless waived in writing, you are required to obtain preapproval of costs for all future corrective action work. ***If you do not obtain three bids and cost preapproval, reimbursement is not assured and costs may be rejected as ineligible.***

If you have any questions, please contact me at (916) 227-4539.

Sincerely,

Cheryl Gordon
Claims Review Unit
Underground Storage Tank Cleanup Fund

cc: Mr. Thomas Peacock
Alameda County EHD
1131 Harbor Bay Pkway, 2nd Fl.
Alameda, CA 94502-6577

Chan, Barney, Env. Health

To: augerpro@sbcglobal.net

Cc: Robert Kitay (E-mail)

Subject: Pilot test for 726 Harrison St

RO 321

(Mr. Kin Chan)

Messrs. Jacobs and Kitay:

Please provide the estimated locations of the proposed 32 injection points for your pilot study.
Please show this proposed treatment area relative to the entire proposed treatment area. I understand that the 32 points represents about 1/5 the total area.
Please provide estimates of the residual hydrocarbon mass and the amount of oxidant necessary to treat this amount of hydrocarbon. What levels of hydrocarbon were used to determine the extent of treatment?

Thank you,

Barney M. Chan
Hazardous Materials Specialist
Alameda County Environmental Health
510-567-6765

2-4-99 Met Kin Chan, property owner at the site. We discussed the soil & groundwater assessment report dated Jan 8, 99 by Aqua Science Engineers.

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

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

February 4, 1999

Kin and Daisy Chan
4328 Edgewood Avenue
Oakland, CA 94602
STID 39

RE: 726 Harrison Street, Oakland, CA 94612

Dear Mr. & Ms. Chan:

I have reviewed your Report of Soil and Groundwater Assessment dated January 8, 1999 for the above site. The groundwater samples collected from the four (4) monitoring wells on-site contained up to 18,000 ppb, 1,500 ppb, 270 ppb, 260 ppb 560 ppb and 14,000 ppb of TPH(gas), benzene, toluene, ethyl benzene, total xylenes and MTBE respectively. Benzene concentrations in groundwater samples collected from monitoring wells MW-1 and MW-4 exceeded DTSC MCLs for drinking water. The toluene concentration in groundwater samples collected from monitoring well MW-1 also exceeded the DTSC MCL for drinking water. MTBE concentrations exceeded the DTSC interim action level for drinking water in groundwater samples collected from monitoring wells MW-1, MW-3 and MW-4.

Groundwater samples should be collected from all four monitoring wells on-site on a quarterly basis. The samples should be tested for the presence of TPH(gas), benzene, toluene, ethyl benzene, total xylenes and MTBE. Note: At least one groundwater sample per site which was positive for MTBE by EPA method 8020A be analyzed by EPA method 8240B (or 8260A) to verify the correct identification of MTBE. (i.e. split samples from a minimum of one well from each site)

Please be aware that in the future in addition to monitoring the groundwater, you maybe required to take a more aggressive approach in remediating your site.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,

Larry Seto
Sr. Hazardous Materials Specialist

Cc: Robert Kitay, Aqua Science Engineers, 208 West El Pintado Road, Danville, CA 94526

files

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

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

November 23, 1998

Kin and Daisy Chan
4328 Edgewood Avenue
Oakland, CA 94602
STID 39

RE: 726 Harrison Street, Oakland, CA 94612

Dear Mr. & Ms. Chan:

I have reviewed your Workplan for a Soil and Groundwater Assessment dated November 16, 1998 that was prepared by Aqua Science Engineers for the above site. It is acceptable.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,

Larry Seto
Sr. Hazardous Materials Specialist

Cc: Robert Kitay, Aqua Science Engineers, 208 W. El Pintado Road, Danville, CA 94526
Leroy Griffin, City of Oakland Fire Department
Files

STID 39
LS

November 6, 1998

Mr. Szeto

1) On October 8th, 1995 the tanks were removed from my property by All Environmenal Company of San Ramon for $25,000. They finished the removal later on that week.

2) Mr. Heurd from All Environmental suggested that we continue to exclavate the property. At the time my attorney, Ken Jenner, myself and Mr. Heurd met to come to an agreement of how much this was going to cost. We came to the conclusion that it was going to be an additional $22,000. This did not include placing a monitoring well on the premesis at the time. When this stage was completed in late November 1995 the total bill came to $61,000. We fell into a disagreement and finally settled on a bill of $40,000.

3) In March of 1996, I was under the impression that the project had been completed.

4) Until a year later March of 1997 when I received a letter from an agent, Mr. Tinsley stated that I needed to place a monitoring well on the property. I could not afford to place a well until late June early July of that year. The well was placed by Lowery Associates at a cost of $3,800. I was told that I was to receive quartly reports about the well and I have not yet to see one. Therefore I was led to believe that the project was yet again complete.

5) In September of 1998, I filed with Superfund for assistance.

6) In October of 1998, I received a proposal from Aqua Science Engineers. (I am enclosing a copy of the proposal)

If you have further questions please contact Miss. Alice Correa at Superfund either by mail or phone.

450 North Main Street
M-IC 30
Sacramento, California
94279

(916) 323-6464

Thank You For Your Time

Yours truly,

Ki Chan

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

Certified Mailer # Z 115 363 869

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

October 6, 1998

Kin & Daisy Chan
4328 Edgewood Ave.
Oakland, CA 94602
STID 39

NOTICE OF VIOLATION

RE: Shell, 726 Harrison Street, Oakland, CA 94607

Dear Mr. & Ms. Chan:

A letter dated September 23, 1997 requested a workplan be submitted to this office to delineate the extent of contamination on your site. The State Water Board and this office are concerned that hydrocarbons from your site are migrating onto your neighbor's site at 706 Harrison Street, Oakland. Your consultant, David Allen of Aqua Science Engineers Inc. faxed me a draft of the proposed locations for the installation of three additional monitoring wells on February 9, 1998. I have not received the formal workplan as of this date. **Please submit an additional subsurface workplan approval within 30 days of the receipt of this letter.**

If you have any questions, please contact me at (510) 567-6774.

Sincerely,

Larry Seto
Sr. Hazardous Materials Specialist

Cc: David Allen, Aqua Science Engineers, 208 West El Pintado Road, Danville, CA 94526
Bo Gin, 288 11th Street, Oakland, CA 94706
Bob Chambers, Alameda County District Attorney's Office, Consumer & Environmental Protection
Files

L. Seto

Z 115 363 869 STID# 3

US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided.
Do not use for International Mail *(See reverse)*

Sent to Kin & Daisy Chan	
Street & Number 4328 Edgewood Avenue	
Post Office, State, & ZIP Code Oakland, Ca. 94602	
Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	$
Postmark or Date	

m 3800, April 1995

Is your RETURN ADDRESS completed on the reverse

- Print your ... card to you.
- Attach this form to the front of the ... permit.
- Write *"Return Receipt Requested"* on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

1. ☐ Addressee's Address
2. ☐ Restricted Delivery
Consult postmaster for fee.

3. Article Addressed to: L. Seto STID# 39
Kin & Daisy Chan
4328 Edgewood Avenue
Oakland, Ca. 94602

4a. Article Number
Z 115 363 869

4b. Service Type
☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

5. Received By: *(Print Name)*

8. Addressee's Address *(Only if requested and fee is paid)*

6. Signature: *(Addressee or Agent)*
X

PS Form **3811**, December 1994 102595-97-B-0179 Domestic Return Receipt

Thank you for using Return Receipt Service.

Fold at line over top of envelope to the right of the return address

CERTIFIED

Z 115 363 869

MAIL

CC4580
ALAMEDA COUNTY
HEALTH CARE SERVICES AGENC
Department Of Environmental Health
Environmental Protection Division
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

UNCLAIMED

L N

Kin & Daisy Chan
4328 Edgewood Avenue
Oakland, Ca. 94602

UNCLAIMED

10/10

10-21

10-31

94602-1316 21

J. Lee & Associates

Certified Public Accountant

369 - 13th Street, Oakland, CA 94612
Tel: (510)836-7400, Fax: (510)836-7402

December 22, 1997

Mr. Brent Foster
Lowney Associates
405 Clyde Avenue
Mountain View, CA 94043

Re: STID 39, 726 Harrison St., Oakland, CA 94607

Dear Mr. Foster:

I am writing this letter on behalf of Mr. Kin Chan as his CPA, who is quite concerned with the letter he received from the Alameda County Health Care Services Agency in response to your report dated July 31, 1997. Mr. Thomas Peacock raised several salient points that need responses immediately, but apparently have not been done to date.

You were carbon copied on this letter. According to Mr. Chan, he had placed several calls to your office but had not been responded to. It appears professionals who are well versed in this field should respond without a delay.

Please call Mr. Chan or myself to comply with the county's request as soon as possible. I would be more than willing to plan middle man to expedite this matter.

Sincerely,
J. LEE & ASSOCIATES

Jong H. Lee, CPA

JHL:cel\corresp\chan

Enclosure

cc: Larry Seto
Kenneth Jenner, Esq.
Kin Chan

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

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

September 23, 1997

Daisy & Kin Chan
4328 Edgewood Ave.
Oakland, CA 94602

STID **39**, 726 Harrison St., Oakland, 94607

Dear Daisy & Kin Chan:

This office has received and reviewed a Soil and Groundwater Evaluation Report dated July 31, 1997 by Lowney Associates. The following are comments concerning this report:

1. The levels of TPHg, benzene, and MTBE discovered in your new well MW-1 are very high and certainly indicate that your tanks leaked. However, all data is basically linear in a downgradient direction. To adequately characterize your plume you need to have more data points, especially in both cross gradient directions. You will need to submit another workplan for this continued investigation. You are reminded that quarterly monitoring of the existing well is required.
2. It would be very wise for you to work together with the two other sites that you already researched and cited in your report. Simultaneous monitoring is best to see what is actually happening. It is not reasonable to compare contaminant numbers in the shallow zone from over a year apart.
3. You should **not** submit reports to the Regional Board as the report suggests on page 6.
4. Your figure 2 portrays the sample results for off-site wells MW-7 and MW-8 as being taken on 7-9-97 when they were actually taken on 7-9-96. This should be corrected.

Please be advised that this letter constitutes a formal request for technical reports pursuant to California Water Code Section 13267(b) and the Health and Safety Code Sections 25299.37 and 25299.78.

This case will be assigned to Larry Seto of this office. Please contact him at 510) 567-6774 if you have any questions regarding this letter.

Sincerely,

Thomas Peacock, Manager

c: Brock Foster, Lowney Associates, 405 Clyde Ave., Mountain View, CA 94043-2209
Gordon Coleman - Files

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

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

July 25, 1997
STID #39

Mr. Kin Chan, Property Owner
726 Harrison Ave
Oakland CA 94610

Re: Formerly Chan's Shell, 726 Harrison Ave, Oakland CA 94610

Dear Mr. Chan:

This office has reviewed the workplan for soil and groundwater quality evaluation, dated June 9, 1997, for the above referenced site. The workplan was submitted by Brock Foster of Lowney Associates on your behalf.

The plan proposes drilling one 2-inch diameter boring. It will be located down-gradient within ten feet of the UST excavation and extend vertically into the water bearing zone. Groundwater is anticipated at a depth between 20 and 30 ft below ground surface (bgs).

Before this plan was implemented, it was revised by Peter Langtry of Lowney Associates. The planned boring was substituted for installation of a groundwater monitoring well.

Soil samples will be collected at 5 ft depth intervals and screened by an organic vapor meter (ovm). Two soil samples and one groundwater sample will be collected and analyzed for TPH-gasoline, TPH-diesel, B.T.E.X. and MTBE.

Please be advised that this workplan is approved, with the stipulation additional work may be required. Pursuant to the California Water Code, section 13267(b), technical reports documenting field activities and laboratory results must be submitted within 30 days. Your report should be received by this office no later than August 29, 1997.

If you have any questions or concerns, do not hesitate to call me at 567-6731.

Sincerely,

Kevin Tinsley

Kevin Tinsley
Hazardous Materials Specialist

c, Peter M. Langtry, C.H.G., Associate Environmental Geologist, Lowney Associates, 129 Filbert Street, Oakland, California 94607-2531
Thomas Peacock, Manager, Alameda County E.P.S.

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

May 29, 1997

CERTIFIED:P 143 588 261

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

Mr. Kin Chan, Property Owner
Chan's Shell
726 Harrison Street
Oakland, California 94612
STID # 39

RE: Chan's Shell located at 726 Harrison Street, Oakland, California 94612

Dear Mr. Kin Chan:

This corespondence is intended to follow up the meeting between you and I, which occurred on May 16, 1997 at the Environmental Health Department, 1131 Harbor Bay Parkway in Alameda. At that time, several items were discussed and agreed upon as indicated below:

1. The required preliminary site assessment (PSA) workplan must be submitted, no later than June 7, 1997.

2. Groundwater monitoring information obtained from neighboring sites will be accepted as it pertains to your site conditions and is properly documented.

3. Copies of all correspondence, regarding this case, must be submitted to our office.

4. Field work proposed under the preliminary site assessment must be implemented within 45 after approval by this office.

If you have any questions or concerns regarding this matter, please do not hesitate to call me at, (510) 567-6731 Tuesday through Friday.

Sincerely,

Keori Tinsley

[redacted]
Hazardous Materials Specialist
Local Overrsight Program

c; Bob Chambers, Alameda County District Attorney's Office
Thomas Peacock, Manager Local Oversight Program - (files)

P 143 588 261

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail *(See reverse)*

Sent to
MR. KIN CHAN,
PROPERTY OWNER
CHAN'S SHELL
Street & Number
726 HARRISON STREET
Post Office, State, & ZIP Code
OAKLAND, CA 94612
Postage
STID# 39

Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	$

Postmark or Date

PS Form **3800**, April 1995

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

ENVIRONMENTAL HEALTH SERVICES
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6777

April 23, 1997

Certified Mailer:
Z296 048 274

Mr. Kin Chan, Property Owner
Chan's Shell
726 Harrison Street
Oakland, California 94612
STID # 39

RE: Chan's Shell located at, 726 Harrison Street, Oakland, California 94612

Dear Mr. Kin Chan:

I have reviewed the case, for the above referenced site, up to and including the February 25, 1997 request to extend the **preliminary site assessment (PSA)** workplan submittal deadline to March 7, 1997. Your request was initially made during a phone conversation and was approved verbally to allow a new consultant adequate time to become acquainted with the case. This extension granted an additional 90 days, from the February 18, 1997 due date until **May 18, 1997**. The preliminary site assessment (PSA) workplan will be due no later than **May 18, 1997**.

You should be aware this extension is granted under the, "Second Notice of Violation", issued on January 15, 1997 by our office. Failure to satisfy this directive in a timely manner may result in further legal action by the Alameda County District Attorney's Office.

To date, our office has not received your workplan for preliminary site assessment. **If the workplan has been submitted, contact this office immediately.**

As you know, I am the new case worker for your site. Please direct all future correspondence and reports to my attention.

Should you have any questions or concerns regarding this letter or the site, do not hesitate to call me at (510) 567-6731.

Sincerely,

Kevin Tinsley

Kevin Tinsley
Hazardous Materials Specialist

c, Bob Chambers, Alameda County District Attorney's Office
Thomas Fojut, R.G. Project Hydrogeologist, Weiss Associates
5500 Shellmound Street, Emeryville, California 94608-2411
KT/files

Z 296 048 274

Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

UNITED STATES POSTAL SERVICE

PS Form **3800**, March 1993

Sent to MR. KIN CHAN, PROPERTY OWNER	
Street and No. CHAN'S SHELL	
P.O., State and ZIP Code 726 HARRISON ST OAKLAND, CA 94612	
Postage K.T.	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	$
Postmark or Date	

Is your RETURN ADDRESS completed on the reverse side?

SENDER:
- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write *"Return Receipt Requested"* on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered. K.T.

I also wish to receive the following services (for an extra fee):
1. ☐ Addressee's Addr.
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
MR. KIN CHAN, PROPERTY OWNER
CHAN'S SHELL
726 HARRISON STREET
OAKLAND, CA 94612

4a. Article Number
Z 296 048 274

4b. Service Type
☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery 4/28/97

5. Received By: *(Print Name)*

8. Addressee's Address *(Only if requested and fee is paid)*

6. Signature: *(Addressee or Agent)*
X

PS Form **3811**, December 1994 Domestic Return Receipt

Thank you for using Return Receipt Service.

