

NOTES ON SHELL MEETING
461 8TH STREET, OAKLAND
APRIL 1, 2008

PARTICIPANTS:

Jerry Wickham, ACEH
Leah Goldberg, Meyers Nave
Anye Spivey, AF Evans
Grover Buhr, Treadwell Rollo
Denis Brown, Shell
Ed Platt, Shell
Donna Drogos, ACEH

There was no formal agenda for the meeting. The topic of the meeting was how site development would fit with planned remediation at the site:

- 1) Shell discussed the possibility of off-site groundwater contamination not being due to a release from the Shell site. Discussion was pre-empted as Jerry Wickham was not aware this was a topic for discussion and was not ready to discuss this issue.
- 2) Issue of when Alameda County would approve development was raised. Jerry Wickham referred to notes from previous meeting that the County would allow for development if development is compatible with the final remedial design. This will require that investigation, DPE pilot test, and off-site investigation are complete and that CAP is final and approved. Final system design must fit with development plans. Jerry Wickham described the process for ACEH providing opinion on development through the Oakland Fire Department, which is the CUPA.
- 3) Anye Spivey of AF Evans indicated that planned development would not accommodate space for long-term groundwater remediation such as proposed SVE/AS system.
- 4) Shell indicated that if long-term remediation for groundwater not possible due to development, they would attempt excavation to deal with soil and soil vapor issues. Shell understands that excavation may not be able to address groundwater issues. Ed Platt suggested that Shell may want to try chemical oxidation for groundwater.
- 5) Excavation will require
- 6) May 1 or June 1 was discussed as timeframe to start excavation.

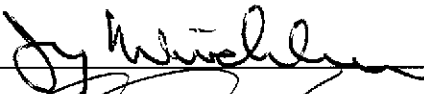


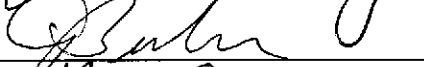


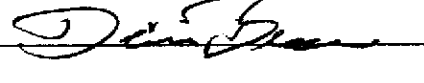
Action Items:

- 1) Shell will submit an Excavation Work Plan soon.
- 2) Jerry Wickham will provide comments on plan within 2 weeks.

JTW
04/01/08

**Alameda County Environmental Health
Meeting Sign In Sheet
RO0343, 461 8th Steet, Oakland**

Wednesday, April 1, 2008 10:30 am

NAME	COMPANY	PHONE	Signature	E-MAIL
Jerry Wickham	Alameda County	510-567-6791		jerry.wickham@acgov.org
Donna Drogos	Alameda County	510-567-6721		donna.drogos@acgov.org
Leah Goldberg	Meyers Howe	510-888-2000		lgoldberg@meyershowe.com
Grover Buhr	Treadwell & Rollo	(510) 874-4500 x529		gcbuhr@treadwellrollo.com
Angie Spaw	A FE	510 267 4696		aspaw@a-fevars.com
Ed Platt	Shell	713-241-5126		ed.platt@shell.com
LENNIS BROWN	Shell	707-765-0657		

APR 02 2008

Environmental Health

364 Bush Street, San Francisco, CA 94104

(415) 986-3236

March 24, 2008

Mr. David J. Kears
Alameda Health Care Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Re: Fuel Leak Case No. RO0000343 461 8th Street, Oakland, CA

Dear Mr. Kears,

Please be advised that this firm, the 'care of' recipient of the attached letter, is no longer acting in an agency capacity for Wells Fargo Bank. As a courtesy, we have passed on previous correspondence to Wells Fargo with a request to that company that it update its correspondence address with agencies such as yours.

We continue, however, to receive your correspondence.

I am returning, herewith, your letter of March 14, 2008 with a suggestion that you send it directly to Wells Fargo at the following address:

Mr. John Ward
Trust Real Estate
Wells Fargo Bank
P.O. Box 693939
San Francisco, CA 94163

Please send no further correspondence regarding the matter to this firm.

Thank you for your cooperation.

Sincerely,
Pacific Property Asset Management


Peter J. O'Hara
President

Wickham, Jerry, Env. Health

From: Friel, Ana [afriel@croworld.com]
Sent: Wednesday, December 19, 2007 12:52 PM
To: Wickham, Jerry, Env. Health
Cc: denis.l.brown@shell.com; England, Jacquelyn; Schaefer, Peter; Neely, Joe; Cool, Aubrey; Baertschi, Dennis
Subject: Interim CRA PM for A. Friel for 1Q08
Importance: High

Hi Jerry,

This email is to notify you that I will be out on leave starting this Friday (12/21) through end of March (3/27/08).

While I am out, Jacquelyn England and Peter Schaefer will be overseeing the day-to-day management of my Alameda County Shell projects. The site's they are assigned and their contact information are shown on the attached spreadsheet, for your information. Jacquelyn's work will be overseen by Joe Neely, PG, of our Sonoma office (his number is 707-933-2361), and Peter Schaefer's work will be overseen by Aubrey Cool, PG, of our Emeryville office (her number is 510-420-3336). Also, the projects that Dennis Baertschi works on will be overseen by Joe Neely during my leave as well.

I have spoken with them about the current status and upcoming work for each of the projects. After this Friday, please contact the interim PM during my absence.

Happy holidays,

Ana Friel, PG
Conestoga-Rovers & Associates

408 7th Street, Suite A, Eureka, CA 95501
p (707) 268-3812
f (707) 268-8180
c (707) 845-4066
afriel@croworld.com

Conestoga-Rovers & Associates has acquired the former Cambria Environmental Technology
Visit us at www.croworld.com

This e-mail may contain confidential and privileged material for the sole use of the intended recipient. Any review or distribution by others is strictly prohibited. If you are not the intended recipient please contact the sender and delete all copies.

Address	City	County	Listing	Email	Phone
2703 MARTIN LUTHER KING JR WAY	OAKLAND	ALAMEDA	Jacquelyn England	jenqland@croworld.com	707-933-2370
481 8TH ST	OAKLAND	ALAMEDA	Jacquelyn England	jenqland@croworld.com	707-933-2370
1601 WEBSTER ST	ALAMEDA	ALAMEDA	Peter Schaefer	pschaefer@croworld.com	510-420-3319
2120 MONTANA ST	OAKLAND	ALAMEDA	Peter Schaefer	pschaefer@croworld.com	510-420-3319
3420 SAN PABLO AVENUE	OAKLAND	ALAMEDA	Peter Schaefer	pschaefer@croworld.com	510-420-3319
4255 MACARTHUR BLVD	OAKLAND	ALAMEDA	Peter Schaefer	pschaefer@croworld.com	510-420-3319
540 HEGENBERGER ROAD	OAKLAND	ALAMEDA	Peter Schaefer	pschaefer@croworld.com	510-420-3319
5755 BROADWAY	OAKLAND	ALAMEDA	Peter Schaefer	pschaefer@croworld.com	510-420-3319
610 MARKET ST	OAKLAND	ALAMEDA	Peter Schaefer	pschaefer@croworld.com	510-420-3319
1285 BANCROFT	SAN LEANDRO	ALAMEDA	Peter Schaefer	pschaefer@croworld.com	510-420-3319
1784 150TH AVE	SAN LEANDRO	ALAMEDA	Peter Schaefer	pschaefer@croworld.com	510-420-3319
285 HEGENBERGER RD	OAKLAND	ALAMEDA	Peter Schaefer	pschaefer@croworld.com	510-420-3319
105 5TH STREET / OAK	OAKLAND	ALAMEDA	Peter Schaefer	pschaefer@croworld.com	510-420-3319

Wickham, Jerry, Env. Health

To: Friel, Ana
Cc: denis.l.brown@shell.com; Lescure, Daniel; England, Jacquelyn; Goldfinch, Lauren
Subject: RE: 461 8th Street, Oakland - lab results from borings - confirm screen intervals for wells

Hi Ana,

The recommended well screen intervals are acceptable. Collecting soil samples at 5-foot intervals in the well borings down to the a depth of 35 feet is also acceptable. If soil samples cannot be collected in the lowermost interval of the boring, we request that you collect a grab groundwater from below 35 feet using a hydropunch-type sampler.

Regards,
Jerry Wickham
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
510-567-6791 phone
510-337-9335 fax
jerry.wickham@acgov.org

From: Friel, Ana [mailto:afriel@croworld.com]
Sent: Wednesday, December 05, 2007 4:47 PM
To: Wickham, Jerry, Env. Health
Cc: denis.l.brown@shell.com; Lescure, Daniel; England, Jacquelyn; Goldfinch, Lauren
Subject: 461 8th Street, Oakland - lab results from borings - confirm screen intervals for wells
Importance: High

Hi Jerry,

We completed the first four borings at this site (B-24 through B-27) and have received the rush lab reports from that work, from which we are to confirm our well construction details for next week, and the laboratory reports are attached.

Please note that the direct push drilling rig used for borings B-24 through B-27 encountered refusal at much shallower depths than we had anticipated, and consequently, borings B-25, B-26, and B-27 were only extended to respective depths of 14, 15, and 18 fbg for soil sampling and to 20, 15, and 30 fbg for attempted hydropunch sampling (with no recovery in any of those three).

Thus, only boring B-24 (located in the source area) was successfully extended beyond the previously installed boring depths, but still encountered refusal at 32 fbg for soil sampling and 37 fbg for hydropunch groundwater sampling. The groundwater result on the attached lab report is therefore, from 36.5 - 37 fbg at B-24 and contains TPHg at 31,000 and benzene at 370 ppb. This is an order of magnitude lower than the grab gw sample obtained from 24 fbg in boring B-13 (which had TPHg at 250,000 and benzene at 12,000 ppb).

The soil data from boring B-24 also demonstrates the maximum soil concentration at a depth of 30 fbg (TPHg 3,000 ppm) with significant decrease by 32 fbg (TPHg 220 ppm).