UNDERGROUND STORAGE TANK UNAUTHORIZED RELEASE (LEAK) / CONTAMINATION SITE REPORT

EMERGENCY ☐ YES ☒ NO

HAS STATE OFFICE OF EMERGENCY SERVICES REPORT BEEN FILED? ☐ YES ☒ NO

REPORT DATE: 10/06/95 (M/M/D/D/Y/Y) | CASE #:

FOR LOCAL AGENCY USE ONLY
I HEREBY CERTIFY THAT I HAVE DISTRIBUTED THIS INFORMATION ACCORDING TO THE DISTRIBUTION SHOWN ON THE INSTRUCTION SHEET ON THE BACK PAGE OF THIS FORM.
SIGNED: Ken Chan | DATE: 4-23-97

REPORTED BY
NAME OF INDIVIDUAL FILING REPORT: Michael Killoran | PHONE: (510) 820-3224 | SIGNATURE: Michael Killoran
REPRESENTING ☐ OWNER/OPERATOR ☐ REGIONAL BOARD ☐ LOCAL AGENCY ☐ OTHER | COMPANY OR AGENCY NAME: All Environmental, Inc.
ADDRESS: 2641 Crow Canyon Rd (STREET), San Ramon (CITY), CA (STATE) 94583 (ZIP)

RESPONSIBLE PARTY
NAME: Ken Chan ☐ UNKNOWN | CONTACT PERSON: Ken Chan | PHONE: (510) 444-6583
ADDRESS: 726 Harrison St. (STREET), Oakland (CITY), CA (STATE) 94607 (ZIP)

SITE LOCATION
FACILITY NAME (IF APPLICABLE): Chan's Shell | OPERATOR | PHONE: ( )
ADDRESS: 726 Harrison St. (STREET), Oakland (CITY), Alameda (COUNTY) 94607 (ZIP)
CROSS STREET: 8th St.

IMPLEMENTING AGENCIES
LOCAL AGENCY / AGENCY NAME: Alameda County Health Care Services Agency | CONTACT PERSON: Madhulla Logan | PHONE: (510) 567-6700
REGIONAL BOARD | PHONE: ( )

SUBSTANCES INVOLVED
(1) NAME: Gasoline | QUANTITY LOST (GALLONS): ☐ UNKNOWN
(2) Waste oil | ☒ UNKNOWN

DISCOVERY/ABATEMENT
DATE DISCOVERED: 10/06/95 | HOW DISCOVERED: ☐ INVENTORY CONTROL ☐ SUBSURFACE MONITORING ☐ NUISANCE CONDITIONS ☐ TANK TEST ☒ TANK REMOVAL ☐ OTHER
DATE DISCHARGE BEGAN: ☒ UNKNOWN
HAS DISCHARGE BEEN STOPPED? ☒ YES ☐ NO IF YES, DATE: 10/06/95
METHOD USED TO STOP DISCHARGE (CHECK ALL THAT APPLY): ☐ REMOVE CONTENTS ☒ CLOSE TANK & REMOVE ☐ REPAIR PIPING ☐ REPAIR TANK ☐ CLOSE TANK & FILL IN PLACE ☐ CHANGE PROCEDURE ☐ REPLACE TANK ☐ OTHER

SOURCE/CAUSE
SOURCE OF DISCHARGE: ☒ TANK LEAK ☐ PIPING LEAK ☒ UNKNOWN ☐ OTHER
CAUSE(S): ☐ OVERFILL ☐ RUPTURE/FAILURE ☐ SPILL ☐ CORROSION ☐ UNKNOWN ☐ OTHER

CASE TYPE
CHECK ONE ONLY: ☒ UNDETERMINED ☐ SOIL ONLY ☐ GROUNDWATER ☐ DRINKING WATER - (CHECK ONLY IF WATER WELLS HAVE ACTUALLY BEEN AFFECTED)

CURRENT STATUS
CHECK ONE ONLY
☐ NO ACTION TAKEN ☐ PRELIMINARY SITE ASSESSMENT WORKPLAN SUBMITTED ☒ POLLUTION CHARACTERIZATION
☐ LEAK BEING CONFIRMED ☐ PRELIMINARY SITE ASSESSMENT UNDERWAY ☐ POST CLEANUP MONITORING IN PROGRESS
☐ REMEDIATION PLAN ☐ CASE CLOSED (CLEANUP COMPLETED OR UNNECESSARY) ☐ CLEANUP UNDERWAY

REMEDIAL ACTION
CHECK APPROPRIATE ACTION(S) (SEE BACK FOR DETAILS)
☒ EXCAVATE & DISPOSE (ED) ☐ REMOVE FREE PRODUCT (FP) ☐ ENHANCED BIO DEGRADATION (IT)
☐ CAP SITE (CD) ☐ EXCAVATE & TREAT (ET) ☐ PUMP & TREAT GROUNDWATER (GT) ☐ REPLACE SUPPLY (RS)
☐ CONTAINMENT BARRIER (CB) ☐ NO ACTION REQUIRED (NA) ☐ TREATMENT AT HOOKUP (HU) ☐ VENT SOIL (VS)
☐ VACUUM EXTRACT (VE) ☐ OTHER (OT)

COMMENTS
Two of ten soil samples from excavations contained > 100 ppm TPHg.

HSC 05 (8/90)

INSTRUCTIONS

EMERGENCY
Indicate whether emergency response personnel and equipment were involved at any time. If so, a Hazardous Material Incident Report should be filed with the State Office of Emergency Services (OES) at 2800 Meadowview Road, Sacramento, CA 95832. Copies of the OES report form may be obtained at your local underground storage tank permitting agency. Indicate whether the OES report has been filed as of the date of this report.

LOCAL AGENCY ONLY
To avoid duplicate notification pursuant to Health and Safety code Section 25180.5, a government employee should sign and date the form in this block. A signature here does not mean that the leak has been determined to pose a significant threat to human health or safety, only that notification procedures have been followed if required.

REPORTED BY
Enter your name, telephone number, and address. Indicate which party you represent and provide company or agency name.

RESPONSIBLE PARTY
Enter name, telephone number, contact person, and address of the party responsible for the leak. The responsible party would normally be the tank owner.

SITE LOCATION
Enter information regarding the tank facility. At a minimum, you must provide the facility name and full address.

IMPLEMENTING AGENCIES
Enter names of the local agency and Regional Water Quality Control Board involved.

SUBSTANCES INVOLVED
Enter the name and quantity lost of the hazardous substance involved. Room is provided for information on two substances if appropriate. If more than two substances leaked, list the two of most concern for cleanup.

DISCOVERY/ABATEMENT
Provide information regarding the discovery and abatement of the leak.

SOURCE/CAUSE
Indicate source(s) of leak. Check box(es) indicating cause of leak.

CASE TYPE
Indicate the case type category for this leak. Check one box only. Case type is based on the most sensitive resource affected. For example, if both soil and ground water have been affected, case type will be "Ground Water". Indicate "Drinking Water" only if one or more municipal or domestic water wells have actually been affected. A "Ground Water" designation does not imply that the affected water cannot be, or is not, used for drinking water, but only that water wells have not yet been affected. It is understood that case type may change upon further investigation.

CURRENT STATUS
Indicate the category which best describes the current status of the case. Check one box only. The response should be relative to the case type. For example, if case type is "Ground Water", then "Current Status" should refer to the status of the ground water investigation or cleanup, as opposed to that of soil. Descriptions of options follow:

Leak Stopped - Leak has been stopped by responsible party beyond the point of release.
Leak Being Confirmed - Leak suspected at site, but has not been confirmed.
Preliminary Site Assessment Workplan Submitted - workplan/proposal requested of/submitted by responsible party to determine whether ground water has been, or will be, impacted as a result of the release.
Preliminary Site Assessment Underway - implementation of workplan.
Pollution Characterization - responsible party is in the process of fully defining the extent of contamination in soil and ground water and assessing impacts on surface and/or ground water.
Remediation Plan - remediation plan submitted evaluating long term remediation options. Proposal and implementation schedule for appropriate remediation options also submitted.
Cleanup Underway - implementation of remediation plan.
Post Cleanup Monitoring in Progress - periodic ground water or other monitoring at site, as necessary, to verify and/or evaluate effectiveness of remedial activities.
Case Closed - regional board and local agency in concurrence that no further work is necessary at the site.

IMPORTANT: THE INFORMATION PROVIDED ON THIS FORM IS INTENDED FOR GENERAL STATISTICAL PURPOSES ONLY AND IS NOT TO BE CONSTRUED AS REPRESENTING THE OFFICIAL POSITION OF ANY GOVERNMENTAL AGENCY

REMEDIAL ACTION
Indicate which action have been used to cleanup or remediate the leak. Descriptions of options follow:

Cap Site - install horizontal impermeable layer to reduce rainfall infiltration.
Containment Barrier - install vertical dike to block horizontal movement of contaminant.
Excavate and Dispose - remove contaminated soil and dispose in approved site.
Excavate and Treat - remove contaminated soil and treat (includes spreading or land farming).
Remove Free Product - remove floating product from water table.
Pump and Treat Groundwater - generally employed to remove dissolved contaminants.
Enhanced Biodegradation - use of any available technology to promote bacterial decomposition of contaminants.
Replace Supply - provide alternative water supply to affected parties.
Treatment at Hookup - install water treatment devices at each dwelling or other place of use.
Vacuum Extract - use pumps or blowers to draw air through soil.
Vent Soil - bore holes in soil to allow volatilization of contaminants.
No Action Required - incident is minor, requiring no remedial action.

COMMENTS - Use this space to elaborate on any aspects of the incident.

SIGNATURE - Sign the form in the space provided.

DISTRIBUTION
If the form is completed by the tank owner or his agent, retain the last copy and forward the remaining copies intact to your local tank permitting agency for distribution.
1. Original - Local Tank Permitting Agency
2. State Water Resources Control Board, Division of Clean Water Programs, Underground Storage Tank Program, P.O. Box 944212, Sacramento, CA 94244-2120
3. Regional Water Quality Control Board
4. Local Health Officer and County Board of Supervisors or their designee to receive Proposition 65 notifications.
5. Owner/responsible party.

Weiss Associates *Environmental and Geologic Services*

5500 Shellmound Street, Emeryville, CA 94608-2411 *Fax: 510-547-5043* *Phone:* ***510-450-6000***

February 25, 1997

Kevin Tinsley
Alameda County Health Care Services Agency
Environmental Protection (LOP)
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

RE: STID #0039
Kin Chan's Shell
726 Harrison Street
Oakland, California

Dear Mr. Tinsley:

On behalf of Kin Chan, Weiss Associates (WA) has requested an extension of the workplan request deadline set forth in your agency's January 15, 1997, letter to Mr. Chan for the service station property referenced above. As we discussed on the telephone on Friday, February 21, 1997, a response letter will be submitted to your agency in about two weeks or by March 7, 1997. Thank you for granting the extension and please call me if you have any questions or comments.

Sincerely,
Weiss Associates

Thomas Fojut, R.G.
Project Hydrogeologist

TF:tf
I:\CHANACDH.DOC

cc: Kin Chan, 726 Harrison Street, Oakland, California 94607

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

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

STID 0039

January 15, 1997

Chan's Shell
726 Harrison Street
Oakland, CA 94507

"SECOND NOTICE OF VIOLATION"

Dear Mr. Chan:

This letter serves to follow-up on a Alameda County Health Care Services Agency (ACHCSA) letter from myself dated October 29, 1996. **A preliminary site assessment (PSA) work plan was to be submitted to this office within 30 days of the date of this letter or no later than December 2, 1996.**

At this time you are directed to submit a preliminary site assessment work plan within 30 days of the date of this letter or no later than February 18, 1997.

Please be advised that failure to satisfy this request may result in the referral of this case to the Alameda County District Attorneys Office. Please be further advised that Section 25299(b) of the California Health and Safety Code, among other possible statutes, provides for civil penalties of up to $5000 per tank per day for failure to comply with this directive.

Please be advised that this letter constitutes a formal request for technical reports pursuant to California Water Code Section 13267(b) and Health and Safety Code Sections 25299.37 and 25299.78.

In the event that you any questions, please feel free to contact Tom Peacock at (510)567-6782.

Sincerely,

Dale Klettke, CHMM
Hazardous Materials Specialist

c: Bob Chambers, Alameda County District Attorneys Office
Kenneth W. Jenner, Attorney at Law, 100 Webster Street, Penthouse Suite
Oakland, CA 94607
Dale Klettke--files

0039nov2.dkt

pc

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

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

STID 0039

October 29, 1996

Chan's Shell
726 Harrison Street
Oakland, CA 94507

"NOTICE OF VIOLATION"

Dear Mr. Chan:

This letter serves to follow-up on a Alameda County Health Care Services Agency (ACHCSA) letter from myself dated August 1, 1996. **A preliminary site assessment (PSA) work plan was to be submitted to this office within 60 days of the date of this letter or no later than October 1, 1996.**

At this time you are directed to submit a preliminary site assessment work plan within 30 days of the date of this letter or by December 2, 1996.

Please be advised that failure to satisfy this request may result in the referral of this case to the Alameda County District Attorneys Office. Please be further advised that Section 25299(b) of the California Health and Safety Code, among other possible statutes, provides for civil penalties of up to $5000 per tank per day for failure to comply with this directive.

Please be advised that this letter constitutes a formal request for technical reports pursuant to California Water Code Section 13267(b) and Health and Safety Code Sections 25299.37 and 25299.78.

In the event that you any questions, please feel free to contact me directly at (510)567-6880.

Sincerely,

Dale Klettke

Dale Klettke, CHMM
Hazardous Materials Specialist

c: Bob Chambers, Alameda County District Attorneys Office
Kenneth W. Jenner, Attorney at Law, 100 Webster Street, Penthouse Suite
Oakland, CA 94607
Dale Klettke--files

0039nov1.dkt

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

RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6777

STID 0039

August 1, 1996

Chan's Shell
726 Harrison Street
Oakland, CA 94507
Attn: Mr. Kin Chan

Dear Mr. Chan:

This office is in receipt of and has completed review of the case file for this site, up to and including the March 21, 1996, ALL Environmental Inc., (AEI) "Overexcavation and Disposal of Contaminated Soil Report".

The results of sample analysis and observations documented by ALL Environmental during the December 1995 overexcavation of contaminated soil from beneath the previous gasoline underground storage tanks has been evaluated.

Soil sample OEC 19', collected at a depth of 19' below ground ssurface (bgs), detected total petroleum hydrocarbons as gasoline (TPHg), methyl-tert-butyl ether (MTBE) and benzene, toluene, ethyl benzene and total xylenes (BTEX) at concentrations of 5100, <0.05, 15, 110, 82 and 510 ppm, respectively. Soil sample OEB 20', collected at a depth of 20' bgs, detected TPHg, MTBE and BTEX at concentrations of 290, 16, 2.9, 0.33, 3.7 and 22 ppm, respectively.

A confirmed release from the UST(s) has occurred at this site. The extent of petroleum hydrocarbon contamination is not adequately defined. Pursuant to provisions of Article 11, Title 23, California Code of Regulations (CCR), you are required to perform a preliminary site assessment (PSA) when a confirmed release from an UST has occurred. To facilitate this task, a PSA work plan must be submitted for review. **This work plan is due within 60 days of the date of this letter or no later than October 1, 1996.**

However, in order to pursue the pending PSA in a more cost-effective fashion, this office encourages you to first employ rapid site assessment tools (e.g. CPT, Geo Probe, Hydropunch, etc.) to qualitatively assess impacts **before** proposing final well locations.

A report must be submitted within 45 days of the completion of field activities associated with this phase of work at the site. The referenced reports must describe the status of the investigation and include, among other elements, the following:

- Details and results of all work performed during the designated reporting period: records of field observations and data, boring and well construction logs, water level data, chain-of-custody forms, laboratory results for all samples collected and analyzed (including QA/QC data), tabulations of free product thicknesses and dissolved fractions, etc.

- Status of ground water contamination and characterization.
- Interpretation of results: water level contour maps showing gradients, free and dissolved product plume definition maps for each target compound, geologic cross sections, etc.
- Recommendations for additional work.

Pursuant to provisions of the Business and Professions Code all work and reports which require geologic or engineering evaluations and/or judgements must be performed under the direction of an appropriately registered or certified professional. Therefore, all proposals must be submitted under seal of a California-registered geologist or civil engineer with the appropriate environmental background.