Based on this information, CRA recommends extending the total depth of the proposed wells (S-12 through S-16) to 35 fbg to ensure that residual mass from 30 fbg is targeted for remediation. To comply with your previous letter concerning too much screen interval in the non-impacted vadose zone, **we propose that wells S-12, S-13, and S-16 will be screened from 20 - 35 fbg** (instead of 10-30 fbg). However, wells S-14 and S-15, located near the sparge well AS-1, should be extended up into the vadose zone somewhat, in order to remediate residual vadose zone soil impact and also to monitor the air sparge pilot testing. Thus, **we propose that wells S-14 and S-15 be screened from 15 - 35 fbg**. In order to complete the characterization of soils with depth, soil samples from the

12/6/2007

well borings will be retained at 5 ft intervals for chemical analyses.

Please let us know if you concur with these recommendations or if you would like to discuss further. Dan Lescure and I are available after 11am tomorrow for a conference call.

Please let us know. Regards,

Ana Friel, PG
Conestoga-Rovers & Associates

408 7th Street, Suite A, Eureka, CA 95501
p (707) 268-3812
f (707) 268-8180
c (707) 845-4066
afriel@croworld.com

Conestoga-Rovers & Associates has acquired the former Cambria Environmental Technology
Visit us at www.croworld.com

This e-mail may contain confidential and privileged material for the sole use of the intended recipient. Any review or distribution by others is strictly prohibited. If you are not the intended recipient please contact the sender and delete all copies.

12/6/2007

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



F

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

November 9, 2007

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

Wells Fargo Bank, N.A., Trustee
c/o Pacific Property
364 Bush Street
San Francisco, CA 94104-2805

Mr. Anye Spivey
AFE Broadway 8LLC
EF Evans
1000 Broadway, Ste. 300
Oakland, CA 94507

Subject: Fuel Leak Case No. RO0000343 and Geotracker Global ID T0600101263, Shell, 461 8th Street, Oakland, CA 94607

Dear Mr. Brown, Mr. Spivey, and Wells Fargo Bank:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above referenced site, including the recently submitted document entitled, "Work Plan Addendum," dated October 30, 2007. The Work Plan Addendum proposes on-site soil vapor sampling and an air sparging pilot test. The proposed scope of work in the Work Plan Addendum dated October 30, 2007 may be implemented provided that the technical comments below are addressed during the field investigation. Submittal of a revised Work Plan for the on-site soil vapor sampling and air sparging pilot test is not required unless an alternate scope of work outside that described in the Work Plan Addendum and technical comments below is proposed.

These tasks are to be performed in addition to and in conjunction with a scope of work that included off-site soil vapor probes, direct push soil borings, monitoring well installation, and a dual-phase extraction (DPE) pilot test as described in a previous work plan entitled "Remedial Alternatives Evaluation, Site Investigation, and DPE Pilot Test Work Plan," dated May 25, 2007. ACEH provided conditional approval for the May 25, 2007 proposed scope of work in correspondence dated October 19, 2007. As noted in our October 19, 2007 correspondence, the off-site soil vapor probes, direct push soil borings, monitoring well installation, and a dual-phase extraction (DPE) pilot test may be implemented provided that the technical comments in our October 19, 2007 correspondence are addressed during the field investigation.

We request that you address the following technical comments, perform the proposed work, and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to jerry.wickham@acgov.org) prior to the start of field activities.

Mr. Denis Brown
Wells Fargo Bank
Mr. Anye Spivey
RO0000343
November 9, 2007
Page 2

TECHNICAL COMMENTS

1. **Soil Vapor Probes.** The Work Plan Addendum currently proposes the installation of a soil vapor probe at a depth of 9.5 feet bgs in on-site soil borings SB-24 through SB-27. In addition to the deeper probe at 9.5 feet, we request that you also install a soil vapor probe at a depth of 5 feet bgs in each of the on-site borings in order to help evaluate vertical attenuation. A one-foot sand filter pack should be constructed from 4.5 to 5.5 feet bgs for the soil vapor probe at 5 feet bgs. A bentonite seal is to be constructed between the sand filter packs from 5.5 to 9.0 feet bgs. Please include sampling results from the soil vapor probes in the Additional Site Characterization and Pilot Test Report requested below.
2. **Air Sparging Pilot Test Monitoring.** In addition to the collection of vapor samples prior to the pilot test to establish background, we request that a minimum of two vapor samples be collected for laboratory analysis from each observational well to confirm the field vapor measurements. The samples may be collected using one-liter Tedlar bags and analyzed for TPHg and BTEX using EPA Method 8260. Please present the results in the Additional Site Characterization and Pilot Test Report requested below.

TECHNICAL REPORT REQUEST

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

- **February 25, 2008** – Additional Site Characterization and Pilot Test Report/Draft Corrective Action Plan

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

ELECTRONIC SUBMITTAL OF REPORTS

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the

Mr. Denis Brown
Wells Fargo Bank
Mr. Anye Spivey
RO0000343
November 9, 2007
Page 3

SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

PERJURY STATEMENT

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

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

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

UNDERGROUND STORAGE TANK CLEANUP FUND

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

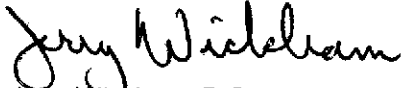
AGENCY OVERSIGHT

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

Mr. Denis Brown
Wells Fargo Bank
Mr. Anye Spivey
RO0000343
November 9, 2007
Page 4

If you have any questions, please call me at (510) 567-6791 or contact me my electronic mail at jerry.wickham@acgov.org.

Sincerely,



Jerry Wickham, P.G.
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Leah Goldberg, Meyers Nave, 555 12th Street, Suite 1500, Oakland, CA 94607

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

Grover Buhr, Treadwell & Rollo, 501 14th Street, 3rd Floor, Oakland, CA 94612

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

October 19, 2007

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

Wells Fargo Bank, N.A., Trustee
c/o Pacific Property
364 Bush Street
San Francisco, CA 94104-2805

Mr. Anye Spivey
AFE Broadway 8LLC
EF Evans
1000 Broadway, Ste. 300
Oakland, CA 94507

Subject: Fuel Leak Case No. RO0000343 and Geotracker Global ID T0600101263, Shell, 461 8th Street, Oakland, CA 94607

Dear Mr. Brown, Mr. Spivey, and Wells Fargo Bank:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above referenced site, including the document entitled, "Remedial Alternatives Evaluation, Site Investigation, and DPE Pilot Test Work Plan," dated May 25, 2007. The Work Plan proposes a scope of work that includes off-site soil vapor probes, direct push soil borings, monitoring well installation, and a dual-phase extraction (DPE) pilot test. The proposed scope of work may be implemented provided that the technical comments below are addressed during the field investigation. Submittal of a revised Work Plan for the off-site soil vapor probes, direct push soil borings, monitoring well installation, and a dual-phase extraction (DPE) pilot test is not required unless an alternate scope of work outside that described in the Work Plan and technical comments below is proposed.

Based on discussions during a meeting between representatives of Shell, AF Evans, and ACEH, held in ACEH offices on October 18, 2007, we understand that Shell will also prepare a Work Plan Addendum for an air sparging pilot test. As discussed in technical comment 2 below, we request that the Work Plan Addendum also include a proposed scope of work for on-site soil vapor sampling.

We request that you address the following technical comments, perform the proposed work, and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to jerry.wickham@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Soil Excavation.** The Remedial Alternatives Evaluation, Site Investigation, and DPE Pilot Test Work Plan dated May 25, 2007, recommends against soil excavation as a remedial method for the site. Although we concur that soil excavation is not likely to be feasible for the residual contamination that exists within the capillary fringe/smear zone beneath the site,

shallow excavation is likely to be effective for shallow vadose zone contamination encountered in the area of the former product lines near boring B-12. Therefore, soil excavation should be considered as part of a remedial alternative in a Corrective Action Plan for the site.

2. **Soil Vapor Sampling.** We request that on-site soil vapor sampling be conducted as part of the proposed site investigation activities and not delayed until after DPE pilot testing. Based on the discussions during the meeting held on October 18, 2007, we understand that Shell plans to submit a Work Plan Addendum that will include an air sparging pilot test. We request that you include plans for on-site soil vapor sampling in the Work Plan Addendum.
3. **Sub-Slab Vapor Probes.** The proposed installation of sub-slab vapor probes in the basement of the adjacent building to the southwest is acceptable. However, we request that proposed sub-slab probe SVP-3 be moved approximately 30 feet southeast, closer to Broadway than the proposed location shown on Figure 2 of the Work Plan.
4. **Direct Push Borings.** The proposed direct push soil boring locations are acceptable. The Work Plan currently proposes the collection of a grab groundwater sample using a "hydropunch-type sampler," from approximately 45 to 50 feet bgs. We note that fine-grained soil described as "Bay Mud," was observed at a depth of 40 feet bgs in well borings L-5 and L-6. We request that the depths of the proposed grab groundwater from the direct push soil borings be adjusted as necessary to collect the grab groundwater samples immediately above the Bay Mud if the Bay Mud is encountered at depths of less than 50 feet bgs. Therefore, we request that the initial direct push soil boring be used for soil sampling and as a pilot boring to select the interval for grab groundwater sampling in subsequent borings. If Bay Mud is encountered in the initial soil boring, this will require that a second soil boring be advanced adjacent to the initial soil boring in order to collect a grab groundwater sample directly above the Bay Mud.
5. **Screen Intervals for Monitoring Wells.** The well screen intervals are currently proposed from approximately 10 to 30 feet bgs to allow adequate vadose zone exposure. Based on the fact that soil and groundwater contamination over most of the site is at depths greater than 20 feet bgs, we do not concur with the proposed interval. We request that the wells screens be shortened in order for the proposed DPE to directly target the zone of contamination and avoid vapor extraction within vadose zone that are relatively clean from 10 to 20 feet bgs. Therefore, we request that the screen intervals not extend above 20 feet bgs for the proposed wells to be used for DPE testing. The final depths of the proposed wells and screen intervals are to be selected based on the results from the proposed direct push borings.
6. **Pilot Test Monitoring.** In order to confirm vapor concentrations measured in the field, we request that air samples be collected for laboratory analysis from each well to be tested at the beginning and end of the air sparging test. The influent samples may be collected using one-liter Tedlar bags and analyzed for TPHg and BTEX using EPA Method 8260. Please present the results in the DPE and Air Sparging Pilot Test Report requested below.

Mr. Denis Brown
Wells Fargo Bank
Mr. Anye Spivey
RO0000343
October 19, 2007
Page 3

7. **Public Participation.** Public participation is a requirement for the Corrective Action Plan process. In order to provide notification to potentially affected members of the public, please provide a table listing all properties within approximately 200 feet of the site to the north, west, and east. Due to the off-site contamination to the southwest, we request that that listing include properties within approximately 500 feet to the south, which are currently or may in the future be directly or indirectly affected by the petroleum release from your site or the proposed corrective action. The list is to identify the properties by street address, parcel number, and property owner name. Please provide separate mailing labels addressed to both the occupant and owner of each property. Please also provide a map showing the street address for each of the listed properties. ACEH will prepare a fact sheet and notify each of the property owners on the list of the proposed corrective action. The mailing list, labels, and map are to be provided **by February 25, 2008.**

TECHNICAL REPORT REQUEST

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

- **November 2, 2007** – Work Plan Addendum
- **February 25, 2008** – Additional Site Characterization and DPE Pilot Test Report/Draft Corrective Action Plan

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

ELECTRONIC SUBMITTAL OF REPORTS

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet.

Mr. Denis Brown
Wells Fargo Bank
Mr. Anye Spivey
RO0000343
October 19, 2007
Page 4

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](http://www.swrcb.ca.gov/ust/cleanup/electronic%20reporting)).

PERJURY STATEMENT

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

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

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

UNDERGROUND STORAGE TANK CLEANUP FUND

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

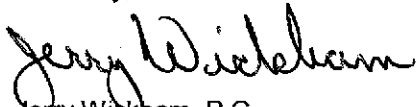
AGENCY OVERSIGHT

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

Mr. Denis Brown
Wells Fargo Bank
Mr. Anye Spivey
RO0000343
October 19, 2007
Page 5

If you have any questions, please call me at (510) 567-6791 or contact me my electronic mail at jerry.wickham@acgov.org.

Sincerely,



Jerry Wickham, P.G.
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Leah Goldberg, Meyers Nave, 555 12th Street, Suite 1500, Oakland, CA 94607

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

Grover Buhr, Treadwell & Rollo, 501 14th Street, 3rd Floor, Oakland, CA 94612

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

Wickham, Jerry, Env. Health

From: Friel, Ana [afriel@croworld.com]
Sent: Friday, October 19, 2007 12:00 PM
To: Anye Spivey - AF Evans Development, Inc.; denis.l.brown@shell.com; Lescure, Daniel
Cc: Grover Buhr; Goldberg, Leah; Brad Dickason - AF Evans Development, Inc.; Wickham, Jerry, Env. Health
Subject: RE: 461 8th Street, Oakland - Estimated Schedule - Revised 10/19

Anye,

- Here's the schedule for the dates of on-site work between now and end of 2007.
- Please have them contact me regarding the fees.

FYI - Jerry Wickham phoned me today to say that he'd be sending his comment letter today, via email, so that we could incorporate everything into our addendum submittal. I've copied him on this response so that he may see the scheduled field dates, too.

Thanks.

Ana Friel, PG

Conestoga-Rovers & Associates

408 7th Street, Suite A, Eureka, CA 95501

p (707) 268-3812

f (707) 268-8180

c (707) 845-4066

afriel@croworld.com

**Conestoga-Rovers & Associates has acquired the former Cambria Environmental Technology
Visit us at www.croworld.com**

This e-mail may contain confidential and privileged material for the sole use of the intended recipient. Any review or distribution by others is strictly prohibited. If you are not the intended recipient please contact the sender and delete all copies.

From: Anye Spivey - AF Evans Development, Inc. [mailto:ASpivey@afevans.com]
Sent: Friday, October 19, 2007 11:40 AM
To: Friel, Ana; denis.l.brown@shell.com; Lescure, Daniel
Cc: Grover Buhr; Goldberg, Leah; Brad Dickason - AF Evans Development, Inc.
Subject: RE: 461 8th Street, Oakland - Estimated Schedule - Revised 10/11/07

10/19/2007

Thanks for getting back to me Ana. I will put the appropriate person from Central Parking in contact with Denis (or should this be you?) regarding fees.

Anyé

Anyé Spivey

A. F. Evans Development, Inc.
1000 Broadway, Suite 300
Oakland, California 94607
Direct: (510) 267-4696
Facsimile: (510) 891-9004
www.afevans.com

From: Friel, Ana [mailto:afriel@croworld.com]

Sent: Friday, October 19, 2007 11:01 AM

To: Anye Spivey - AF Evans Development, Inc.; denis.l.brown@shell.com; Lescure, Daniel

Cc: Grover Buhr; Goldberg, Leah; Brad Dickason - AF Evans Development, Inc.

Subject: RE: 461 8th Street, Oakland - Estimated Schedule - Revised 10/11/07

We are double checking the revised drill dates (which look to be the following week from proposed schedule), and the well development schedule. I will forward dates for parking lot access shortly.

Can you please confirm with them what rental fee will be? Might we be able to cordon off ½ of the parking lot and leave ½ of the spaces available? If we can do that, would we need the 30-day notice (if the reserved spaces are positioned in areas where they can continue to access)? Q: How many "monthly" renters do they have, and where are the reserved spaces (if they are in the west/northwestern portion of the site – we may not need to disrupt their parking, and will cordon off/rent the portion where our work can be conducted safely).

Regards,

Ana Friel, PG

Conestoga-Rovers & Associates

408 7th Street, Suite A, Eureka, CA 95501

p (707) 268-3812

f (707) 268-8180

c (707) 845-4066

afriel@croworld.com

**Conestoga-Rovers & Associates has acquired the former Cambria Environmental Technology
Visit us at www.croworld.com**

This e-mail may contain confidential and privileged material for the sole use of the intended recipient. Any review or distribution by others is strictly prohibited. If you are not the intended recipient please contact the sender and delete all copies.

From: Anye Spivey - AF Evans Development, Inc. [mailto:ASpivey@afevans.com]

10/19/2007

Sent: Friday, October 19, 2007 10:07 AM

To: Friel, Ana; denis.l.brown@shell.com; Lescure, Daniel

Cc: Grover Buhr; Goldberg, Leah; Brad Dickason - AF Evans Development, Inc.

Subject: RE: 461 8th Street, Oakland - Estimated Schedule - Revised 10/11/07

Ana,

Please confirm the forthcoming dates (any concrete date that falls between now and the end of the year) on which the 8th and Broadway site will need to be closed to Central Parking customers.

Thank you,

Anyé

Anyé Spivey

A. F. Evans Development, Inc.

1000 Broadway, Suite 300

Oakland, California 94607

Direct: (510) 267-4696

Facsimile: (510) 891-9004

www.afevans.com

Estimated Schedule for 461 8th Street, Oakland

Field Days = Need south/southwestern parking areas available

Description of Scope	Scheduled dates	# days	Scheduled vs Projected
Mark site for USA - will not need parking lot cleared; will mark along sidewalk.	11/19/07	0	scheduled
Conduct utility survey; will need at least 7-noon no parking	11/26/2007	0.5	scheduled
Air Knife clearing of onsite borings (2 full days)	11/28 and 29	2	scheduled
Direct push borings onsite (2 full days)	11/30, 12/3	2	scheduled
Install monitoring wells onsite (4 full days)	12/11, 12, 13, 14	4	scheduled
Well development completed (1 day)	12/17/2007	1	scheduled

SHELL
 461 8TH STREET, OAKLAND
 RO0343
 MEETING SIGN-IN SHEET
 OCTOBER 18, 2007

Date and Time: October 18, 2007 1:00 pm

Attendees:

Name	Company/Agency	Email Address
Jerry Wickham	Alameda County Environmental Health	jerry.wickham@acgov.org
Brad Dickason	AF EVANS	bdickason@afevens.com
Leah Goldberg	Meyers Nave	lgoldberg@meyersnave.com
Ange Spivey	AF EVANS	aspivey@afevens.com
Grover Buhr	Treadwell & Rollo	gsbuhr@treadwellrollo.com
Doris Braun	Shell	doris.l.braun@shell.com
Dan Lescurc	CONESCOA-POVERS & ASSOC.	dlescurc@cranworld.com
Donna Drogos	ACEH	donna.drogos@acgov.org
Ana Friel	CRA (by phone)	

NOTES ON SHELL MEETING
461 8TH STREET, OAKLAND
OCTOBER 18, 20076

PARTICIPANTS:

Jerry Wickham, ACEH
Brad Dickerson, AF Evans
Leah Goldberg, Meyers Nave
Anye Spivey, AF Evans
Grover Buhr, Treadwell Rollo
Denis Brown, Shell
Dan Lescure, Conestoga-Rovers
Ana Friel (by phone), CRA
Donna Drogos, ACEH

There was no formal agenda for the meeting. The topics of the meetings were goals and schedule. Items of discussion included:

- 1) EF Evans has development plans that were approved by Oakland planning. They would like to sell property with development plans but last buyer pulled out after finding that the site was not closable over short term.
- 2) Jerry Wickham indicated that site development can proceed at the point that we know the development can be made compatible with the final remedial design. This will require that investigation, DPE pilot test, and off-site investigation are complete and that final system design fits with development plans.
- 3) DPE unit will require about 15 x 25-foot space on first floor.
- 4) Dennis Brown indicated that shallow soil may be excavated in the area of B-12.
- 5) Air sparging Addendum to be prepared in case DPE does not work.
- 6) Public participation will be required for CAP.
- 7) Many issues related to fitting development plans and allowing space in building for ongoing remediation.
- 8) Likely time period for DPE remediation is on order of 3 years.