Please be advised that this letter constitutes a formal request for technical reports pursuant to California Water Code Section 13267(b) and Health and Safety Code Sections 25299.37 and 25299.78.

For your information, the Underground Storage Tank Cleanup Fund (Fund) is created pursuant to Chapter 6.75 of the California Health & Safety Code to help eligible owners and operators of petroleum underground storage tanks obtain reimbursement for costs of the cleanup of unauthorized releases of petroleum. You are encouraged to contact the SWRCB fund representative (916/227-4529) for more case-specific information and to obtain an application package. Please also bear in mind that, in order to maintain UST clean-up fund eligibility, specific bidding requirements and contracting criteria must be met.

In the event that you any questions, please feel free to contact me directly at (510)567-6880.

Sincerely,

Dale Klettke

Dale Klettke, CHMM
Hazardous Materials Specialist

c: Tom Peacock, LOP Manager--files
Craig Hertz, ALL Environmental, 2641 Crow Canyon Road, Suite 5, San Ramon, CA 94583

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

RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6777

STID 0039

May 7, 1996

Chan's Shell
726 Harrison Street
Oakland, CA 94507
Attn: Mr. Kin Chan

Dear Mr. Chan:

This office is in receipt of and has completed review of the case file for this site, up to and including the October 8, 1995, ALL Environmental Inc., (AEI) "Tank Removal Report".

On December 13 and 14, 1995, I was on site to witness the overexcavation of the underground storage tank (UST) pit. Only soils which had detectable levels of petroleum hydrocarbons were removed using field screening methods, and visual and olfactory observations.

However, this office has not received a copy of the report documenting the over-excavation activities. **Therefore, please forward a copy of this soils over-excavation report to my attention within 30 days, or no later than June 7, 1996.**

Please be advised that this letter constitutes a formal request for technical reports pursuant to California Health & Safety Code (H&SC) Section 25185.6 and California Water Code Section 13267(b).

Sincerely,

Dale Klettke

Dale Klettke, CHMM
Hazardous Materials Specialist

c: Tom Peacock, LOP Manager--files
Gil Jensen, Alameda County District Attorneys Office
Craig Hertz, ALL Environmental, 2641 Crow Canyon Road, Suite 5, San Ramon, CA 94583

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

ARNOLD PERKINS, DIRECTOR
RAFAT A. SHAHID, DEPUTY DIRECTOR

Alameda County CC4580
Environmental Health Services
1131 Harbor Bay Pkwy., #250
Alameda CA 94502-6577
(510)567-6700 FAX(510)337-9335

STID 0039

February 2, 1996

Chan's Shell
726 Harrison Street
Oakland, CA 94507
Attn: Mr. Kin Chan

Dear Mr. Chan:

This letter is in response to a misunderstanding as a result of over-excavation activities following removal of five (5) underground storage tanks (USTs) at the above referenced site. The removal of the USTs was conducted on October 6 and 9, 1995, and was supervised by Barney Chan of this office. Initial plans were to over-excavate soils that contained concentrations of total petroleum hydrocarbons as gasoline (TPHg) which exceeded 100 parts per million (ppm), as documented in the ALL Environmental "Tank Removal Report", dated October 8, 1995. The soil samples collected from beneath the former gasoline tanks B & D (soil samples BE-15' and DE-15') detected concentrations exceeding 100 ppm of TPHg. These areas of contaminated soils were the ones initially targeted for the over-excavation activities, as documented in the Alameda County Health Care Services Agency (ACHCSA) letter, dated November 30, 1995.

During a conversation which I had with Barney Chan on December 12, 1995, Mr. Chan informed me that the over-excavation of the gasoline UST pit would need to be expanded, not just in the areas where analytical results detected concentrations of TPHg in excess of 100 ppm. This was due to conflicting results of the field screening tests and visual and olfactory observations of the soils and the laboratory results of the confirmatory soil samples collected during the removal of the USTs. Mr. Chan also requested that I have All Environmental use a different laboratory for the analysis of the confirmatory soil samples collected from the over-excavation of the gasoline UST pit.

Upon arriving on the site, I informed both yourself and Dusty Roy of All Environmental of the plans to over-excavate the soils in the entire tank pit, not just those which were analyzed to contain greater than 100 ppm TPHg, as stated above. These were recommendations which Mr. Barney Chan had requested, since he would eventually be responsible for signing off on case closure with the Regional Water Quality Control Board (RWQCB). I also asked Mr. Roy that he use a different laboratory for the laboratory analysis of the soil samples collected from the over-excavation of the gasoline UST pit.

I was on site during the two days (December 13 and 14, 1995) during which over-excavation activities were performed. I was directly involved in directing All Environmental as to the amount of soils which were to be over-excavated. We took great care to excavate only those soils which detected elevated levels of petroleum hydrocarbons using both field screening methods, and visual and olfactory observations.

I apologize for any misunderstandings that my November 30, 1995 letter may have caused. In the event that you any questions, please feel free to contact me directly at (510)567-6880.

Sincerely,

Dale Klettke

Dale Klettke, CHMM
Hazardous Materials Specialist

c: Tom Peacock, LOP Manager--files
Craig Hertz, ALL Environmental, 2641 Crow Canyon Road, Suite 5, San Ramon, CA 94583

white -env.health
yellow -facility
pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

Hazardous Materials Inspection Form

1131 Harbor Bay Pkwy
Alameda CA 94502
510/567-6700

II, III

Site ID # 39 Site Name SHELL OIL (CHAN'S) Today's Date 12/14/95

Site Address 726 HARRISON STREET

City OAKLAND Zip 94612 Phone _____

_____ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

____ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
____ II. Hazardous Materials Business Plan, Acutely Hazardous Materials
____ III. Underground Storage Tanks

* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments: FRONTS 4H8

NOT TO SCALE

726 HARRISON

BUILDING

HARRISON

II, III

Contact _____

Title _____ Inspector _____

Signature _____ Signature _____

white -env.health
yellow -facility
pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

Hazardous Materials Inspection Form

1131 Harbor Bay Pkwy
Alameda CA 94502
510/567-6700

II, III

Site ID # 39 Site Name SHELL OIL (CHAN'S) Today's Date 12/13/95

Site Address 726 HARRISON STREET 12/14/95 8:30-2:00

City OAKLAND Zip 94612 Phone

_____ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

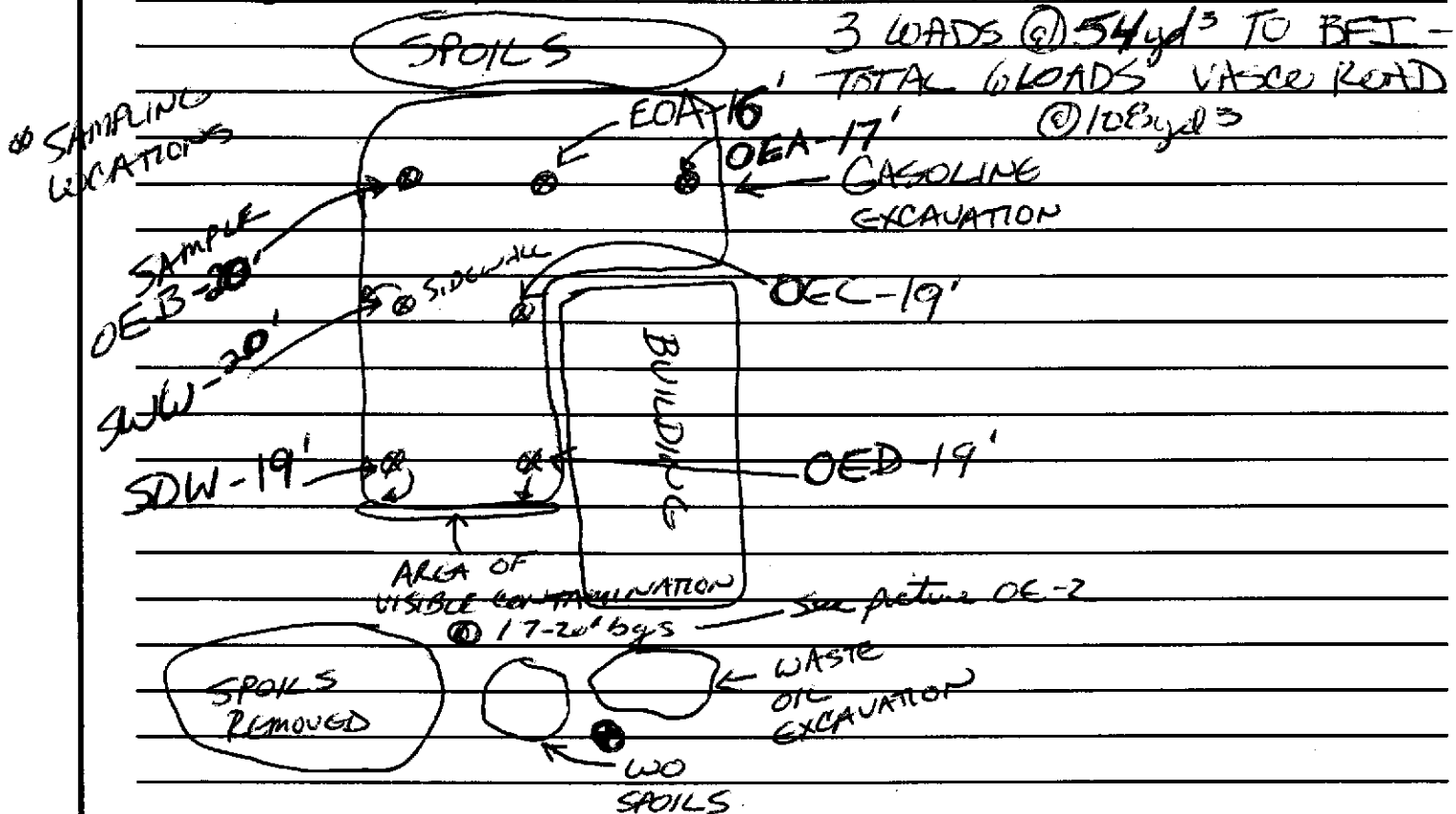
_____ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
___✓___ II. Hazardous Materials Business Plan, Acutely Hazardous Materials
___✓___ III. Underground Storage Tanks

* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

MILES 20

Comments: ON SITE 8:15AM TO WITNESS OVER-EXCAVATION AND CONFIRMATORY SOIL SAMPLING. NOT READY RETURN AT 9:30AM

3 LOADS @ 54 yd³ TO BFI - TOTAL 6 LOADS VASCO ROAD @ 108 yd³



II, III

Contact

Title CONST. SUPT

Signature Dusty Roy

Inspector DALE KLETTKE

Signature Dale Kletke

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

RAFAT A. SHAHID, DIRECTOR

Alameda County Environmental Health Dept.
Environmental Protection Division
1131 Harbor Bay Parkway, Room 250
Alameda CA 94502-6577
(510)567-6700 fax: (510)337-9335

STID 0039

November 30, 1995

Chan's Shell
726 Harrison Street
Oakland, CA 94507

Dear Mr. Chan:

This office is in receipt of and has completed review of the case file for this site, up to and including the October 8, 1995 - ALL Environmental, Inc., (AEI) "Tank Removal Report".

AEI states that it plans on conducting over excavation of soil that contains concentrations of TPHg exceeding 100 ppm. The soil samples collected from beneath the former gasoline tanks B & D (soil samples BE-15' and DE-15') detected concentrations exceeding 100 ppm of TPHg. These areas of contaminated soils are the ones targeted for the over excavation activities.

Please proceed with the over excavation activities. Please notify this office at least 48 hours in advance of these activities, so I can schedule time to be on site.

Please feel free to call me directly at (510)567-6880 will any questions or comments you may have.

Sincerely,

Dale Klettke

Dale Klettke, CHHM
Hazardous Materials Specialist

c: Tom Peacock, Area Manager--files
Michael Killoran, ALL Environmental, 2641 Crow Canyon Road, Suite 5, San Ramon, CA 94583

10/10/95

To: Joan Austin

From: Barney Chan (510) 567-6765
Alameda County Haz Mat - LOP

Re: Tank Removals at 726 Harrison St
Oakland 94612

Tank Size	Contents	% LEL	% O_2
5000	UL gas	0	2
5000	UL gas	6	4
5000	UL gas	10	3
8000	UL gas	15	4
1000	waste oil	0	7

FAX her all LEL & O2 values @ 726 Harrison

CITY OF OAKLAND

JOAN L. AUSTIN
INSPECTOR
FIRE PREVENTION BUREAU

PHONE (510) 238-3851
FAX (510) 238-6739

1330 BROADWAY, OAKLAND, CA 94612

white -env.health
yellow -facility
pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

Hazardous Materials Inspection Form

1131 Harbor Bay Pkwy
Alameda CA 94502
510/567-6700

pl. II, III

Site ID # _____ Site Name Shell Oil Today's Date 10/6, 95 + 10/9/95

Site Address 726 Harrison

City Oak Zip 94612 Phone _____

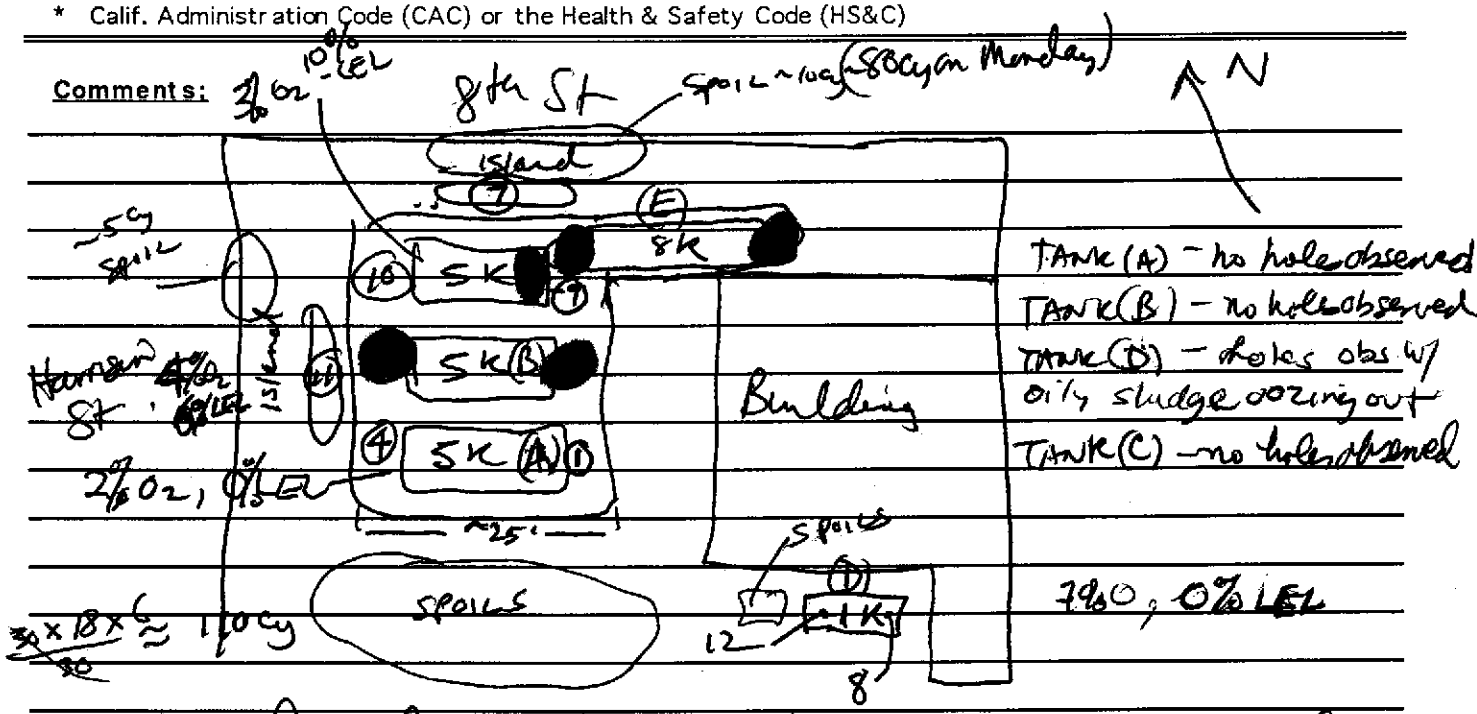
_____ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

____ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
____ II. Hazardous Materials Business Plan, Acutely Hazardous Materials
✗ III. Underground Storage Tanks Removal

* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:



All Env - Dusty Roy etal contractors, J Anderson - sampler
Mr Ken Chan - operator
Tanks are single walled steel, pits ≈ 9' deep, no coating observed on tanks
Joan Kugler Sylvia Chaney OFD stopped by & obtained County approval to call pull
Tank Hauler: Erickson (1) # 616584 exp 5/96
Waste Oil Rec. Systems - pumped out gas + sludge from tanks E+D.
Erickson (2) - 616258 exp 5/96

II, III

Contact _____

Title _____ Inspector B. Chan

Signature X Dusty Roy Signature Bchan

f2

white -env.health
yellow -facility
pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

Hazardous Materials Inspection Form

1131 Harbor Bay Pkwy
Alameda CA 94502
510/567-6700

II, III

Site ID # _____ Site Name Ken's Shell No 1 Today's Date 10/6/95 + 10/9/95

Site Address 726 Harrison St

City Oak Zip 94612 Phone _____

_____ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

____ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
____ II. Hazardous Materials Business Plan, Acutely Hazardous Materials
X III. Underground Storage Tanks Removed

* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

Soil spls for gasoline tanks ! run for TPHg, BTEX + MTBE
soil spls for diesel tank : run for TPHg, d, mo, BTEX, 8010 (CHC), 8270 (semi volatile) + metals Cd, Cr, Pb, Ni + Zn
will sample on Monday 10/9/95

Spl (1) from east end tank A, @ 15' BGS blue gray sandy clay - gas odor
Spl (2) from east end tank B, @ 15' BGS " " " " "
Spl (3) " west " " A @ 15' " " " " " "
Spl (4) " " " " A @ 15' " " " " " "
Spl (5) from west end " E @ " " " sand - gas odor
Spl (6) " east " " " @ " " " " - "sharp" odor
Spl (7) from beneath northernmost dispenser island ~ 3' BGS - sharp odor - only one spl taken since island was demolished
spl (8) from ~ 8" BGS from W/O tank. brown sandy clay
Spl (9) from east end of tank (C) @ 15' BGS - gas odor (considerable)
Spl (10) " west " " " " " - brown sandy clay gas odor
Spl (11) " beneath west dispenser ~ 3½ BGS brown sand - no odor
Spl (12) " west end W/O tank ~ 8' BGS
Note all soils moist - are likely close to GW

II, III

Contact _____

Title _____

Signature X Dusty Rhoades

Inspector B. Chan

Signature B Chan

P3

white -env.health
yellow -facility
pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

Hazardous Materials Inspection Form

1131 Harbor Bay Pkwy
Alameda CA 94502
510/567-6700

II, III

Site ID # _____ Site Name Ken's Shell Oil Today's Date 10/9/95 (2½ hrs)

Site Address 726 Harrison

City Oak Zip 94612 Phone _____

_____ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

_____ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
_____ II. Hazardous Materials Business Plan, Acutely Hazardous Materials
X III. Underground Storage Tanks R

* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

Needs:
1) Dispose of all piping as hazardous waste
2) Cap piping going into storm bay + fill with cement slurry.

OFD not contacted today, assume authority given to County on Friday to make call on tank meeting
note spoils ~80 cy on the north side of site on top of former disp.
- 8K tank 15% LEL & 40% O2
Hauler: Erickson # 616584 disp 5/96
Tar wrapping is deteriorated but no holes observed

Five discrete soil samples will be taken from the two stockpiles. Assuming the fill is contaminated these samples will be composited into 2 for disposal purposes
1 spoils sple from the W/O tank should be taken for TPH-mo or TOG, TPHg, d, CHC (8010), 8270 (semi volatile) and metals Cd, Cr, Pb, Ni + Zn

II, III

Contact _____

Title _____

Signature X Dusty Rey

Inspector B Chan

Signature BCh

white -env.health
yellow -facility
pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

Hazardous Materials Inspection Form

1131 Harbor Bay Pkwy
Alameda CA 94502
510/567-6700

II, III

Site ID # _____ Site Name Shell Oil Today's Date 10/6/95

Site Address 726 Harrison

City Oakland Zip 94612 Phone _____

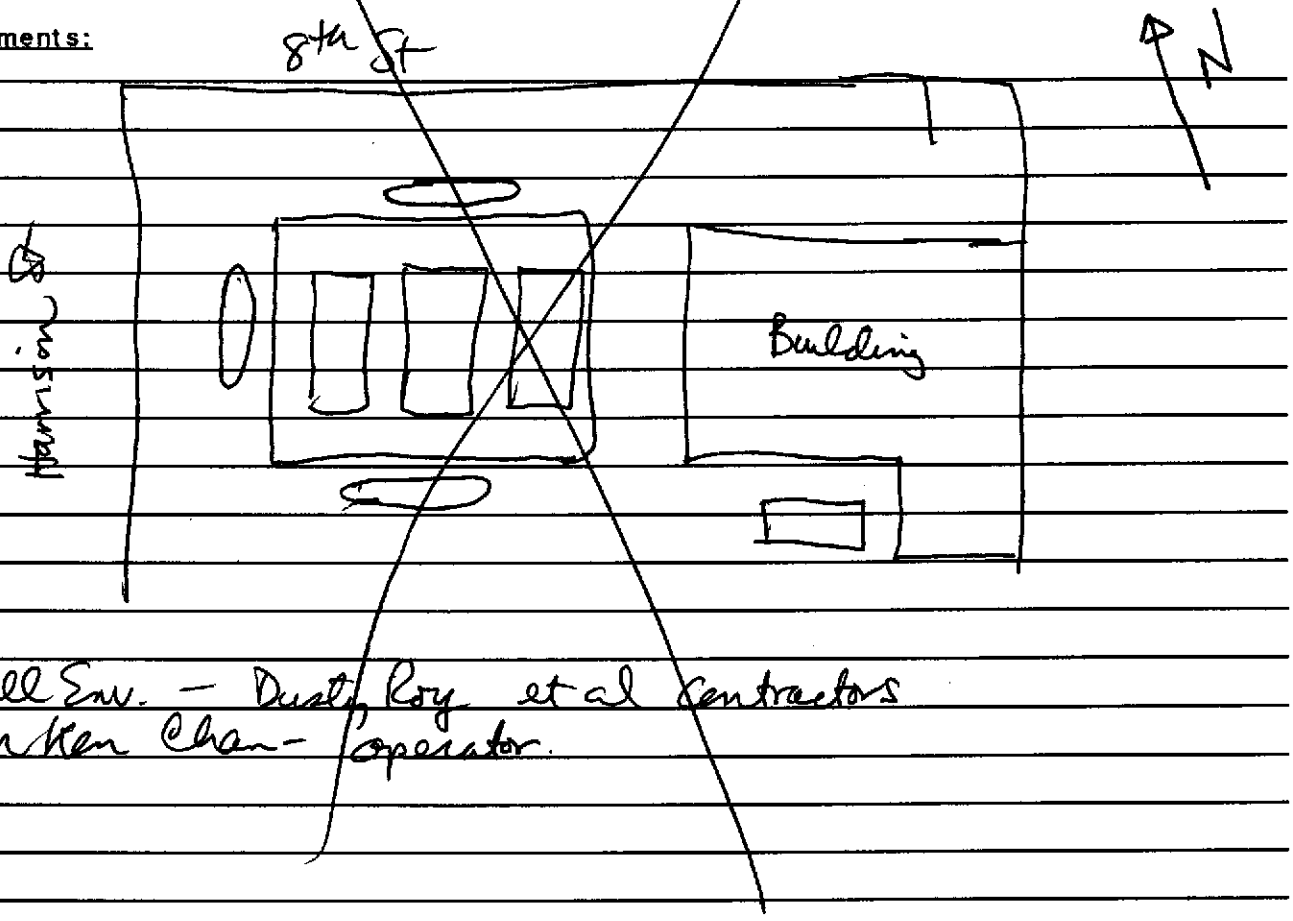
_____ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

____ I. Haz. Mat/Waste GENERATOR/TRANSPORTER
____ II. Hazardous Materials Business Plan, Acutely Hazardous Materials
X III. Underground Storage Tanks Removal

* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:



All Env. – Dusty Roy et al contractors
Mr Ken Chan – operator.

II, III

Contact _____

Title _____ Inspector _____

Signature _____ Signature _____

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
DEPARTMENT OF ENVIRONMENTAL HEALTH
ENVIRONMENTAL PROTECTION DIVISION
1131 HARBOR BAY PARKWAY, RM 250
ALAMEDA, CA 94502-6577
PHONE # 510/567-6700
FAX # 510/337-9335

Project Sponsor

8/12/95

UNDERGROUND TANK CLOSURE PLAN

*** * * Complete according to attached instructions * * ***

1. Name of Business Shell Oil (Chan's) (Ken)

   Business Owner or Contact Person (PRINT) Ken Chan

2. Site Address 726 Harrison St.

   City Oakland Zip CA 94607 Phone (510) 444-6583

3. Mailing Address 4328 Edgewood Ave,

   City Oakland, CA Zip 94602 Phone _____

4. Property Owner Ken Chan

   Business Name (if applicable) Shell Oil

   Address 726 Harrison St

   City, State Oakland, CA Zip 94507

5. Generator name under which tank will be manifested

   Ken Chan

   EPA ID# under which tank will be manifested C A L 0 0 0 0 8 9 9 9 8

6. Contractor All Environmental Inc.
Address 2641 Crow Canyon Rd, Suite 5
City San Ramon, CA 94583 Phone (510) 820-3224
License Type* _____ ID# _____

*Effective January 1, 1992, Business and Professional Code Section 7058.7 requires prime contractors to also hold Hazardous Waste Certification issued by the State Contractors License Board.

7. Consultant (if applicable) All Environmental, Inc
Address 2641 Crow Canyon Rd, Suite 5
City, State San Ramon, CA Phone 94583

8. Main Contact Person for Investigation (if applicable)
Name Ken Chan Title Owner
Company Shell Oil (Chan's)
Phone (510) 444-6583

9. Number of underground tanks being closed with this plan 5
Length of piping being removed under this plan 10'
Total number of underground tanks at this facility (**confirmed with owner or operator) 5

10. State Registered Hazardous Waste Transporters/Facilities (see instructions).

** Underground storage tanks must be handled as hazardous waste **

a) Product/Residual Sludge/Rinsate Transporter
Name Waste Oil Recovery EPA I.D. No. CAL000137592
Hauler License No. 0843 License Exp. Date 6/31/96
Address 6401 Leona St
City Oakland State CA Zip 94605

b) Product/Residual Sludge/Rinsate Disposal Site
Name Demeeno Kerdon EPA ID# CAT080013352
Address 2000 North Alameda
City Compton State CA Zip 90221

c) Tank and Piping Transporter

Name Dexann, Inc. EPA I.D. No. CAD982438566

Hauler License No. 2883 License Exp. Date 5/30/96

Address 3104 Athene Court

City Concord State CA Zip 94519

d) Tank and Piping Disposal Site

Name Erickson, Inc. EPA I.D. No. CAD009466392

Address 255 Parr Blvd

City Richmond State CA Zip 94801

11. Sample Collector

Name Dusty Roy

Company All Environmental, Inc

Address 2641 Crow Canyon Rd

City San Ramon State CA Zip 94583 Phone (510) 820-3224

12. Laboratory

Name Priority Environmental Labs

Address 1764 Houret Court

City Milpitas State CA Zip 95035

State Certification No. 1708

13. Have tanks or pipes leaked in the past? Yes[ ] No[ ] Unknown[X]

If yes, describe. _____

14. Describe methods to be used for rendering tank(s) inert:

Dry ice at a rate of at least 1.5 lbs. per 100 gallons of tank volume

Before tanks are pumped out and inerted, all associated piping must be flushed out into the tanks. All accessible associated piping must then be removed. Inaccessible piping must be permanently plugged.

The Bay Area Air Quality Management District, 415/771-6000, along with local Fire and Building Departments, must also be contacted for tank removal permits. Fire departments typically require the use of a combustible gas indicator to verify tank inertness. **It is the contractor's responsibility to bring a working combustible gas indicator on-site to verify that the tank is inert.**

15. Tank History and Sampling Information *** (see instructions) ***

Tank		Material to be sampled (tank contents, soil, groundwater)	Location and Depth of Samples
Capacity (gallons)	Use History include date last used (estimated)		
5,000	gasoline (recent)	Soil (and groundwater if encountered) below each of the 5 tanks	2 soil samples from each end of each tank, 2' below each tank bottom.
5,000	gasoline (recent)		
5,000	gasoline (recent)		
8,000	gasoline (recent)		
1,000	waste oil (recent)		

One soil sample must be collected for every 20 linear feet of piping that is removed. A ground water sample must be collected if any ground water is present in the excavation.

Excavated/Stockpiled Soil	
Stockpiled Soil Volume (estimated): 50 cubic yards	Sampling Plan: One composite of four soil samples taken by driving a brass tube into the soil. Samples will be secured with aluminum or teflon foil, plastic end caps, and tape. Samples will be transported under chain of custody to a California State Certified Lab.

Stockpiled soil must be placed on bermed plastic and must be completely covered by plastic sheeting.

Will the excavated soil be returned to the excavation immediately after tank removal? [ ] yes [ ] no [X] unknown

If yes, explain reasoning _____

If unknown at this point in time, please be aware that **excavated soil may not be returned to the excavation without prior approval from Alameda County. This means that the contractor, consultant, or responsible party must communicate with the Specialist IN ADVANCE of backfilling operations.**

16. Chemical methods and associated detection limits to be used for analyzing samples:
The Tri-Regional Board recommended minimum verification analyses and practical quantitation reporting limits should be followed.
See attached Table 2.

17. Submit Site Health and Safety Plan (See Instructions)

Contaminant Sought	EPA or Other Sample Preparation Method Number	EPA or Other Analysis Method Number	Method Detection Limit
TPH-gasoline	EPA 5030/8015		1 ppm
TPH-diesel	EPA 3510/8015		1 ppm
BTEX	EPA 5030/8020		5 ppb
Chlorinated Hydrocarbons	EPA 8010		5 ppb
LUFT Metals (Cd, Cr, Pb, Zn, Ni)	LUFT Method		0.5 ppm
Oil & Grease	5520 D & F		50 ppm
PNA	PNA 8270		
MTBE	MTBE EPA 8020		

TABLE #2
RECOMMENDED MINIMUM VERIFICATION ANALYSES FOR UNDERGROUND TANK LEAKS

HYDROCARBON LEAK	SOIL ANALYSIS	WATER ANALYSIS
Unknown Fuel	TPH G GCFID(5030) TPH D GCFID(3550) BTX&E 8020 or 8240 TPH AND BTX&E 8260	TPH G GCFID(5030) TPH D GCFID(3510) BTX&E 602, 624 or 8260
Leaded Gas	TPH G GCFID(5030) BTX&E 8020 OR 8240 TPH AND BTX&E 8260 TOTAL LEAD AA -------Optional-------- TEL DHS-LUFT EDB DHS-AB1803	TPH G GCFID(5030) BTX&E 602 or 624 TOTAL LEAD AA TEL DHS-LUFT EDB DHS-AB1803
Unleaded Gas	TPH G GCFID(5030) BTX&E 8020 or 8240 TPH AND BTX&E 8260	TPH G GCFID(5030) BTX&E 602, 624 or 8260
Diesel, Jet Fuel and Kerosene	TPH D GCFID(3550) BTX&E 8020 or 8240 TPH AND BTX&E 8260	TPH D GCFID(3510) BTX&E 602, 624 or 8260
Fuel/Heating Oil	TPH D GCFID(3550) BTX&E 8020 or 8240 TPH AND BTX&E 8260	TPH D GCFID(3510) BTX&E 602, 624 or 8260
Chlorinated Solvents	CL HC 8010 or 8240 BTX&E 8020 or 8240 CL HC AND BTX&E 8260	CL HC 601 or 624 BTX&E 602 or 624 CL HC AND BTX&E 8260
Non-chlorinated Solvents	TPH D GCFID(3550) BTX&E 8020 or 8240 TPH AND BTX&E 8260	TPH D GCFID(3510) BTX&E 602 or 624 TPH and BTX&E 8260
Waste and Used Oil or Unknown (All analyses must be completed and submitted)	TPH G GCFID(5030) TPH D GCFID(3550) TPH AND BTX&E 8260 O & G 5520 D & F BTX&E 8020 or 8240 CL HC 8010 or 8240	TPH G GCFID(5030) TPH D GCFID(3510 O & G 5520 B & F BTX&E 602, 624 or 8260 CL HC 601 or 624
	ICAP or AA TO DETECT METALS: Cd, Cr, Pb, Zn, Ni METHOD 8270 FOR SOIL OR WATER TO DETECT:	
	PCB*	PCB
	PCP*	PCP
	PNA	PNA
	CREOSOTE	CREOSOTE

* If found, analyze for dibenzofurans (PCBs) or dioxins (PCP)

Reference: Tri-Regional Board Staff Recommendations for Preliminary Evaluation and Investigation of Underground Tank Sites, 10 August 1990

EXPLANATION FOR TABLE #2: MINIMUM VERIFICATION ANALYSIS

1. OTHER METHODOLOGIES are continually being developed and as methods are accepted by EPA or DHS, they also can be used.

2. For DRINKING WATER SOURCES, EPA recommends that the 500 series for volatile organics be used in preference to the 600 series because the detection limits are lower and the QA/QC is better.