Revisions to Schedule:

- 9) Add time period to get data back from direct push borings prior to well installation.
- 10) Add 30 days for a public comment period. The 30 days agency approval of Draft CAP will include preparing fact sheet and mailing to public.

Action Items:

- 1) Jerry Wickham will provide comments on DPE work plan
- 2) Shell will submit an AS Work Plan addendum by October 26.

JTW
10/18/07

Estimated Schedule for 461 8th Street, Oakland

#	Description of Scope	Period	Projected Date of Completion	Scheduled vs Projected
1	Agency Meeting; review scope and draft Schedule		10/18/2007	scheduled
2	Notification period to parking lot tenant	30 days	11/18/2007	scheduled
3	Mark site for USA, (wait 2 working days for clearance; also Nov 22 & 23 are USA Holidays - no mark)	1 day	11/19/07	scheduled
4	Conduct utility survey		11/26/2007	scheduled
5	Air Knife clearing of onsite borings		11/29/2007	scheduled
6	Direct push borings onsite		12/3/2007	scheduled
7	Install monitoring wells onsite		12/7/2007	scheduled
8	Well development completed		12/14/2007	projected
9	Complete 5-day DPE test (Jan 7 - 11)	Available Date	1/11/2008	projected based on current equipment/staff availability
10	Submit SIR/DPE Report/CAP for Shell/developer review (60-days following pilot test completion)	35 days	2/15/2008	projected
11	30-day Internal Review of draft doc; submit final to ACEH	10 days	2/25/2008	projected
12	Agency review and approve CAP	30 days	3/26/2008	projected
13	Complete DPE design (includes design recon, utility recon/applications, equipment sizing, and design plans).	30 days	4/25/2008	projected
14a	Order long-lead-time equipment	7 days	5/2/2008	projected
14b	Submit POTW permit application to EBMUD. Assume 2 months to receive permit from EBMUD.	7 days	5/2/2008	projected
14c	Submit ATC/PTO application to BAAQMD. No schools appear to be within 1000 feet; therefore, no public notice required (adds min 60 days to process). Can take 6 months or more to receive ATC/PTO.	7 days	5/2/2008	projected
15	Issue SOW to installation contractor	7 days	5/9/2008	projected
16	Confirm installation contractor. ***Contractor availability can vary significantly.	21 days	5/30/2008	projected
17	Contractor to submit City of Oakland plan check and permit applications.	21 days	6/20/2008	projected
18	Receive approvals/permits (Assumed 2 months)	60 days	8/19/2008	projected
19	Start construction for installation (assumes contractor availability)	7 days	8/26/2008	projected
20	Complete construction. (Assumes no delay for PGE connection).	60 days	10/25/2008	projected
21	Complete final inspections and testing	7 days	11/1/2008	projected
22	System Startup. Assumes PGE connection has been made and BAAQMD permit has been received	1 day	11/2/2008	projected
23	System Operation & Maintenance	unknown		
24	System Shut-down	unknown		
25	Post-remediation monitoring	unknown		
26	Case Closure	unknown		

RO343

Chan, Barney, Env. Health

To: Friel, Ana**Cc:** Denis L. Brown (E-mail)**Subject:** RE: Extension Request: FW: RO#0343 Report Upload 461 8th St Oakland 1Q07

Ms. Friel and Mr. Brown: FYI, the T&R report was uploaded successfully to the County website. Your request for work plan submittals is approved, however, we do not agree with the upload recommendation ie remediation will be determined after this additional work occurs and risk evaluation is performed. We consider the concentrations of TPHg and BTEX in the groundwater samples as representing a source (potentially free product) which must be removed to the extent possible. This contamination has likely migrated preferentially down Broadway along the utility and likely is already beneath the adjacent building. This source must be remediated, regardless of what risk assessments might predict. Therefore, your wp submittal must include an evaluation of remediation alternatives.

Sincerely,

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

From: Friel, Ana [mailto:afriel@croworld.com]**Sent:** Friday, April 27, 2007 11:54 AM**To:** Chan, Barney, Env. Health**Cc:** Denis L. Brown (E-mail)**Subject:** Extension Request: FW: RO#0343 Report Upload 461 8th St Oakland 1Q07**Importance:** High

Barney,

In the document referenced below and uploaded to Alameda County's website on Wednesday 4/25, Shell and CRA discussed activities and requested extensions to the April 30, 2007 submittal dates for work plans/submittals as requested in your letter dated March 30, 2007.

I thought that I should specifically draw your attention to the extension requests. Your consideration in this matter is greatly appreciated.

Regards,

Ana Friel, PG
Conestoga-Rovers & Associates

408 7th Street, Suite A, Eureka, CA 95501
p (707) 268-3812
f (707) 268-8180
c (707) 845-4066
afriel@cambria-env.com

Conestoga-Rovers & Associates has acquired the former Cambria Environmental Technology
Visit us at www.croworld.com

4/27/2007

This e-mail may contain confidential and privileged material for the sole use of the intended recipient. Any review or distribution by others is strictly prohibited. If you are not the intended recipient please contact the sender and delete all copies.

From: Ballard, Felicia
Sent: Wednesday, April 25, 2007 5:16 PM
To: dehloptoxic@acgov.org
Cc: barney.chan@acgov.org; Friel, Ana
Subject: RO#0343 Report Upload 461 8th St Oakland 1Q07

The above referenced report was uploaded today.

Felicia Ballard
Conestoga-Rovers & Associates (CRA)

4/27/2007

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



March 30, 2007

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

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

Dear Mr. Brown:

Subject: Fuel Leak Case RO0000343 & Global ID T0600101263, Shell, 461 8th St.,
Oakland, CA 94612

Thank you for meeting with our office to discuss this and other Shell sites on March 29, 2007. This letter summarizes items discussed in the meeting and provides County comments on the March 2, 2007 Cambria Site Investigation Report. Based upon our discussion we understand the current site status is as follows:

- Owner planning to begin development but timeframe is uncertain. Currently, development would not be approved without remediation.
- Site is currently a parking lot providing revenue; therefore Shell needs to rent space for any activity. Remediation options may be limited due to access issues.
- Adjacent site has basement with bare floor
- Soil vapor sampling to be conducted on site first and possibly in basement of adjacent building. The Treadwell & Rollo Subsurface Investigation Report does not include laboratory analytical results and soil vapor reporting units may be in question.
- Borings and/or wells along 7th Street or in basement of adjacent building will be part of the next phase of the off-site investigation.
- Shell to contact developer to clarify time schedule and development plans.

Upon review of the March 2, 2007 Cambria Site Investigation report, we have the following observations. There is a source of residual gasoline on-site near the former dispensers, that is the likely source of the off-site contamination detected in wells S-5 and S-6. The absence of impact to shallow soils is not always evidence of no release. At this site, the release has migrated vertically and impacted groundwater significantly. Artificial events, such as dewatering for the BART construction may have caused this contaminant migration. Further characterization on and off-site is necessary. We request that you address the following technical comments when performing the proposed work and submit the technical reports requested below.

TECHNICAL COMMENTS

1. Technical Report Request- Please submit an electronic copy of the May 2004 Treadwell and Rollo report to the County website.

2. Soil Vapor Sampling- We concur with the recommendation to evaluate soil vapor exposure both on and off-site. We recommend sampling in areas of known contamination, next to the adjacent building and beneath the building, if possible. Please provide your soil vapor sampling work plan as requested.
3. Decommissioning Well- We concur that well S-5, located in a storm drain, should be properly decommissioned. Please schedule this work and submit your well closure report as requested.
4. Additional Monitoring Wells/Define Vertical Extent of Groundwater Impact- We recommend an expedited site assessment technique be used to determine the vertical extent of contamination. Then, use this information to determine the construction design for the additional wells. We suggest additional wells be installed near borings B-21, B-22 and B-12 and on 7th Street to replace well S-5 and monitor the down-gradient extent of the plume.
5. On-site Remediation- We request that you evaluate and propose an interim remediation method to address the elevated on-site dissolved petroleum plume. We believe this will be necessary prior to approving site development.
6. Chemical Analysis- You are requested to include the lead scavengers, EDB and EDC in your well monitoring events.
7. Site Conceptual Model- Please use the most recent technical data and data from future investigations to refine your SCM, particularly when determining the contaminant migration pathways and exposure pathways. Delineation of plume should be consistent with your refined SCM.
8. Meeting with Developer- We are receptive to meeting with the developer, however, additional site characterization, sampling and remediation should be implemented prior to development. Please provide a schedule and design specifications for the development.

TECHNICAL REPORT REQUEST

Please submit the following reports according to the following schedule:

- April 16, 2007- Upload Treadwell & Rollo report to the County website.
- April 30, 2007- Soil Vapor Sampling Work Plan
- April 30, 2007- Work Plan for Vertical Delineation of Contamination & Proposed Locations for Additional Wells
- April 30, 2007- Evaluation and Proposal for On-site Remediation
- April 30, 2007- Development Schedule and Design Specifications

Electronic Submittal of Reports- We have noticed that although your reports and correspondences have been submitted to the Geotracker database they have not all been submitted to the County ftp site. Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of

reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. 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).

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at barney.chan@acgov.org.

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.

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

Mr. Denis Brown
RO 343, 461 8th St., Oakland
Page 4 of 4

appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

If you have any questions, please call me at (510) 567-6765.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: files, D. Drogos, J. Wickham
Ms. Ana Friel, Cambria Environmental, 408 Seventh St., Eureka, CA 95501
A.F. Evans Company, c/o Greg Lunkes, 1000 Broadway, Ste. 300, Oakland,
CA, 94507

3_30 07 461 8th St

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



7

August 29, 2006

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

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

Dear Mr. Brown:

Subject: Fuel Leak [REDACTED] 3, Shell, 461 8th St., Oakland, CA 94612

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the subject site including the June 7, 2006 Subsurface Investigation Work Plan prepared by Cambria Environmental. It appears this work plan replaces the December 16, 2003 Cambria work plan, which was approved but only completed as one hand auger sample, HA-1. This sample was located on the opposite (east) side of the BART tunnel and only shows that low levels of MTBE in groundwater have migrated to this location from an up-gradient source. The former USTs at the former Chevron station were removed well prior to the use of MTBE in gasoline. Access for on-site borings was not received and attempts for borings and well installation were unsuccessful.

It appears this new work plan concentrates on on-site investigation only. No additional attempt to determine off-site delineation of plume or other potential sources of the off-site contamination is proposed. We request that you address the following technical comments when performing the proposed work and submit the technical reports requested below.

TECHNICAL COMMENTS

1. Technical Report Request- Please submit a copy of the May 2004 Treadwell and Rollo reports mentioned in your work plan.
2. We request that all borings be advanced to groundwater and the borings be minimally screened with a PID instrument at 5-foot intervals, at changes in lithology, signs of contamination and at the soil-water interface. Those samples indicating contamination should be analyzed by a certified laboratory and should include the soil-water interface sample at a minimum. They should be analyzed for TPHg, BTEX, MTBE, TAME, ETBE, TBA, EDB and EDC by EPA Method 8260. Although the work plan proposes groundwater sampling from borings B-20 through B-23 only, we request that groundwater samples be collected from each boring. Chemical analysis on groundwater samples other than B-20 through B-23 should be based upon the results of screening of the soil samples, the presence of sheen and the presence of petroleum odors.
3. We believe that no other source of petroleum release have been identified which could be responsible for the off-site contamination in wells S-5 and S-6. We recommend off-site sampling to delineate the petroleum plume and to identify

other off-site sources as alluded to by your consultant. This information is required prior to site closure.

4. Electronic Submittal of Reports- We have noticed that although your reports and correspondences have been submitted to the Geotracker database they have not all been submitted to the County ftp site. Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at barney.chan@acgov.org.

5. On-site Access Agreement- We understand that the new property owner is amenable to the proposed work. Please notify our office if you have not received a signed access agreement within 30 days of this letter so we may help you gain access.

TECHNICAL REPORT REQUEST

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

- September 29, 2006- Upload copy of Treadwell & Rollo report.
- September 29, 2006- Upload reports/correspondences post 1/31/06 for site to the County ftp site.
- November 29, 2006- Soil and Groundwater Investigation report.

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.

AGENCY OVERSIGHT

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

If you have any questions, please call me at (510) 567-6765.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: files, D. Drogos

Ms. Ana Friel, Cambria Environmental, 270 Perkins St., Sonoma, CA 95476
A.F. Evans Company, c/o Greg Lunkes, 1000 Broadway, Ste. 300, Oakland,
CA, 94507

C A M B R I A

November 15, 2004

Mr. Barney Chan
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502-6577

Alameda County
NOV 17 2005
Health Care Services Agency

Re: **Record Fee Title Owner for:**
Former Shell Service Station
461 8th Street
Oakland, California
SAP Code 129453
ACHCSA File # [REDACTED]



Dear Mr. Chan:

In accordance with section 25297.15(a) of Chapter 6.7 of the California Health and Safety Code and on behalf of Equilon Enterprises LLC dba Shell Oil Products US, we are providing you with the name of the current record fee title owner (and address) for the above referenced site.

A. F. Evans Company, 1000 Broadway, Suite 300, Oakland, California 94507

Sincerely,
Cambria Environmental Technology, Inc.

Ana Friel, PG
Senior Project Geologist

cc: Denis Brown, Sheli
Rory Campbell, Hanson, Bridgett, Marcus, Vlahos, & Rudy
R. Casteel & Co.
Leroy Griffin, City of Oakland Fire Prevention Bureau

**Cambria
Environmental
Technology, Inc.**

270 Perkins Street
Sonoma, CA 95476
Tel (707) 935-4850
Fax (707) 935-6649

LEAH S. GOLDBERG
ENVIRONMENTAL LAW
DIRECT DIAL 415 995 5090
REPLY TO SAN FRANCISCO
E-MAIL lgoldberg@hansonbridgett.com

HANSON
BRIDGETT

MARCUS
VLAHOS
RUDY:LLP

December 18, 2002

DEC 23 2002

Mr. Barney Chan
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Re: Former Shell Service Station
461 - 8th Street, Oakland, CA

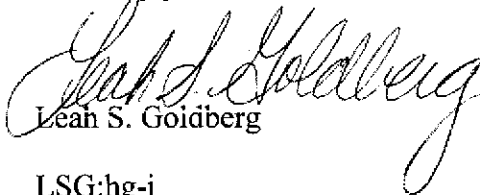
Dear Mr. Chan:

We represent Wells Fargo Bank, N.A., as trustee of the Weston Havens Trust, the owner of the above-referenced property. We are in receipt of the status update submitted to you by Shell Oil Products US on December 5, 2002. This letter is to inform you that the owner of the property is not the cause of the current delay in conducting the site investigation.

Although we submitted a proposed access agreement, similar in form to previous access agreements with Shell Oil Products, on October 25th, 2002, we have heard nothing from Shell regarding the proposed access agreement. We have arranged with the tenant on the site to provide access to Shell when Shell conducts its environmental investigation. As soon as Shell returns the access agreement with appropriate signatures, Shell will have access to the property to conduct its environmental investigation and to stockpile soils.

Should you have any questions or comments, please do not hesitate to call.

Sincerely yours,



Leah S. Goldberg

LSG:hg-j

Cc: Steve Schulman
Karen Petryna
Jacquelyn Jones

LAW OFFICES
WWW.HANSONBRIDGETT.COM

SAN FRANCISCO

333 MARKET STREET
23RD FLOOR
SAN FRANCISCO - CALIFORNIA 94105-2173
TELEPHONE 415-777-3200
FACSIMILE 415-541-9366

SF@HANSONBRIDGETT.COM

MARIN

WOOD ISLAND
80 E. SIR FRANCIS DRAKE BLVD.-SUITE 3E
LARKSPUR - CALIFORNIA 94939
TELEPHONE 415-925-8400
FACSIMILE 415-925-8409

MARIN@HANSONBRIDGETT.COM

SACRAMENTO

980 NINTH STREET
SUITE 1500
SACRAMENTO - CALIFORNIA 95814
TELEPHONE 916-442-3333
FACSIMILE 916-442-2348

SAC@HANSONBRIDGETT.COM

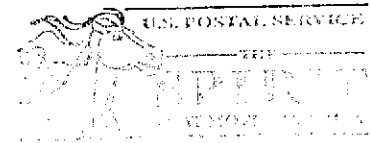
994070.1

**HANSON
BRIDGETT**

**MARCUS
VLACHOS
RUBY-LLP**

LAW OFFICES

333 MARKET STREET
23RD FLOOR
SAN FRANCISCO
CALIFORNIA 94105



Mr. Barney Chan
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

P0343

Chan, Barney, Env. Health

From: Jacquelyn Jones [jjones@cambria-env.com]
Sent: Thursday, September 26, 2002 11:26 AM
To: bchan@co.alameda.ca.us
Cc: KEPetryna@equiva.com; dlundquist@cambria-env.com; mderby@cambria-env.com
Subject: 461 8th Street, Oakland - Amended Boring/Well Locations and Drilling Dates

Barney,

As we discussed during our September 19, 2002 telephone conversation, we have had to amend several of the boring/well locations proposed in our June 7, 2002 *Agency Response and Work Plan Addendum* for the site due to underground facilities in the site vicinity. Attached is an amended Figure 2 - Proposed Monitoring Well Location Map for the referenced site. Based on our discussions with BART, the underground structure of the BART tunnels in the vicinity of the site is more expansive than initially depicted on our figure. The attached amended figure shows more accurate outer limits as provided by BART.