3. APPROPRIATE STANDARDS for the materials stored in the tank are to be used for all analyses on Table #2. For instance, seasonally, there may be five different jet fuel mixtures to be considered.

4. To AVOID FALSE POSITIVE detection of benzene, benzene-free solvents are to be used.

5. TOTAL PETROLEUM HYDROCARBONS (TPH) as gasoline (G) and diesel (D) ranges (volatile and extractible, respectively) are to be analyzed and characterized by GCFID with a fused capillary column and prepared by EPA method 5030 (purge and trap) for volatile hydro- carbons, or extracted by sonication using 3550 methodology for extractable hydrocarbons. Fused capillary columns are preferred to packed columns; a packed column may be used as a "first cut" with "dirty" samples or once the hydrocarbons have been characterized and proper QA/QC is followed.

6. TETRAETHYL LEAD (TEL) analysis may be required if total lead is detected unless the determination is made that the total lead concentration is geogenic (naturally occurring).

7. CHLORINATED HYDROCARBONS (CL HC) AND BENZENE, TOLUENE, XYLENE AND ETHYLBENZENE (BTX&E) are analyzed in soil by EPA methods 8010 and 8020 respectively, (or 8240) and in water, 601 and 602, respectively (or 624).

8. OIL AND GREASE (O & G) may be used when heavy, straight chain hydrocarbons may be present. Infrared analysis by method 418.1 may also be acceptable for O & G if proper standards are used. **Standard Methods" 17th Edition, 1989, has changed the 503 series to 5520.**

9. **PRACTICAL QUANTITATION REPORTING LIMITS are influenced by matrix problems and laboratory QA/QC procedures. Following are the Practical Quantitation Reporting Limits:**

	SOIL PPM	WATER PPB
TPH G	1.0	50.0
TPH D	1.0	50.0
BTX&E	0.005	0.5
O & G	50.0	5,000.0

Based upon a Regional Board survey of Department of Health Services Certified Laboratories, the Practical Quantitation Reporting Limits are attainable by a majority of laboratories with the exception of diesel fuel in soils. The Diesel Practical Quantitation Reporting Limits, shown by the survey, are:

ROUTINE	MODIFIED PROTOCOL
≤ 10 ppm (42%)	≤ 10 ppm (10%)
≤ 5 ppm (19%)	≤ 5 ppm (21%)
≤ 1 ppm (35%)	≤ 1 ppm (60%)

When the Practical Quantitation Reporting Limits are not achievable, an explanation of the problem is to be submitted on the laboratory data sheets.

10. LABORATORY DATA SHEETS are to be signed and submitted and include the laboratory's assessment of the condition of the samples on receipt including temperature, suitable container type, air bubbles present/absent in VOA bottles, proper preservation, etc. The sheets are to include the dates sampled, submitted, prepared for analysis, and analyzed.

11. IF PEAKS ARE FOUND, when running samples, that do not conform to the standard, laboratories are to report the peaks, including any unknown complex mixtures that elute at times varying from the standards. Recognizing that these mixtures may be contrary to the standard, they may not be readily identified; however, they are to be reported. At the discretion of the LIA or Regional Board the following information is to be contained in the laboratory report:

    The relative retention time for the unknown peak(s) relative to the reference peak in the standard, copies of the chroma- togram(s), the type of column used, initial temperature, temperature program is C/minute, and the final temperature.

12. REPORTING LIMITS FOR TPH are: gasoline standard ≤ 20 carbon atoms, diesel and jet fuel (kerosene) standard ≤ 50 carbon atoms. It is not necessary to continue the chromatography beyond the limit, standard, or EPA/DHS method protocol (whichever time is greater).

EPILOGUE

ADDITIVES: Major oil companies are being encouraged or required by the federal government to reformulate gasoline as cleaner burning fuels to reduce air emissions. MTBE (Methyl-tertiary butyl ether), ETHANOL (ethyl alcohol), and other chemicals may be added to reformulate gasolines to increase the oxygen content in the fuel and thereby decrease undesirable emissions (about four percent with MTBE). MTBE and ethanol are, for practical purposes, soluble in water. The removal from the water column will be difficult. Other compounds are being added by the oil companies for various purposes. The refinements for detection and analysis for all of these additives are still being worked out. If you have any questions about the methodology, please call your Regional Board representative.

18. Submit Worker's Compensation Certificate copy.

Name of Insurer State Fund

19. Submit Plot Plan ***(See Instructions)***

20. Enclose Deposit (See Instructions)

21. **Report any leaks or contamination to this office within 5 days of discovery.**
The written report shall be made on an Underground Storage Tank Unauthorized Leak/Contamination Site Report (ULR) form.

22. **Submit a closure report to this office within 60 days of the tank removal. The report must contain all information listed in item 22 of the instructions.**

23. Submit State (Underground Storage Tank Permit Application) Forms A and B (one B form for each UST to be removed) (mark box 8 for "tank removed" in the upper right hand corner)

I declare that to the best of my knowledge and belief that the statements and information provided above are correct and true.

I understand that information, in addition to that provided above, may be needed in order to obtain approval from the Environmental Protection Division and that no work is to begin on this project until this plan is approved.

I understand that any changes in design, materials or equipment will void this plan if prior approval is not obtained.

I understand that all work performed during this project will be done in compliance with all applicable OSHA (Occupational Safety and Health Administration) requirements concerning personnel health and safety. I understand that site and worker safety are solely the responsibility of the property owner or his agent and that this responsibility is not shared nor assumed by the County of Alameda.

Once I have received my stamped, accepted closure plan, I will contact the project Hazardous Materials Specialist at least three working days in advance of site work to schedule the required inspections.

CONTRACTOR INFORMATION

Name of Business All Environmental, Inc.

Name of Individual Michael J. Killoran

Signature [signature] Date 8/10/95

PROPERTY OWNER OR MOST RECENT TANK OPERATOR (Circle one)

Name of Business KING SHELL NO I

Name of Individual KIN CHAN

Signature [signature] Date 8/17/95

General Instructions

* Three (3) copies of this plan plus attachments and a deposit must be submitted to this Department.
* Any cutting into tanks requires local fire department approval.
* One complete copy of your approved plan must be at the construction site at all times; a copy of your approved plan must also be sent to the landowner.
* State of California Permit Application Forms A and B are to be submitted to this office. One Form A per site, one Form B for each removed tank.

Line Item Specific Instructions

2. SITE ADDRESS
Address at which closure is taking place.

5. EPA I.D. NO. under which the tanks will be manifested
EPA I.D. numbers may be obtained from the State Department of Toxic Substances Control, 916/324-1781.

6. CONTRACTOR
Prime contractor for the project.

10. STATE REGISTERED HAZARDOUS WASTE TRANSPORTERS/FACILITIES

a) All residual liquids and sludges are to be removed from tanks before tanks are inerted.

c) Tanks must be hauled as hazardous waste.

d) This is the place where tanks will be taken for cleaning.

15. TANK HISTORY AND SAMPLING INFORMATION
Use History - This information is essential and must be accurate. Include tank installation date, products stored in the tank, **and the date when the tank was last used.**

Material to be sampled - e.g. water, oil, sludge, soil, etc.

Location and depth of samples - e.g. beneath the tank a maximum of two feet below the native soil/backfill interface, side wall at the high water mark, etc.

16. CHEMICAL METHODS AND ASSOCIATED DETECTION LIMITS
See attached Table 2.

17. SITE HEALTH AND SAFETY PLAN
A site specific Health and Safety plan must be submitted. We advocate the site health and safety plan include the following items, at a minimum:

a) The name and responsibilities of the site health and safety officer;

b) An outline of briefings to be held before work each day to appraise employees of site health and safety hazards;

c) Identification of health and safety hazards of each work task. Include potential fire, explosion, physical, and chemical hazards;

d) For each hazard, identify the action levels (contaminant concentrations in air) or physical conditions which will trigger changes in work habits to ensure workers are not exposed to unsafe chemical levels or physical conditions;

e) Description of the work habit changes triggered by the above action levels or physical conditions;

f) Frequency and types of air and personnel monitoring - along with the environmental sampling techniques and instrumentation - to be used to detect the above action levels. Include instrumentation maintenance and calibration methods and frequencies;

g) Confined space entry procedures (if applicable);

h) Decontamination procedures;

i) Measures to be taken to secure the site, excavation and stockpiled soil during and after work hours (e.g. barricades, caution tape, fencing, trench plates, plastic sheeting, security guards, etc.);

j) Spill containment/emergency/contingency plan. Be sure to include emergency phone numbers, the location of the phone nearest the site, and directions to the hospital nearest the site;

k) Documentation that all site workers have received the appropriate OSHA approved trainings and participate in appropriate medical surveillance per 29 CFR 1910.120; and

l) A page for employees to sign acknowledging that they have read and will comply with the site health and safety plan.

The safety plan must be distributed to all employees and contractors working in hazardous waste operations on site. **A complete copy of the site health and safety plan along with any standard operating procedures shall be on site and accessible at all times.**

NOTE: These requirements are excerpts from 29 CFR Part 1910.120(b)(4), Hazardous Waste Operations and Emergency Response; Final Rule, March 6, 1989. Safety plans for certain underground tank sites may need to meet the complete requirements of this Rule.

19. PLOT PLAN
The plan should consist of a scaled view of the facility at which the tank(s) are located and should include the following information:

a) Scale;

b) North Arrow;

c) Property Lines;

d) Location of all Structures;

e) Location of all relevant existing equipment including tanks and piping to be removed and dispensers;

f) Streets;

g) Underground conduits, sewers, water lines, utilities;

h) Existing wells (drinking, monitoring, etc.);

i) Depth to ground water; and

j) All existing tank(s) and piping in addition to the tank(s) being removed.

20. DEPOSIT
A deposit, payable to "County of Alameda" for the amount indicated on the Alameda County Underground Storage Tank Fee Schedule, must accompany the plans.

21. Blank Unauthorized Leak/Contamination Site Report forms may be obtained in limited quantities from this office or from the San Francisco Bay Regional Water Quality Control Board (510/286-1255). Larger quantities may be obtained directly from the State Water Resources Control Board at (916) 739-2421.

22. TANK CLOSURE REPORT
The tank closure report should contain the following information:

a) General description of the closure activities;

b) Description of tank, fittings and piping conditions. Indicate tank size and former contents; note any corrosion, pitting, holes, etc.;

c) Description of the excavation itself. Include the tank and excavation depth, a log of the stratigraphic units encountered within the excavation, a description of root holes or other potential contaminant pathways, the depth to any observed ground water, descriptions and locations of stained or odor-bearing soil, and descriptions of any observed free product or sheen;

d) Detailed description of sampling methods; i.e. backhoe bucket, drive sampler, bailer, bottle(s), sleeves

e) Description of any remedial measures conducted at the time of tank removal;

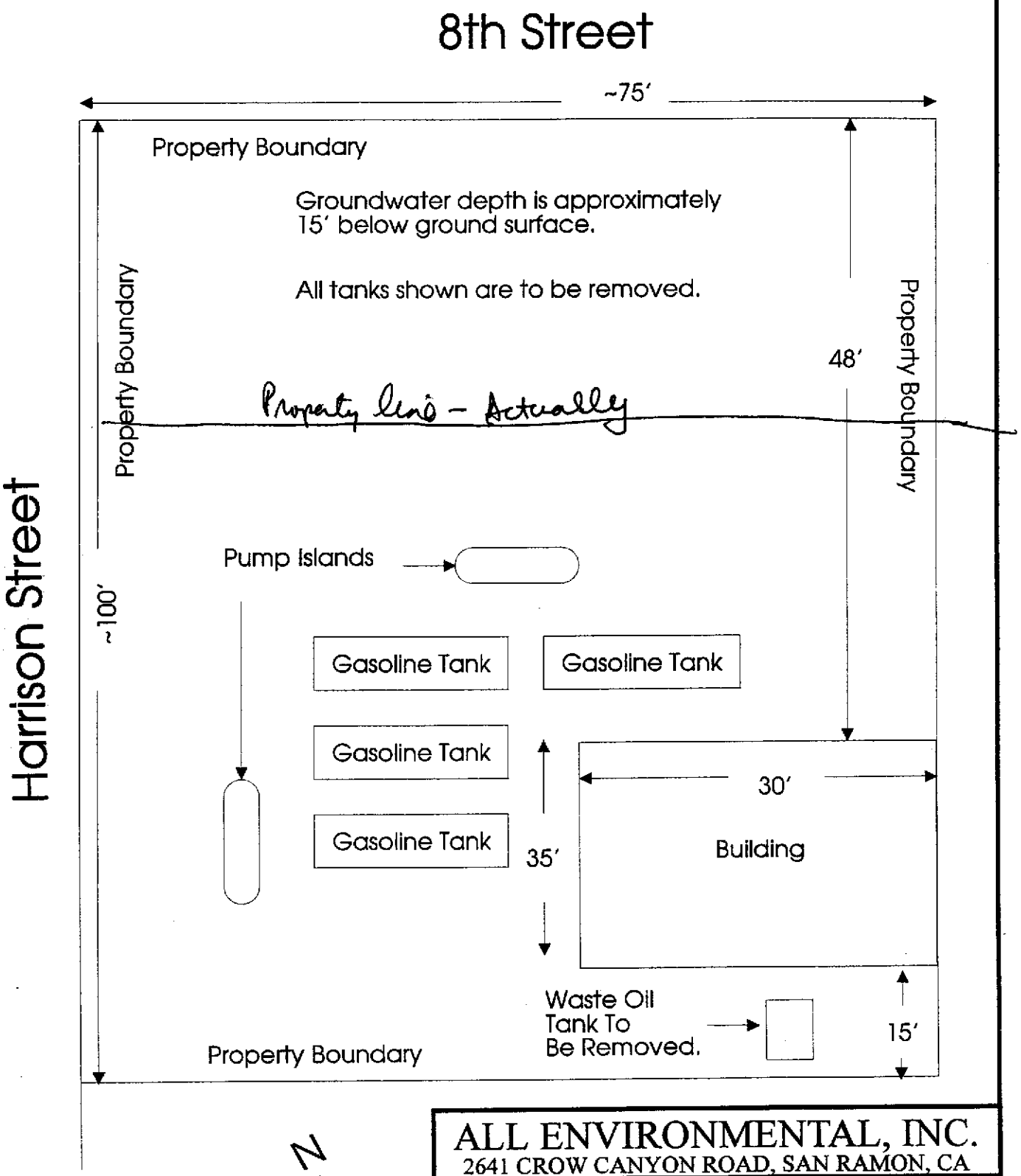
f) To-scale figures showing the excavation size and depth, nearby buildings, sample locations and depths, and tank and piping locations. Include a copy of the plot plan prepared for the Tank Closure Plan under item 19;

g) Chain of custody records;

h) Copies of signed laboratory reports;

i) Copies of "TSDF to Generator" Manifests for all hazardous wastes hauled offsite (sludge, rinsate, tanks and piping, contaminated soil, etc.); and

j) Documentation of the disposal of/and volume and final destination of all non-manifested contaminated soil disposed offsite.



ALL ENVIRONMENTAL, INC. 2641 CROW CANYON ROAD, SAN RAMON, CA		
DRAWN BY: MK		REVISED BY:
DATE: July, 1995		APPROVED BY:
SITE PLAN		
Figure 2		726 Harrison St., Oakland

444-6583
726 Harrison, Oakland 94607
Shell

10/12/94

10/3/94 line test
tester + method - valid ⊃A
phoned K-in is Shell - answering machine is full, can't leave message ⊃A

APS
ALLTECH PETROLEUM SERVICES
17759 Buttercup Circle, Sonora, California 95370 • Phone (209) 532-7320

94 OCT 12 AM 11:45

HASSTECH ACURITE^{tm} PIPELINE TESTER

LINE TEST DATA SHEET

FACILITY KIN CHAN SHELL OWNER " DATE 10-3-94

ADDRESS 726 HARRISON ST ADDRESS "

CITY, STATE OAKLAND CA 94607 CITY, STATE "

COUNTY ~~ALAMEDA~~ PHONE 444-6583 CONTACT " PHONE "

TEST TECHNICIAN Mike Dotten MICHAEL A. DOTTEN, CERT #HT/LT 031

PRODUCT	SUL	PLUS	UL	
PUMP MANUFACTURER	WAYNE	WAYNE	R.J.	
ISOLATION MECHANISM (PUMP)	S.B	S.B.	S.B.	
ISOLATION MECHANISM (DISPENSER)	IMPACT	IMPACT	IMPACT	
TEST PRESSURE (must be 1.5x system working pressure)	50	50	50	
INITIAL CYLLINDER LEVEL (ICL)	0.0875	0820	0700	
FINAL CYLLINDER LEVEL (FCL)	0.0875	0800	0690	
LEAK RATE (ILC-FCL) X2=HOURLY	Ø	0.004	0.002	
TIME COMPLETED	1340	1910	1945	
TIME STARTED	1310	1840	1915	
TOTAL TEST TIME (30 min. minimum)	30	30	30	
CONCLUSION (PASS OR FAIL)	PASS	PASS	PASS	
LEAK DETECTOR TEST (PASS OR FAIL)	PASS	PASS	PASS	

* PASS/FAIL THRESHHOLD IS 0.01 GPH PER MANUFACTURER'S PROTOCOL.

REMARKS:

FAX 209/533-2650

CERTIFICATE OF UNDERGROUND STORAGE TANK SYSTEM TESTING

NDE ENVIRONMENTAL CORPORATION
8906 WALL STREET, SUITE 306
AUSTIN, TEXAS 78754
(512) 719-4633
FAX (512) 719-4986

TEST RESULT SITE SUMMARY REPORT

TEST TYPE: VPLT

TEST DATE: **September 20, 1994** WORK ORDER NUMBER: **963055**

CLIENT: **KEN'S SHELL**
726 HARRISON
OAKLAND, CA 94621

SITE: **KEN'S SHELL**
726 HARRISON
OAKLAND, CA 94607

ATTN: **KEN**

The following tests were conducted at the site above in accordance with all applicable portions of Federal, NFP A and local regulations.

Tank Tests

TANK NUMBER	PRODUCT	TANK CAPACITY (Gallons)	TANK DIAMETER (inches)	TANK RESULT	VOLUME CHANGE (gph)	ULLAGE RESULT
1	REG UNLEAD	8,000	95.00	PASS	0.033	PASS

Line and Leak Detector Tests

TANK NUMBER	PRODUCT	VOLUME CHANGE (gph) A B C D	LINE RESULT (P=pass, F=fail I=inconclusive) A B C D	LEAK DETECTOR PRESENT	LEAK DETECTOR RESULT
1	REG UNLEAD				

NDE appreciates the opportunity to serve you, and looks forward to working with you in the future. Please call any time, day or night, when you need us.

NDE Customer Service Representative:
JERRY BELLOLI

Test conducted by:
ANEIL CHAND

Reviewed:

Technician Certification Number:

INDIVIDUAL TANK/LINE/LEAK DETECTOR TEST REPORT

NDE ENVIRONMENTAL CORPORATION

TEST DATE: **September 20, 1994** WORK ORDER NUMBER: **963055**

CLIENT: **KEN'S SHELL** SITE: **KEN'S SHELL**

TANK INFORMATION

Tank ID:	1
Product:	REG UNLEAD
Capacity in gallons:	8,000
Diameter in inches:	95.00
Length in inches:	264
Material:	STEEL
Manifolded Tank:	NO
Manifolded Vent:	NO
Manifolded V/R:	NO
Bottom to top fill in inches:	130.0
Bottom to grade fill in inches:	138.0
Fill pipe length in inches:	35.0
Fill pipe diameter in inches:	4.0
Stage I vapor recovery:	DUAL
Stage II vapor recovery:	BALANCE

COMMENTS

TANK TEST RESULTS

Test method:	VPLT
Psi at tank bottom:	1.80
Fluid level in inches:	69.50
UFT/OFT:	UFT
Fluid volume in gallons:	6,271
Water level in inches:	0.00
Test time:	09:12-11:44
Number of thermisters:	10
Specific gravity:	0.744
Water table depth in inches:	
Determined by (method):	SURVEY
Leak rate in gph:	0.033
RESULT:	PASS

COMMENTS

WATER AT 17' TO 20' PER COUNTY HAZ. MAT. AGENCY.

LEAK DETECTOR RESULTS

	New/passed detector	Failed/replaced detector
Test method:		
Make:		
Model:		
S/N:		
Open time in sec:		
Holding psi:		
Resiliency cc:		
Test leak rate ml/min:		
Metering psi:		
Calib. leak in gph:		
RESULT:		

COMMENTS

ULLAGE TEST RESULTS

Test method:	UTS-4T System
Test time:	12:10-13:04
Ullage volume:	1,729
Ullage pressure:	2.20
RESULT:	PASS

DATA FOR UTS-4T ONLY:

Time of test 1:	12:32-12:42
Temperature:	74.50
Flow rate (cfh):	0.200-
Time of test 2:	12:43-12:53
Temperature:	74.50
Flow rate (cfh):	0.200-
Time of test 3:	12:54-13:04
Temperature:	74.40
Flow rate (cfh):	0.200-

COMMENTS

LINE TEST RESULTS

LINE	A	B	C	D
Material:	STEEL			
Diameter (in):	2.0			
Length (ft):	35.0			
Test psi:				
Bleedback cc:				
Test time (min):				
Test 1: start time:				
finish psi:				
vol change cc:				
Test 2: start time:				
finish psi:				
vol change cc:				
Test 3: start time:				
finish psi:				
vol change cc:				
Final gph:				
RESULT:				

Test type:

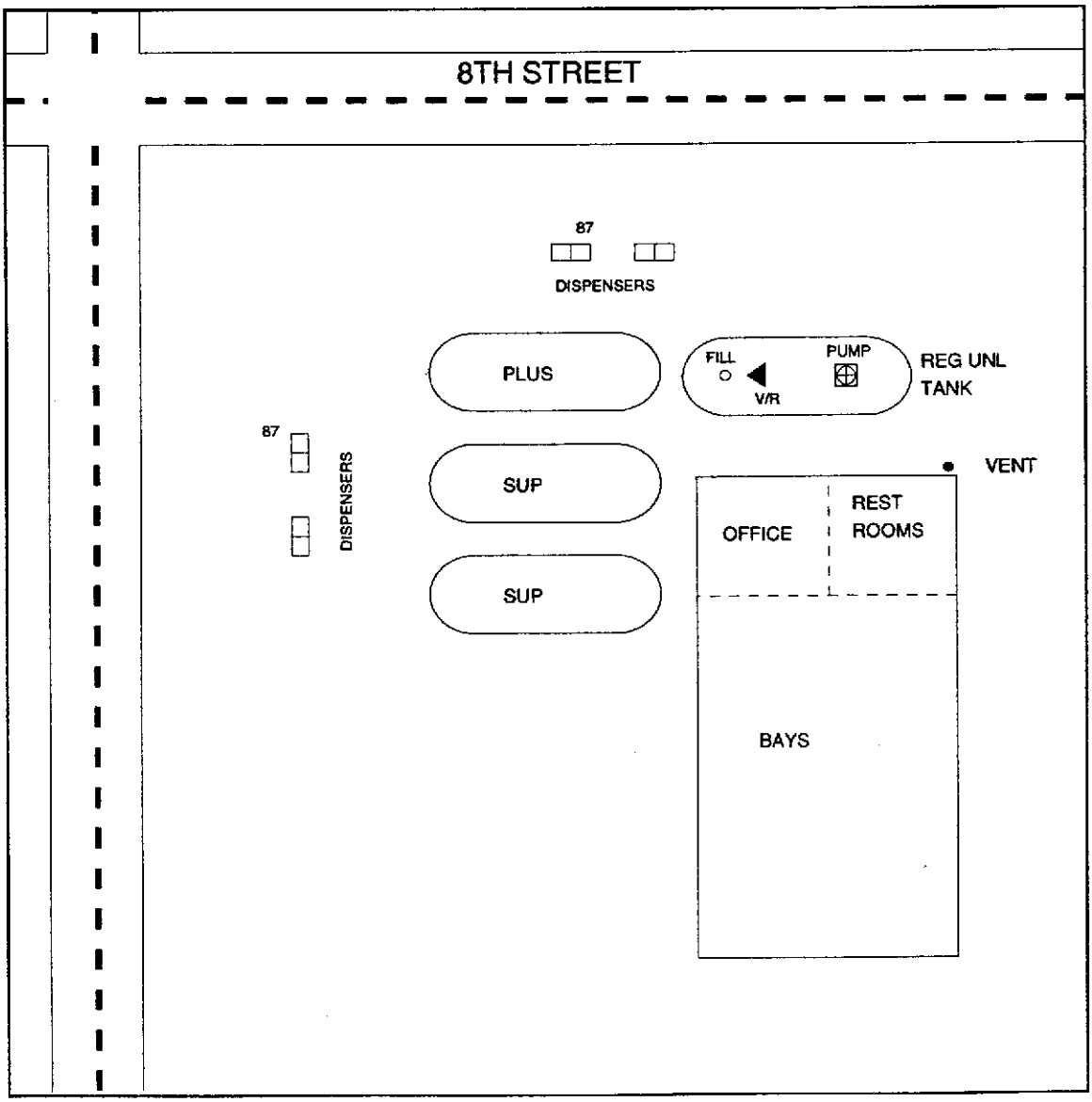
Pump type: PRESSURE Pump make: RED JACKET

COMMENTS

SITE DIAGRAM

NDE ENVIRONMENTAL CORPORATION
8906 WALL STREET, SUITE 306
AUSTIN, TEXAS 78754
(512) 719-4633
FAX (512) 719-4986

TEST DATE: September 20, 1994
WORK ORDER NUMBER: 963055
CLIENT: KEN'S SHELL
SITE: KEN'S SHELL



APS

ALLTECH PETROLEUM SERVICES

17759 Buttercup Circle, Sonora, California 95370 • Phone (209) 532-7320

94 SEP 20 PM 2:29

TANK TEST SUMMARY

FACILITY KIN CHAN SHELL OWNER KIN CHAN DATE 9-15-94

ADDRESS 726 HARRISON ST ADDRESS "

CITY, STATE OAKLAND CITY, STATE "

COUNTY ALAMEDA PHONE 444-6683 CONTACT " PHONE "

TANKS: (Ainlay) TEST TECHNICIAN Mike Dotter Lic. 92-1060

Tank Number	Product	Gallon Capacity	Result	Remarks
UL	UL	8000	+0.082	PASS ____ FAIL X (PASSED SUBSEQUENT RETEST (BY NDE))
PLUS	PLUS	5000	+0.024	PASS X FAIL ____
SUL 2	SUL	5000	+0.009	PASS X FAIL ____
W.O.	W.O.	750	Ø	PASS X FAIL ____
				PASS ____ FAIL ____
				PASS ____ FAIL ____
				PASS ____ FAIL ____

PRESSURIZED PIPING: (Hasstech Acurite™ method)

Line Number	Product	Result	Remarks
LINE TEST RESULTS TO BE			PASS ____ FAIL ____
FORWARDED UNDER	SEPERATE		PASS ____ FAIL ____
COVER IN ABOUT 10	DAYS.		PASS ____ FAIL ____
			PASS ____ FAIL ____

LEAK DETECTORS: (Catastrophic leak test, less than 5 sec. reset)

Line Number	Product	Result	Remarks
			PASS ____ FAIL ____
			PASS ____ FAIL ____
			PASS ____ FAIL ____
			PASS ____ FAIL ____

FAX 209/533-2650

ALLTECH PETROLEUM SERVICES

17759 Buttercup Circle, Sonora, California 95370 • Phone (209) 532-7320

Mike Dolton
California
License
92-1068

A

567-6700

TANK TEST DATA SHEET

Facility KIN CHAN SHELL Owner " Date 9-15 94

Address 726 HARRISON Address "

City, State OAKLAND City, State "

County ALAMEDA Phone 444-5683 Contact " Phone

Tank level upon arrival TOP " below fillpipe top. Drop tube removed YES

Venting required: Vapor Recovery YES Turbine YES Other NO

Tank Diameter plus Fillpipe length 131 " Low Probe (14.8%) 13.91 "

Subtract Fillpipe length ... ... 37 " Mid Probe (50.0%) 47.0 "

Tank Diameter... ... ... 94 " Hi Probe (85.2%) 80.09 "

Fillpipe Ext. ø " Total Height 131 " Product Col. 130 " Press. 3.38

Tank Nominal Volume 8000 gallons. Actual Volume 8000 gallons

Water in tank ø " = ø gallons. Adjusted prod. Vol. 8000 gallons

Water Table 7/2' below grade and ø " above tank bottom. Comp. Hd. ø

Observed API Gravity 59.4 @ 69.0 °F. Corrected to 58.3 @ 60°F. Prod. UL

Coefficient of Expansion 0.00067428 X Adjusted prod vol = 5.394 (CoE_p)

Ambient Temp. ____ °F Wind 0-5 Other Clear Initial ____ Retest ____

FILL 2200 TOPOFF 0100

Minutes	Time	Temp.	Temp. Chg. Total	Times CoE_p=	Vol. Chg.	Vol. Chg. Total	Temp. Corr. Vol Chg	Σ 60 ÷ Min = Hrly	Remarks
60	0900	72.874	—	—	—	—	—	—	Pretest
70	0910	.880	+0.006	+0.031	+0.010	+0.010	+0.041		
80	0920	.891	+0.017	+0.091	-0.010	ø	+0.091		
90	0930	.894	+0.021	+0.114	+0.006	+0.006	+0.120		
100	0940	.890	+0.018	+0.098	+0.010	+0.016	+0.114		
110	0950	.882	+0.011	+0.057	ø	+0.016	+0.073		
120/0	1000	.882	+0.006	+0.033	ø	+0.016	+0.049		Begin test
10	1010	.883	+0.001	+0.003	ø	ø	+0.003		
20	1020	.878	-0.004	-0.021	+0.010	+0.010	+0.011		
30	1030	.881	-0.003	-0.015	+0.010	+0.020	+0.005		
40	1040	.890	+0.006	+0.030	ø	+0.020	+0.050	+0.075	
50	1050	.889	+0.009	+0.047	+0.010	+0.030	+0.077	+0.092	
60	1100	.890	+0.011	+0.057	+0.006	+0.036	+0.093	+0.093	
70	1110	.895	+0.014	+0.075	+0.010	+0.046	+0.135	+0.115	
80	1120	.896	+0.016	+0.089	+0.008	+0.054	+0.143	+0.107	
90	1130	.884	+0.012	+0.063	0.006	+0.060	+0.123	+0.082	End test
0	1000	72.881							FAIL
90	1130	72.893	+0.012	+0.063	—	+0.060	+0.123	+0.082	r=0.647