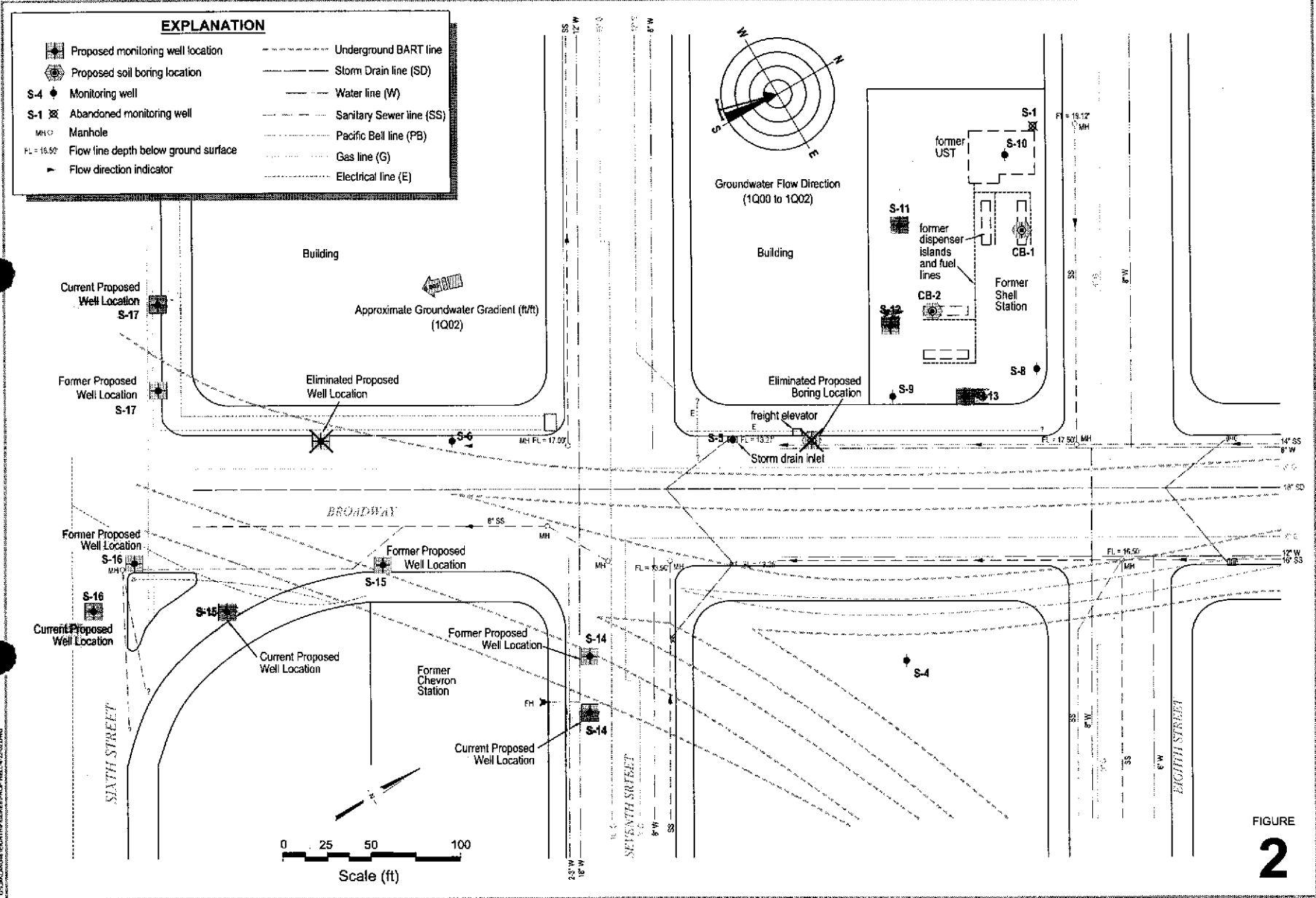
To avoid affecting the structural integrity of BART as recommended by BART personnel, we have changed the proposed locations of three of the monitoring wells (S-14, S-15 and S-17) and will not be completing one of the proposed monitoring wells. The well we will not complete was initially proposed between current well S-6 and the north corner of the intersection of Sixth Street and Broadway. Any available modified location for this proposed monitoring well would be repetitive with the location of well S-6.

Additionally, as noted on Figure 2, the location of proposed well S-16 on the eastern corner of the intersection of Sixth Street and Broadway has been amended based on subsurface utilities in the vicinity, and the boring proposed between the site and offsite well S-5 will not be completed due to the City of Oakland's restriction of no drilling within City sidewalks and the location of several underground structures and utilities in the vicinity.

The drilling had been scheduled at the site for September 30th through October 4th. Unfortunately, we are encountering a problem with obtaining a modified access agreement for the former Shell site to include the new work, so these drilling dates have been cancelled. We will keep you informed of our progress with the access agreement. Please call me at 510-420-3316 to discuss any questions or concerns you may have.

Thank you,

Jacquelyn Jones



Proposed Monitoring Well Location Map



C A M B R I A

Former Shell Service Station

461 Eighth Street
Oakland, California
Incident #97093399

DATE PLOTTED: 09/24/03 10:58 AM

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 11, 2002

Ms. Karen Petryna
Shell Oil Products US
P.O. Box 7869
Burbank, CA 91510-7869

Dear Ms. Petryna:

Subject: Fuel Leak Case No. RO0000343, 461 8th St., Oakland CA 94607

Alameda County Environmental Health, Local Oversight Program (LOP), has received and reviewed the June 7, 2002 Agency Response and Work Plan Addendum for the referenced site prepared on your behalf by Cambria. This letter report responds to our office's May 6, 2002 letter responding to your proposed scope of work for this site. It appears that you have addressed all the County concerns expressed in our letter. We, therefore, summarize the items of concern and offer comment as follows.

Technical Summary and Comments to Work Plan Addendum

- Figure 2 provided indicates all proposed locations of borings and monitoring wells
- The on-site boring locations are in the same general location as the earlier borings, which did not take deeper samples, borings B-4 and B-7. Our office will not require samples deeper than 30' unless vertical extent of contamination is an issue.
- Continuous coring will be used in a number of strategic well and boring locations to see if permeable lenses exist.
- Borings and wells have been added in suggested locations, between wells S-9 and S-5 and between S-6 and the most down-gradient proposed well.
- Our office respects your opinion that permanent wells near potential off-site sources of fuel releases will provide much more information and evidence than temporary borings. The other potential sources are viable given the suggested scenario of potential dewatering in the cut and cover portion of the BART tunnel during construction activities.

Please notify our office prior to performing your subsurface investigation. You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Barney M. Chan".

Barney M. Chan
Hazardous Materials Specialist

✓ C: B. Chan, files

Rory Cambell, Hanson, Bridgett, Marcus, Vlahos & Rudy, 333 Market St., Suite 2300, SF,
CA 94105-2173

Wells Fargo Bank, Tr., c/o Pacific Property, 364 Bush St., SF, CA 94104-2805

R. Casteel & Co., P.O. Box 6839, Moraga, CA 94570

Wpadd461 8thSt

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 6, 2002
RO0000343

Mr. Karen Petryna
Shell Oil Products US
P.O. Box 7869
Burbank, CA 91510-7869

Re: Fuel Leak Case RO0000343, 461 8th St., Oakland, CA 94607

Alameda County Environmental Health, Local Oversight Program, (LOP), has reviewed the case file for the referenced site including the April 30, 2002 Agency Response and Investigation Work Plan prepared by Cambria Environmental, your consultant. Your response to my March 12, 2002 letter states the following:

- The rose diagram of historical gradient indicates a consistent southerly gradient
- The site conceptual model does not offer a possible scenario for the migration of petroleum from onsite to the BART tunnel or to the down-gradient wells. As additional information is gathered from your proposed investigation, a SCM should be developed.
- The groundwater flow rate estimated by Cambria offers little clarification since flow velocity ranging from 0 and 17,250 feet per year is estimated. At some point, a migration pathway must be suggested to explain the observed contamination. This seemingly would have to include some type of preferential pathway for migration.
- No information could be obtained to explain why Westhollow laboratory identified the released product as a Shell product. Perhaps there are specific tests or practices used historically to distinguish the various branded fuels.
- The proposed work plan addresses the need for additional sampling to evaluate the source and migration pathway and delineate the hydrocarbon plume.

Technical Comments to Investigation Work Plan

- A total of seven wells and two borings are indicated on Figure 2 of your proposed investigation work plan, contrary to the eight borings and six wells mentioned in your work plan.
- One of the County concerns is the lack of deep soil samples onsite. This leaves the possibility that the early release from the product line to soil may have been over-excavated and therefore not detected in subsequent soil investigations. If the exact location of the line leak can be determined, a deep boring should be advanced there. If the location cannot be determined, please explain why the proposed boring locations are appropriate. It appears that there has been only one deep soil sample collected from the dispenser areas.
- The proposed well locations on-site are approved. Our office recommends the use of continuous coring and logging to possibly identify permeable lenses for preferential migration. Soil samples should be screened at least every five foot interval.
- Our office recommends at least one additional boring between wells S-9 and S-5 for site characterization.
- The wells proposed adjacent to the former Chevron Station may not be necessary. Temporary borings should be considered instead and permanent wells only if contamination observed.
- Please explain the logic for the location of the proposed well southwest of S-6. Do you assume the plume is funneled in this direction by the BART tunnel? Please consider adding another boring between S-6 and this proposed well for site characterization.

Mr. Karen Petryna
461 8th St., Oakland, CA 94607
May 6, 2002
RO0000343
Page 2

- Please include the additional analysis for the following compounds by EPA Method 8260; TAME, ETBE, DIPE, TBA, EDB and EDC. Monitoring wells S-8, S-5 and S-6 should be sampled for these analytes once minimally.
- Once the migration pathway is determined an appropriate remediation approach should be proposed. Considering the amount of product collected from BART in the past, the release from the former Shell site must have been much greater than the initial amount assumed.

Please provide your written response and work plan addendum to our office within 30 days or no later than June 10, 2002.

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

✓ C: B. Chan, files

Ms. J. Jones, 1144 65th St., Suite B, Oakland, CA 94608
Rory Campbell, 333 Market St., Suite 2300, San Francisco, CA 94105-2173
Wells Fargo Bank National Association, Tr., c/o Pacific Property, 364 Bush St., San Francisco, CA
94104-2805
R. Casteel & Co., P.O. Box 6839, Moraga, CA 94570

InvWP461 8thSt

Alameda County Department of Environmental Health
Hazardous Materials Division

R0343

Meeting Attendees

Subject 461 8th St.

Date 3/11/02

Location ACEH

	<u>Name</u>	<u>Affiliation</u>	<u>Phone # / FAX #</u>
1	<u>Barney Chan</u>	<u>ACEH</u>	<u>567-6765 / 337-9335</u>
2	<u>MELODY MUNZ</u>	<u>CAMBRIA ENVIRONMENTAL</u>	<u>420-3324 / 420-9170</u>
3	<u>JOANA DRAGOS</u>	<u>ACEH</u>	<u>567-6721 /</u>
4	<u>Diane M. Lundquist</u>	<u>Cambria</u>	<u>420-3334 /</u>
5	<u>Karen Petryna</u>	<u>Equiva Services LLC</u>	<u>(594) 645-9306 / 5643</u>
6			<u>/</u>
7			<u>/</u>
8			<u>/</u>
9			<u>/</u>
10			<u>/</u>
11			<u>/</u>
12			<u>/</u>
13			<u>/</u>
14			<u>/</u>
15			<u>/</u>
16			<u>/</u>
17			<u>/</u>

#4254 / 461

8th ST 07

Ro
343

- Age dating / fuel fingerprinting:

- Amt of fuel removed to date?

7199

S-5 - 2021 gal

S-6 - 850 gal

- How was Shell fuel IDed?
Westhollow Lab IDed.