Alltech Petroleum Services
17759 Buttercup Circle
Sonora, California, 95370

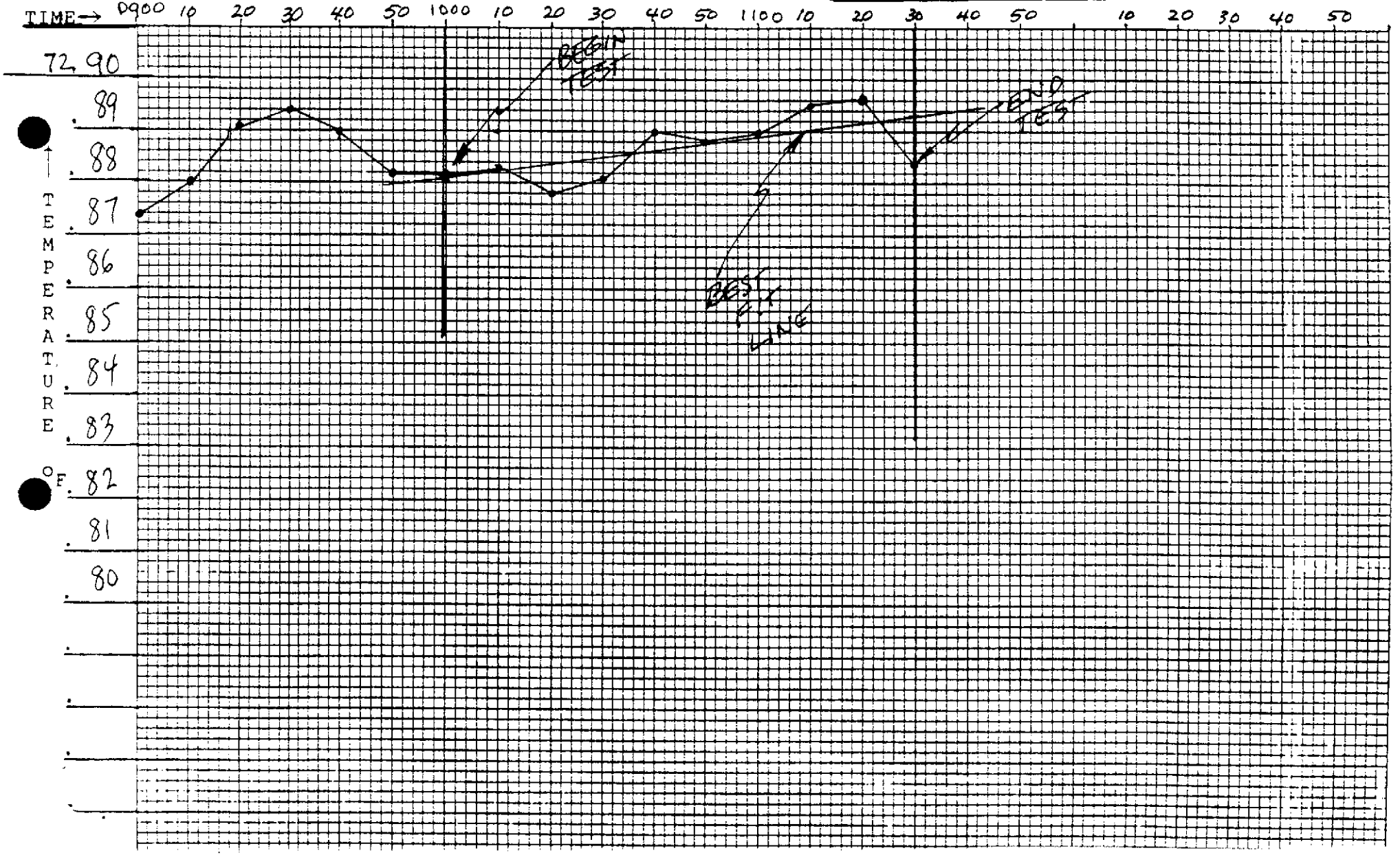
Tank Filled 2200 9/14/94
Test Topoff 0800 9/15/94

Begin Test 1000
End of test 1130
Test Time 90 minutes

Begin test temp on "Best Fit" 72.881 °F
End test temp on "Best Fit" 72.893 °F
Temp change during test ... +0.012 °F
X CoE$_T$= Temp induced vol chg +0.063 gal.
Actual product volume change +0.060 gal.
Temp corrected volume change +0.123 gal.
X60÷minutes= hourly rate ... +0.082 gal/hr. FINAL RESULT

Facility KINCHAN SHELL
Tank 8000 UL
Date 9-15-94

PASS FAIL X



ALLTECH PETROLEUM SERVICES

17759 Buttercup Circle, Sonora, California 95370 • Phone (209) 532-7320

Mike Dotten
California
License
92-1068

TANK TEST DATA SHEET

Facility KIN CHAN SHELL Owner " Date 9-15-94

Address 726 HARRISON Address "

City, State OAKLAND CA City, State "

County ALAMEDA Phone 444-6583 Contact " Phone

Tank level upon arrival TOP " below fillpipe top. Drop tube removed YES

Venting required: Vapor Recovery YES Turbine YES Other NO

Tank Diameter plus Fillpipe length 141 " Low Probe (14.8%) 14.06 "

Subtract Fillpipe length ... ... 46 " Mid Probe (50.0%) 47.5 "

Tank Diameter... ... ... 95 " Hi Probe (85.2%) 80.94 "

Fillpipe Ext. Ø " Total Height 141 " Product Col. 136 " Press. 3.54

Tank Nominal Volume 5000 gallons. Actual Volume 5000 gallons

Water in tank Ø "= Ø gallons. Adjusted prod. Vol. 5000 gallons

Water Table >12' below grade and Ø " above tank bottom. Comp. Hd. Ø

Observed API Gravity 56.3 @ 70.0 °F. Corrected to 55.1 @ 60°F. Prod. PLUS

Coefficient of Expansion 0.000 65716 X Adjusted prod vol = 3.286 (CoE_p)

Ambient Temp. °F Wind 0-5 Other Clear Initial X Retest

FILL 2200 TOPOFF 0800

Minutes	Time	Temp.	Temp. Chg. Total	Times CoE_p =	Vol. Chg.	Vol. Chg. Total	Temp. Corr. Vol Chg	X 60 ÷ Min = Hrly.	Remarks
60	0900	73.917	—	—	—	—	—	—	Pretest
70	0910	.932	+0.015	+0.048	-0.030	-0.030	-0.018		
80	0920	.938	+0.010	+0.065	-0.020	-0.050	+0.015		
90	0930	.948	+0.029	+0.096	+0.010	-0.060	+0.036		
100	0940	.952	+0.034	+0.112	-0.010	-0.070	+0.042		
110	0950	.962	+0.042	+0.138	-0.010	-0.080	+0.058		
120/0	1000	.961	+0.044	+0.146	-0.010	-0.090	+0.056		Begin test
10	1010	.978	+0.017	+0.055	-0.010	-0.010	+0.045		
20	1020	.979	+0.018	+0.058	-0.020	-0.030	+0.028		
30	1030	.986	+0.023	+0.075	-0.010	-0.040	+0.035		
40	1040	.988	+0.025	+0.081	-0.010	-0.050	+0.031		
50	1050	.992	+0.027	+0.089	-0.010	-0.060	+0.029		
60	1100	.993	+0.028	+0.093	-0.006	-0.066	+0.027	+0.027	
70	1110	.993	+0.028	+0.092	-0.010	-0.076	+0.016	+0.016	
80	1120	74.003	+0.033	+0.108	-0.010	-0.086	+0.022	+0.017	
90	1130	.011	+0.034	+0.130	-0.008	-0.094	+0.036	+0.024	End test
0	1000	73.969							
90	1130	74.008	+0.039	+0.130	— —	-0.094	+0.036	+0.024	r=0.952

Alltech Petroleum Services
17759 Buttercup Circle
Sonora, California, 95370

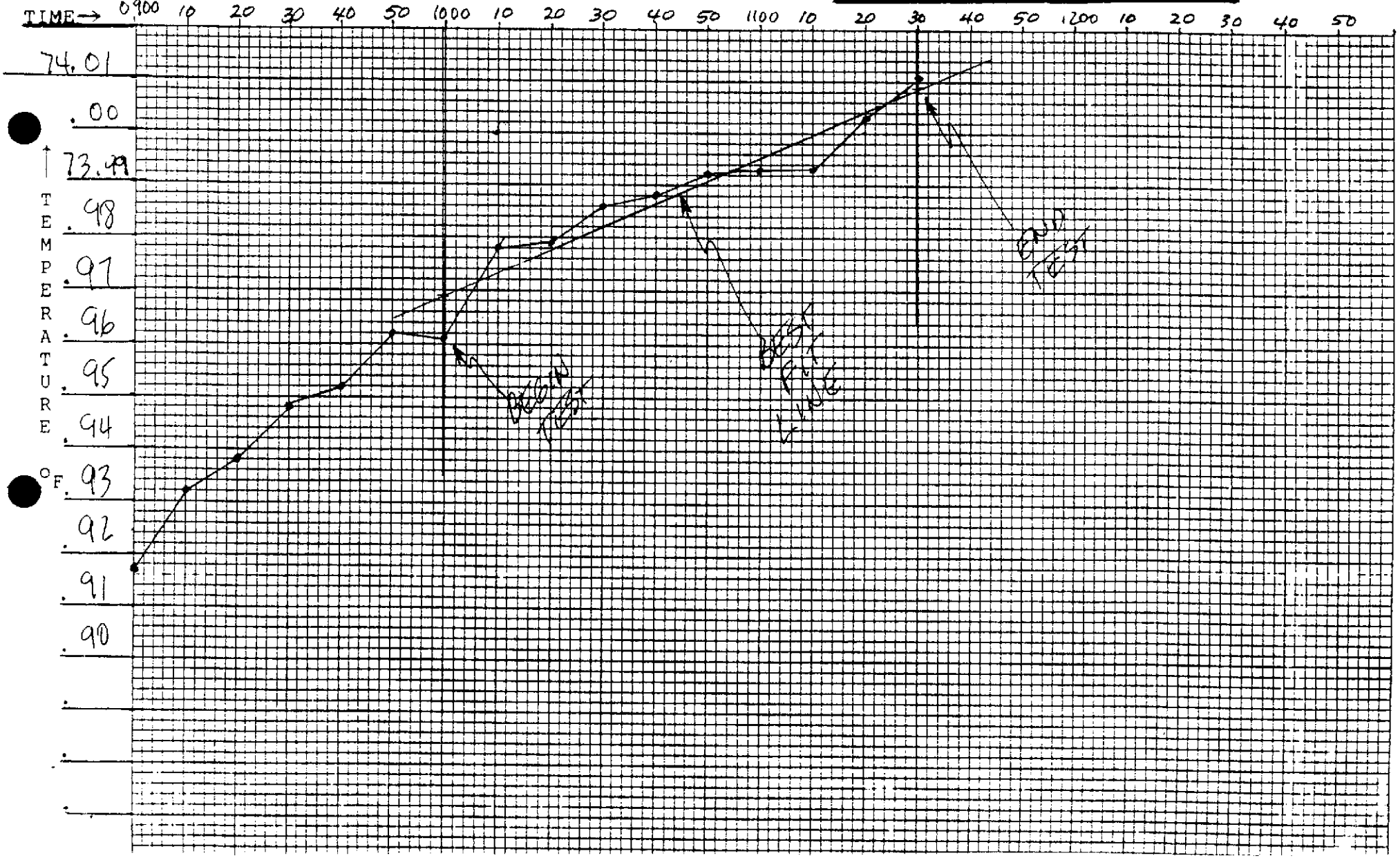
Tank Filled 2200 9/14/94
Test Topoff 0800 __/__/__

Begin Test 1000
End of test 1130
Test Time 90 minutes

Begin test temp on "Best Fit" 73.969 °F
End test temp on "Best Fit" 74.008 °F
Temp change during test ... +0.039 °F
X CoE$_T$= Temp induced vol chg +0.130 gal.
Actual product volume change −0.094 gal.
Temp corrected volume change +0.036 gal.
X60÷minutes= hourly rate ... +0.024 gal/hr. FINAL RESULT

Facility KINCHAN SHELL
Tank 5000 PLUS
Date 9-15-94

PASS X FAIL



ALLTECH PETROLEUM SERVICES
17759 Buttercup Circle, Sonora, California 95370 • Phone (209) 532-7320
Mike Dotten
California
License,
92-1068

TANK TEST DATA SHEET

Facility KIN CHAN SHELL Owner " Date 9-15-94
Address 726 HARRISON ST Address "
City, State OAKLAND City, State "
County ALAMEDA Phone 444-6583 Contact " Phone "
Tank level upon arrival TOP " below Fillpipe top. Drop tube removed YES
Venting required: Vapor Recovery YES Turbine YES Other NO
Tank Diameter plus Fillpipe length 137 " Low Probe (14.8%) 14.06 "
Subtract Fillpipe length ... ... 42 " Mid Probe (50.0%) 47.5 "
Tank Diameter... ... ... 95 " Hi Probe (85.2%) 80.94 "
Fillpipe Ext. Ø " Total Height 137 " Product Col. 130 " Press. 3.38
Tank Nominal Volume 5000 gallons. Actual Volume 5000 gallons
Water in tank Ø "= Ø gallons. Adjusted prod. Vol. 5000 gallons
Water Table >12' below grade and Ø " above tank bottom. Comp. Hd. Ø
Observed API Gravity 56.1 @ 66.0°F. Corrected to 55.4 @ 60°F. Prod. SUL 2
Coefficient of Expansion 0.000 65876 X Adjusted prod vol = 3.294 (CoE_p)
Ambient Temp. °F Wind Other Initial Retest
FILL 2200 TOPOFF 0800

Minutes	Time	Temp.	Temp. Chg. Total	Times CoE_p =	Vol. Chg.	Vol. Chg. Total	Temp. Corr. Vol Chg	X 60 ÷ Min = Hrly	Remarks
60	0900	73.915	—	—	—	—	—	—	Pretest
70	0910	.922	+0.007	+0.022	Ø	Ø	+0.022		
80	0920	.939	+0.024	+0.043	Ø	Ø	+0.043		
90	0930	.936	+0.020	+0.066	Ø	Ø	+0.066		
100	0940	.957	+0.039	+0.127	Ø	Ø	+0.127		
110	0950	.964	+0.050	+0.166	-0.010	-0.010	+0.155		
120/0	1000	.971	+0.059	+0.196	Ø	-0.010	+0.186		Begin test
10	1010	.975	+0.004	+0.014	-0.010	-0.010	+0.004		
20	1020	.972	+0.001	+0.003	Ø	-0.010	-0.007		
30	1030	.979	+0.006	+0.019	Ø	-0.010	+0.009		
40	1040	.987	+0.011	+0.035	-0.030	-0.040	-0.005		
50	1050	.999	+0.026	+0.085	-0.020	-0.060	+0.025		
60	1100	74.001	+0.033	+0.108	Ø	-0.060	+0.048	+0.048	
70	1110	.005	+0.038	+0.126	-0.030	-0.090	+0.036	+0.031	
80	1120	.010	+0.043	+0.143	-0.030	-0.120	+0.013	+0.010	
90	1130	.014	+0.048	+0.158	-0.024	-0.144	+0.014	+0.009	End test
0	1000	73.967							
90	1130	74.015	+0.048	+0.158	—	-0.144	+0.014	+0.009	r=0.978

Arrech Petroleum Services
17759 Buttercup Circle
Sonora, California, 95370

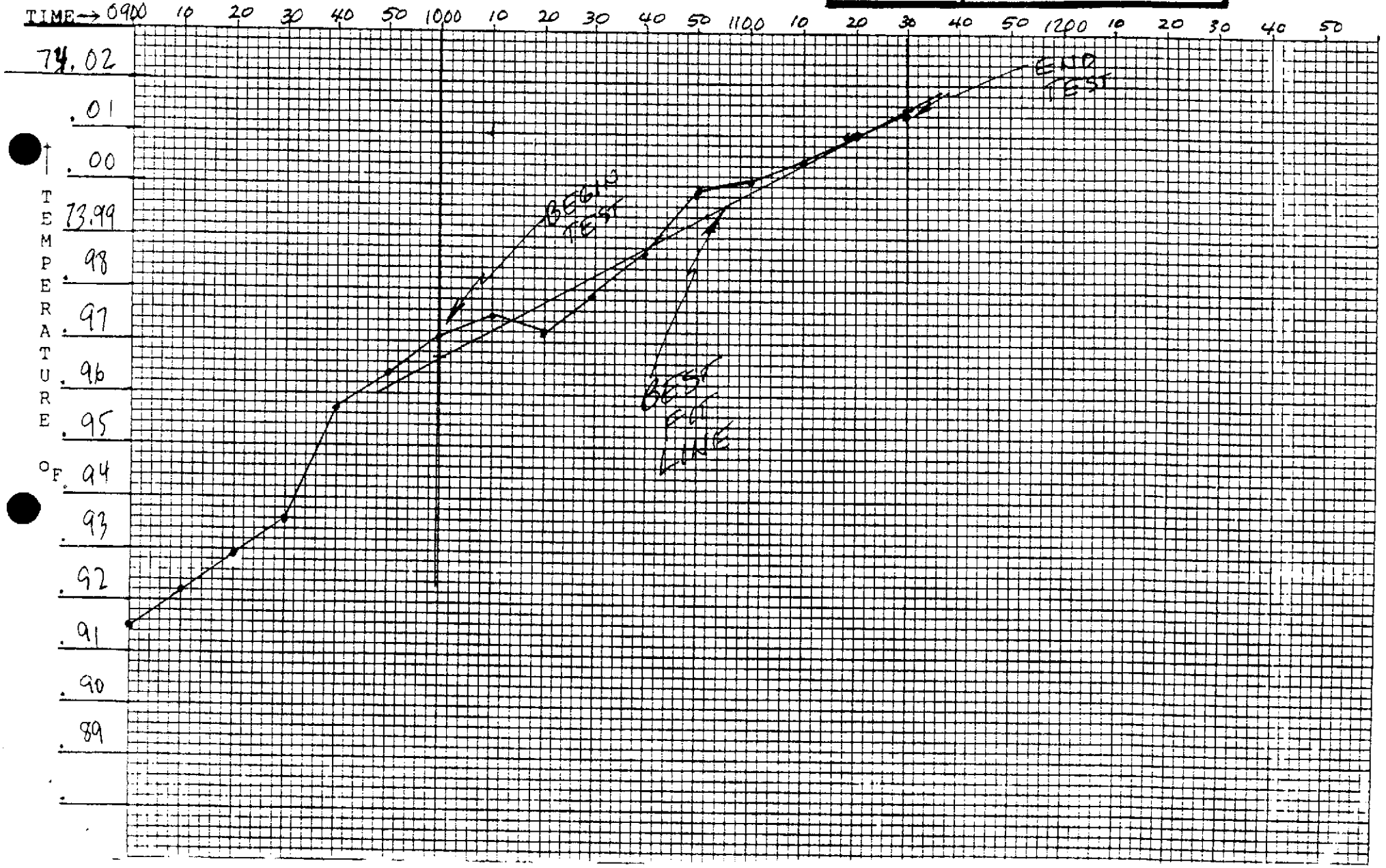
Tank Filled 2200 9/14/94
Test Topoff 0800 9/15/94

Begin Test 1000
End of test 1130
Test Time 90 minutes

Begin test temp on "Best Fit" 73.961 °F
End test temp on "Best Fit" 74.015 °F
Temp change during test ... +0.048 °F
X CoE_T= Temp induced vol chg +0.158 gal.
Actual product volume change −0.144 gal.
Temp corrected volume change +0.014 gal.
X60÷minutes= hourly rate ... +0.009 gal/hr. FINAL RESULT

Facility KINCHAN SHELL
Tank 5000 SUL 2
Date 9-15-94

PASS X FAIL



AUTECH PETROLEUM SERVICES
17759 Buttercup Circle, Sonora, California 95370 · Phone (209) 532-7320
Mike Dotten
California License
92-1068

TANK TEST DATA SHEET

Facility KIN CHAN SHELL Owner " Date 9-14-94
Address 726 HARRISON ST Address "
City, State OAKLAND City, State "
County ALAMEDA Phone 444-6583 Contact " Phone "
Tank level upon arrival TOP " below fillpipe top. Drop tube removed Ø
Venting required: Vapor Recovery NO Turbine NO Other NO
Tank Diameter plus Fillpipe length 83¼" Low Probe (14.8%) 7.36 "
Subtract Fillpipe length ... ... 33¾" Mid Probe (50.0%) 24.88 "
Tank Diameter... ... ... 49¾" Hi Probe (85.2%) 42.39 "
Fillpipe Ext. Ø " Total Height 83¼ " Product Col. 83 " Press. 2.74
Tank Nominal Volume 750 gallons. Actual Volume 750 gallons
Water in tank UNREADABLE gallons. Adjusted prod. Vol. 750 gallons
Water Table >12' below grade and Ø " above tank bottom. Comp. Hd. Ø
Observed API Gravity 28.2 @ 66.0 °F. Corrected to 27.8 @ 60°F. Prod. W,O
Coefficient of Expansion 0.000 43628 X Adjusted prod vol = 0.327 (CoE_T)
Ambient Temp. ____ °F Wind 0-5 Other Clear Initial X Retest ____
FILL 1000 TOPOFF 0800

Minutes	Time	Temp.	Temp. Chg. Total	Times CoE_T =	Vol. Chg.	Vol. Chg. Total	Temp. Corr. Vol Chg	X 60 ÷ Min = Hrly	Remarks
60	0900	69.795							Pretest
70	0910	.810	+0.015	+0.005	Ø	Ø	+0.005		
80	0920	.810	+0.015	+0.005	Ø	Ø	+0.005		
90	0930	.816	+0.019	+0.006	Ø	Ø	+0.006		
100	0940	.821	+0.023	+0.008	Ø	Ø	+0.008		
110	0950	.817	+0.021	+0.007	Ø	Ø	+0.007		
120/0	1000	.820	+0.022	+0.007	Ø	Ø	+0.007	+0.007	Begin test
10	1010	.818	−0.002	−0.001	Ø	Ø	−0.001	−0.006	
20	1020	.819	−0.001	Ø	Ø	Ø	Ø	Ø	
30	1030	.821	+0.001	Ø	Ø	Ø	Ø	Ø	
40	1040	.820	+0.001	Ø	Ø	Ø	Ø	Ø	
50	1050	.821	+0.002	+0.001	Ø	Ø	+0.001	+0.001	
60	1100	.820	+0.002	+0.001	Ø	Ø	+0.001	+0.001	
70	1110	.817	Ø	Ø	Ø	Ø	Ø	Ø	
80	1120	.821	Ø	Ø	Ø	Ø	Ø	Ø	
90	1130	.819	Ø	Ø	Ø	Ø	Ø	Ø	End test
0	1000	69.820							
90	1130	69.820	Ø	Ø	—	Ø	Ø	Ø	r=0.007

Arrtech Petroleum Services
17759 Buttercup Circle
Sonora, California, 95370

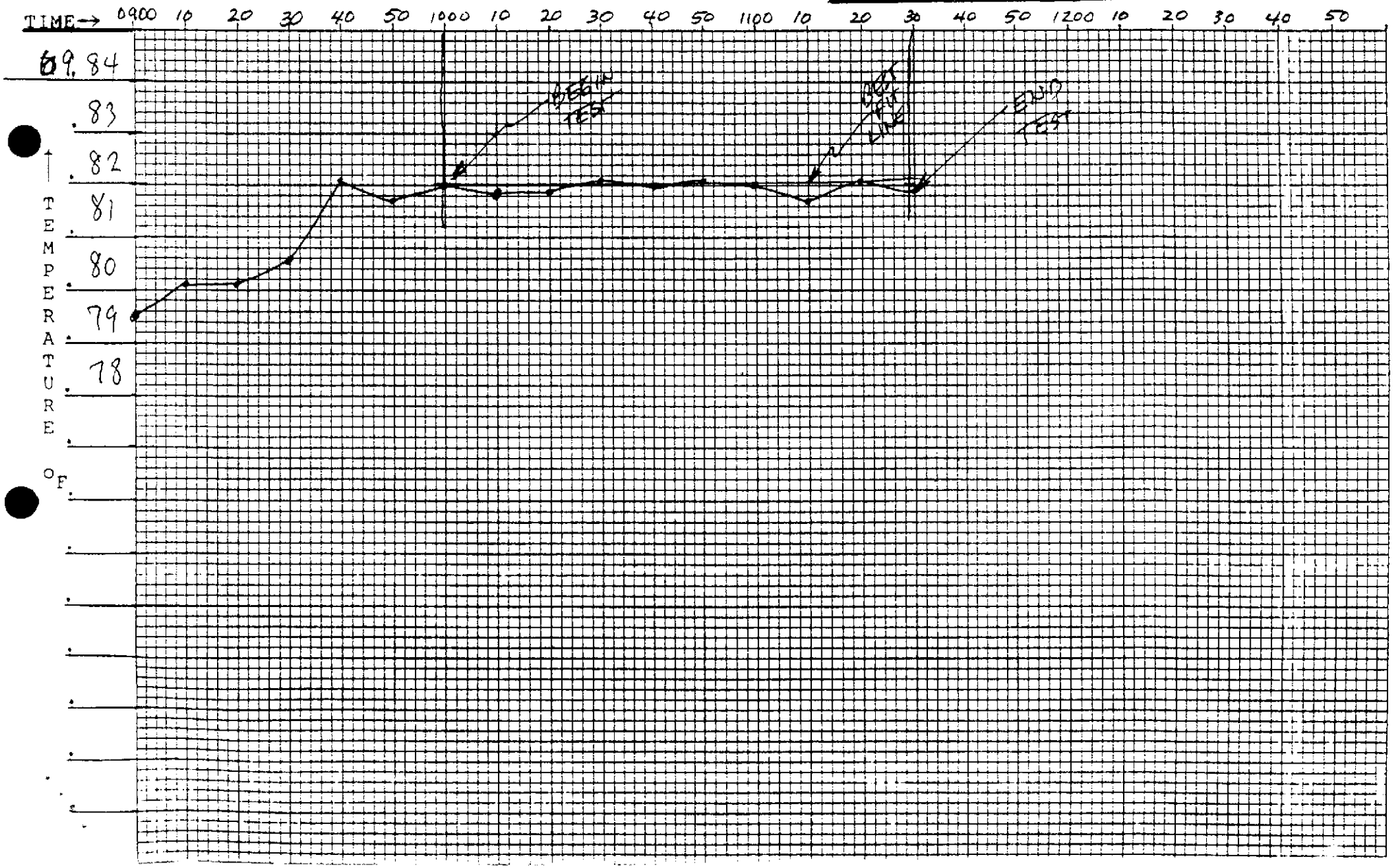
Tank Filled 1000 9/13/94
Test Topoff 0800 9/14/94

Begin Test 1000
End of test 1130
Test Time 90 minutes

Begin test temp on "Best Fit" 67.820 °F
End test temp on "Best Fit" 69.820 °F
Temp change during test ... Ø °F
X CoE_T= Temp induced vol chg Ø gal.
Actual product volume change Ø gal.
Temp corrected volume change Ø gal.
X60÷minutes= hourly rate ... Ø gal/hr. FINAL RESULT

Facility KINCHAN
Tank 750 W.O.
Date 9-14-94

PASS X FAIL



STATE OF CALIFORNIA - CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

PETE WILSON, *Governor*

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF CLEAN WATER PROGRAMS
2014 T STREET, SUITE 130
P.O. BOX 944212
SACRAMENTO, CA 94244-2120

916/739-4352
Facsimile 916/739-2300

92 OCT 28 AM 11:36

OCT 2 3 1992

Local Implementing Agencies and Interested Parties:

LG-125 CLARIFICATION OF THE REGULATORY REQUIREMENT OF CONDUCTING TANK TIGHTNESS TESTS AFTER TANK FILLING

The State Underground Storage Tank Regulations, Title 23, Chapter 16, Section 2643(c)(2)(A) requires tank tightness tests be conducted after tank filling.

The regulatory intent of this requirement is that tanks be filled at least to the "routine operating level". This is consistent with the federal regulations that requires the tightness test to find a leak from any portion of the tank that routinely contains product. The routine operating level is the highest product level that occurred since the last tightness test (excluding the level used for the previous test).

Therefore, the tank tightness test must test that portion of the tank that held product any time since the last test.

The tank owner is responsible for checking the inventory record and filling the tank to the required level before a test is conducted. Local agencies should keep all tank owners informed of this requirement. Additionally, agency inspectors may assist the tank owners, if requested, to determine at what product level each specific tank must be tested, based on review of their inventory records.

The enclosure summarizes the available options for determining the required product level for tank tightness testing versus the specific tightness test method.

If you have any questions, please contact Shahla Farahnak at (916) 739-2330.

Sincerely,

Mike McDonald, Manager
Underground Storage Tank Program

Enclosure

1. **Tank is filled to the overfill prevention device set point or to the tightness test equipment certification level, whichever is higher; and the certified tightness test is conducted.**

   Tank tightness test methods were evaluated at a specific product level. This level is stated in the third-party evaluation report and listed in State Water Resources Control Board's (SWRCB) LG-113 series. If the overfill prevention device set point is higher than the certification product level, the tank must be filled to the overfill device set point. However, if the test method certification level is higher than the overfill prevention device set point, the tank must be filled to the certification level.

2. **Tank is filled to the routine operating level; liquid portion tested using an underfilled volumetric tightness test, certified for at least that product level; and the ullage portion of the tank tested using a certified ullage tightness test method.**

   The ullage test method must be evaluated and certified by a third-party evaluator based on the EPA standard test procedure or an equivalent method, which is at least as stringent as the EPA Standard Test Procedures. The SWRCB reviews third-party certification reports for ullage tests and if it is concluded that the test method meets the EPA performance standards, the manufacturer will be notified and the test method will be listed in the LG-113 series. When testing tanks with an ullage test method, the maximum ullage volume during the test cannot exceed the ullage volume limitation stated in the third-party certification forms.

   According to EPA's Standard Test Procedures for Non-volumetric Tightness Test Methods, if a method is based on a physical principle that might be affected by temperature or tank deformation effects, then the test series must account for those effects. The evaluating organization must consider what sources of interference might affect the operation of the method and must include tests to determine whether the method successfully overcomes those sources.

   Tank testing equipment manufacturers who wish to test tanks at product levels lower than their original certification level are required to have their system re-evaluated. The full third-party certification report must be submitted to SWRCB for review. Extrapolations to other product levels through calculations and statistical analysis are not accepted. If the equipment and test meet the EPA performance criteria, the manufacturer will be notified and the new acceptable product level range will be included in the LG-113 series.

3. **Tank is filled to the level which routinely contains product or to the certification level whichever is higher; and the tank is tested using a non-volumetric tightness test method which is certified to be capable of detecting leaks in both the ullage space and the liquid filled portion.**

   The third-party evaluator must certify the ability of the method to test both the liquid filled and the ullage portion of the tank, based on an evaluation which meets the EPA Standard Test Procedures. The LG-113 series will include this information.

OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
PAUL R. BONDERSON BUILDING
901 P STREET
P.O. BOX 100
SACRAMENTO, CALIFORNIA 95801
(916) 324-9495

GEORGE DEUKMEJIAN, *Governor*

OCT 8 1986

Local Implementing Agencies

LETTER LG-43: REPORTING OF FAILED PRECISION TESTS

We have received several questions regarding the need to report underground storage tank leaks that occur during a precision tank test. **An underground storage tank leak report need not be filed with the State Water Resources Control Board (State Board) if the leak occurs only during a precision test and less than one gallon of the hazardous substance is released.**

In many cases, a tank system fails a precision test only because portions of the system are exposed to product or pressure not normally present during operating conditions. That is to say, a release or leak only occurs during the test period, and the amount of substance lost is very small (a properly conducted precision test will detect a release of substantially less than one gallon during the test period). General procedures under these circumstances call for excavation of the piping and top of the tank, looking for evidence of a leak, tightening pipe connections and manway covers, and retesting. **If the system proves tight during the retest, then the excavation is backfilled and the tank is placed back into operation.**

Cases such as those described above do not need to be reported to the State Board. However, this in no way affects the owner's responsibility to report the tank test results to the local agency. **If it is unclear whether the tank leaked in the past or if more than one gallon was released during the precision test, then a leak report should be filed with the State Board.**

It is not the State Board's intent here to establish a minimum reportable quantity for an unauthorized release. All releases, regardless of quantity, not associated with a failed precision test should be reported.

In summary, an underground storage tank leak report need not be filed with the State Board if a tank system fails a precision test and:

1. The system passes upon retest; or

2. Excavation of piping and top of tank shows no evidence of a past leak and the system passes the precision test following tightening of piping and manway covers; and

3. Loss of substance during the test is minimal; i.e., less than one gallon.

Please call Allan Patton at (916) 324-9495, if you have any questions on this matter.

Sincerely,

James W. Baetge, Chief
Division of Water Quality