- Destroyed = properly abandoned

✓ Request pore diagram

- How were wells L1 thru L3 destroyed?
paved over or closed. if not they are lost.
were they sampled? any free product? I spl. 4/16/87 S-2

- gauging in 1981 on-site wells data?
no data in files

✓ ~~***~~ gw flow rate? NOT DONE, CAN YOU ESTIMATE FROM SOIL TYPES

- BART implicated OPD by characterizing the fuel as new vs. old. Any reports?

- look for any data on L1 thru L3. NONE

✓ req. deeper soil characterization on-site

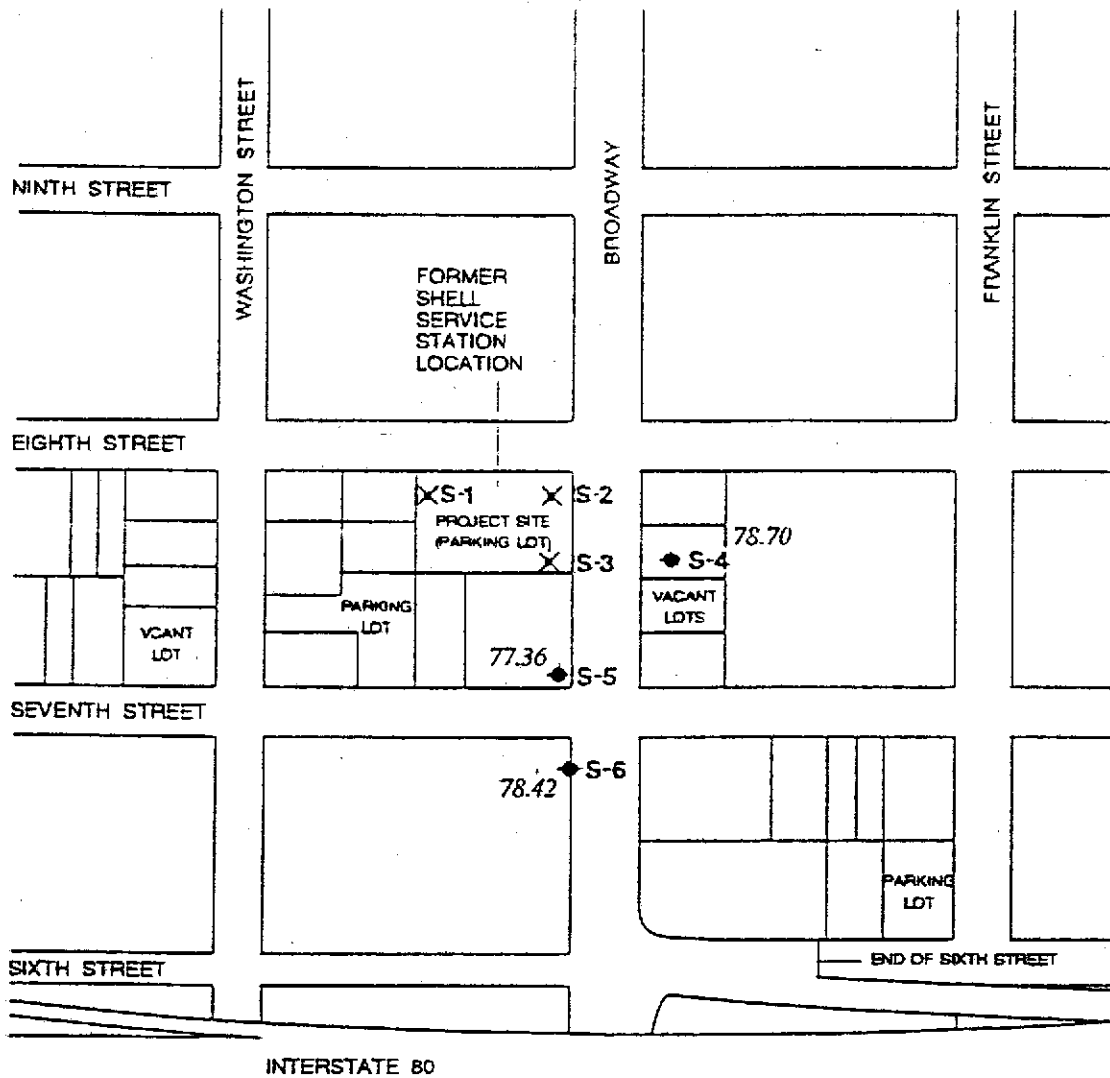
• Contact BART

• don't concur w/ report, continue gw extraction + monitoring

TABLE 2

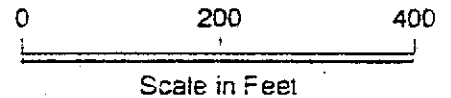
HISTORICAL GROUNDWATER QUALITY DATABASE

SAMPLE DATE	SAMPLE POINT	TPH-G (PPB)	BENZENE (PPB)	TOLUENE (PPB)	ETHYLBENZENE (PPB)	XYLENES (PPB)
16-Apr-87	S-2	47,000	8,200	4,700	—	3,100
26-Oct-88	S-4	130	3.8	13	4	30
14-Feb-89	S-4	<50	0.5	<1	<1	3
01-May-89	S-4	Dry				
27-Jul-89	S-4	Dry				
05-Oct-89	S-4	Dry				
09-Jan-90	S-4	Dry				
30-Apr-90	S-4	<50	<0.5	<0.5	<5	<1
31-Jul-90	S-4	Dry				
30-Oct-90	S-4	Dry				
06-Mar-91	S-4	Dry				
27-Jun-91	S-4	<50	<0.5	<0.5	<0.5	<0.5
24-Sep-91	S-4	Dry				
07-Nov-91	S-4	Dry				
13-Feb-92	S-4	<50	<0.5	<0.5	<0.5	3
11-May-92	S-4	Dry				
03-Dec-92	S-4	Inaccessible				
13-May-93	S-4	Inaccessible				
16-Apr-87	S-5	130,000	15,000	16,000	—	14,000
26-Oct-88	S-5	110,000	20,000	25,000	2,300	10,000
14-Feb-89	S-5	94,000	16,000	21,000	1,800	10,000
01-May-89	S-5	120,000	29,000	35,000	3,100	15,000
27-Jul-89	S-5	110,000	20,000	29,000	2,400	14,000
05-Oct-89	S-5	Floating Product 0.01 ft				
09-Jan-90	S-5	Floating Product 0.01 ft				
30-Apr-90	S-5	100,000	13,000	22,000	2,100	11,000
31-Jul-90	S-5	53,000	8,300	14,000	1,200	7,400
30-Oct-90	S-5	Floating Product 0.03 ft				
06-Mar-91	S-5	Floating Product 0.13 ft				
27-Jun-91	S-5	Floating Product 0.03 ft				
24-Sep-91	S-5	Floating Product 0.06 ft				
07-Nov-91	S-5	Floating Product 0.25 ft				



EXPLANATION

- ◆ S-1 Groundwater monitoring well
- X Destroyed well
- 78.42 Groundwater elevation in feet referenced project datum measured on May 13, 1993



Note: Well S-7 located at Washington and Fifth Streets was destroyed in 1987



GeoStrategies Inc.

Site Plan/Water-Level Elevation Map
Former Shell Service Station
461 Eighth Street
Oakland, California

PLATE

2

Meeting with ACHCSA
March 11, 2002

R03A3

AGENDA

Former Shell Service Station
461 8th Street, Oakland

- Site History and Remedial Efforts
- Current Conditions
- Offsite Sources
- Conduit Study and Cross-Sections
- Discussion and Recommendations

Monitoring Schedule

S-4 NA - OK

S-5 - 2xs in 2001 - appear qtrly

S-6 - 2xs in 2001, sampled 3xs, appear qtrly

S-8 2xs in 2001 appear qtrly

S-9 once in 2001, " "

S-10 once in 2001, " "

Suggest semi-annually (4, 10) April + Oct

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 12, 2002
RO0000343

Ms. Karen Petryna
Equiva Services LLC
P.O. Box 7869
Burbank, CA 91510-7869

RE: Meeting on Former Shell Service Station, 461 8th St., Oakland, CA 94607

Dear Ms. Petryna:

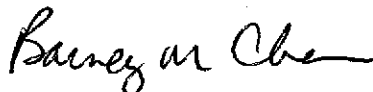
This letter serves to recount our meeting on 3/11/02 at the County offices regarding the referenced site. Although no additional clarity resulted in our meeting, the following items required attention:

- Please provide a rose diagram for the historic groundwater gradient
- Please provide a site conceptual model to explain the fate and transport of the historic catastrophic fuel release from the piping at this site.
- Please determine the groundwater flow rate at this site. This typically requires a pumping test or another aquifer testing method. This data should assist in your calculations to determine the feasibility of fuel migration from this site to the BART tunnel location and in developing your site conceptual model.
- Please research the referenced Westhollow laboratory results, which identified on several occasions the fuel release as Shell product and provide us with a copy of the results.
- Please discuss the appropriateness of additional soil and groundwater sampling and propose an investigation if warranted. Consideration of temporary sampling should be done not only onsite, but off-site to give more evidence of an off-site source of the down-gradient petroleum contamination. In addition, the extent of the plume is undefined and a work plan to complete delineation was previously requested of you in my April 11, 2001 letter.
- The release scenario for the alleged down-gradient sources has not been provided, as such, we do not concur with your recommendation to suspend groundwater extraction from wells S-5 and S-6. Please continue to gauge all wells on a semi-annual basis, monitor all wells except S-4 on a semi-annual basis and remove product and over-purge wells S-5 and S-6 during these events.

Ms. Karen Petryna
March 12, 2002
RO0000343
461 8th St., Oakland 94607
Page 2

Please provide your written response to this letter within 30 days or no later than April 15, 2002.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

✓ C: B. Chan, files
D. Drogos, ACEH
Ms. D. Lundquist, Cambria Environmental, 1144 65th St., Suite B, Oakland CA 94608
Rory Campbell, Law Offices, 333 Market St., Suite 2300, San Francisco,
CA 94104-2173
Wells Fargo Bank National Association, Tr., c/o Pacific Property, 364 Bush St.,
San Francisco, CA 94104-2805
R. Casteel & Co., P.O. Box 6839, Moraga, CA 94570
02-461 8thSt

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

July 2, 2001
StID 4254/ RO0000343

Ms. Karen Petryna
Equiva Services LLC
P.O. Box 7869
Burbank, CA 91510-7869

Mr. Thomas Bauhs
Chevron Products Company
P.O. Box 6004
San Ramon, CA 94583

Re: Subsurface Investigation of Former Shell Station, 461 8th St., Oakland CA 94607

Dear Ms. Petryna and Mr. Bauhs:

Our office has received the May 14, 2001 Agency Response letter report by Cambria Environmental which addresses my April 11, 2001 letter. In my letter, I requested additional information regarding the likelihood of the former Shell station being the source of the off-site groundwater contamination being found in wells S-5 and S-6 located on the northwest and southwest corners of 7th and Broadway, respectively. In Cambria's response letter, they recommend the following on your behalf:

- Performing an extensive utility conduit survey adjacent to this site and along the BART line.
- Performing a sensitive receptor survey within a ½ mile radius of the site and
- Preparing cross-sectional diagrams including the utility information researched.

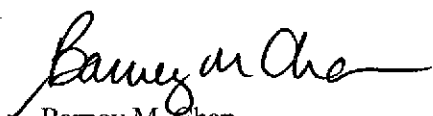
This work is approved.

In response to my request to further delineate the hydrocarbon plume, Cambria argues that there is no technical basis to believe the former Shell site is the source of the free product and elevated dissolved contamination being found in either of the mentioned wells. They state that the location of the past fuel release into the BART tube is close to the former Chevron station located at 636 Broadway. Our office concurs that there is enough evidence to request information regarding the proper closure of underground tank(s) at this site. Therefore, as authorized by Section 25289 (b) of Chapter 6.7 of the Health and Safety Code, our office requests any relevant information regarding testing and monitoring for the underground tank(s) closed at the former Chevron station at 636 Broadway. **Please submit this information within 30 days or no later than August 3, 2001.**

Ms. Petryna and Mr. Bauhs
StID #4254/RO0000343
461 8th St., Oakland CA 94607
July 2, 2001
Page 2.

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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, files

Ms.J. Jones, Cambria, 1144 65th St., Suite B, Oakland CA 94608
Rory Campbell, Law Offices, 333 Market St., Suite 2300, San Francisco, CA 94104-2173
Wells Fargo Bank National Association, Tr., c/o Pacific Property, 364 Bush St., San Francisco,
CA 94104-2805
R. Casteel & Co., P.O. Box 6839, Moraga, CA 94570

2-461 8thSt.



State Water Resources Control Board



BARNES

Winston H. Hickox
Secretary for
Environmental
Protection

Division of Clean Water Programs

1001 I Street • Sacramento, California 95814
P.O. Box 944212 • Sacramento, California • 94244-2120
(916) 341-5714 • FAX (916) 341-5806 • www.swrcb.ca.gov/cwphome/ustet

Gray Davis
Governor

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.swrcb.ca.gov.

MAR - 2 2001

LOP 4254
(LRS)

Deborah Pryor
c/o Equiva Services LLC
Shell Oil Company
P O Box 7869
Burbank, CA 91510-7869

UNDERGROUND STORAGE TANK CLEANUP FUND (FUND), NOTICE OF ELIGIBILITY DETERMINATION: CLAIM NUMBER 016210; FOR SITE ADDRESS: 461 8TH ST, OAKLAND

Your claim has been accepted for placement on the Priority List in Priority Class "D" with a deductible of \$10,000.

We have completed our initial review. The next step in the claim review process is to conduct a compliance review.

Compliance Review: Staff reviews, verifies, and processes claims based on the priority and rank within a priority class. After the Board adopts the Priority List, your claim will remain on the Priority List until your Priority Class and rank are reached. At that time, staff will conduct an extensive Compliance Review at the local regulatory agency or Regional Water Quality Control Board. During this Compliance Review, staff may request additional information needed to verify eligibility. Once the Compliance Review is completed, staff will determine if the claim is valid or must be rejected. If the claim is valid, a Letter of Commitment will be issued obligating funds toward the cleanup. If 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, the claim will be rejected. 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, and 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, 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) 341-5714.

Sincerely,



Shari Knieriem
Claims Review Unit
Underground Storage Tank Cleanup Fund

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

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

April 11, 2001
StID # 4254

Ms. Karen Petryna
Equiva Services LLC
P.O. Box 7869
Burbank, CA 91510-7869

Re: Former Shell Station Station, 461 8th St., Oakland CA 94607

Dear Ms. Petryna:

The above referenced site is not thoroughly understood and therefore, its oversight and direction has not been easy. As you are aware, this former Shell station was implicated as a source of free product gasoline which leaked into the Bay Area Rapid Transit (BART) tunnel in 1979. Somehow, the product was "identified" as Shell gasoline. This theory was supported when a test of the product lines at this station indicated a leak. The station replaced the fuel lines and the station operated until 1980 when the underground tanks were removed. Shell installed monitoring wells on and off-site with BART review and concurrence. No records or reports exist describing the tank removals or any sampling results. Additional on-site investigation at the assumed locations of the former underground tanks, piping and dispensers was done and no indication of significant soil contamination was observed.

However, further down-gradient from this site in wells S-5 and S-6, free product or elevated gasoline and BTEX concentrations has been observed. Equiva Services has done extensive historical research including looking at various state and federal data bases, adjacent property use and underground utility surveys in an attempt to identify other possible sources of this contamination. Although other sites have been identified, no releases or suspected releases are documented. Therefore, although the onsite data for this site indicates relatively little soil and groundwater contamination and elevated gasoline and free product has been observed off-site, no other responsible parties have been identified.

The presence of BART running below Broadway adjacent to this site also complicates the understanding of this release. It is assumed that fuel release up-gradient of BART would eventually be intercepted by the subsurface walls of BART. It is not known what amount of the release is diverted and what amount proceeds around or beneath the BART tunnel. This uncertainty tends to lessen the likelihood that former service stations on the east side of the BART tunnel could be the source of free product or elevated gasoline found in wells on the west side.

The extent of remediation so far has been the over-purging of wells S-5 and S-6 since 1993 and 1997, respectively. A grand total of 6737 gallons has been removed from these wells up to February 2001. Although the amount of free product has been reduced, gasoline and BTEX concentrations remain elevated, with no indication of declining.

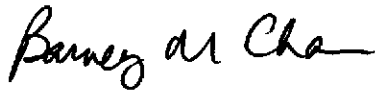
Ms. Karen Petryna
StID # 4254
461 8th St., Oakland CA 94607
April 11, 2001
Page 2

At this time, our office requests additional site investigation and characterization. This should include such things as presenting cross-sectional diagrams, interpretation of utilities including the BART tunnel and their potential to convey contamination, performing a sensitive receptor survey and providing a work plan to delineate the extent of the petroleum plume.

Please submit a work plan for these items within 30 days or no later than May 14, 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. T. Buggle, Cambria Environmental, 1144 65th St., Suite B, Oakland CA 94608
Rory Campbell, Law Offices, 333 Market St., Suite 2300, San Francisco, CA 94104-2173
Wells Fargo Bank National Association, Tr., c/o Pacific Property, 364 Bush St., San Francisco,
CA 94104-2805

R. Casteel & Co., P.O. Box 6839, Moraga, CA 94570

461 8th St

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



December 28, 2000

ENVIRONMENTAL HEALTH SERVICES

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

Ms. Karen Petryna
Equiva Services LLC
PO Box 7869
Burbank, CA 91510-7869
STID 4254

RE: Former Shell Station, 461 8th Street, Oakland, CA 94607

Dear Ms. Petryna:

A letter from my office dated November 15, 2000 was sent to you requesting information concerning the above site. I requested the information be sent to me by December 8, 2000. As of this date, I have not received this information. Please submit this information to this office within 10 days of the receipt of this letter.

As previously mentioned in earlier letter, I have been transferred to another position within my Department and will begin my duties there on a full-time basis on January 2001. The new caseworker for this site is Mr. Barney Chan.

If you have any questions, please contact me at (510) 567-6774, or Mr. Chan at (510) 567-6765.

Sincerely,


Larry Seto
Sr. Hazardous Materials Specialist

Enclosure (1) Letter dated November 15, 2000 addressed to Karen Petryna

Cc: Barney Chan, Alameda County Environmental Health
Leah Goldberg, Hanson Bridgett, 333 Market Street, Suite 2300,
San Francisco, CA 94105
Troy Buggle, Cambria, 1144 65th Street, Suite B, Oakland, CA 94608
Leroy Griffin, City of Oakland Fire Services, 1605 Martin Luther King,
Oakland, CA 94612

Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



November 15, 2000

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

Ms. Karen Petryna
Equiva Services LLC
PO Box 7869
Burbank, CA 91510-7869
STID 4254

RE: Former Shell Station, 461 8th Street, Oakland, CA 94607

Dear Ms. Petryna:

I have reviewed the site file for the above address with Ms. Leah Goldberg, counsel for the present property owner. During the file review, I could not locate documents that address the following questions:

- 1) What is the status of the original monitoring wells S-1, S-2 and S-3? If they are closed, how and when were they closed?
- 2) Were the underground storage tanks and the associated piping removed from the site?
- 3) Were any soil or groundwater samples taken during the tank removal? Were the samples analyzed by a State certified laboratory? Please provide me with copies of any laboratory results.
- 4) When were monitoring wells S-4, S-5 and S-6 installed? Please submit a copy of the well logs and monitoring well construction design to this office.
- 5) Are all the monitoring wells screened at the same depths?
- 6) Has a conduit survey been performed for this site?

Please address these concerns by December 8, 2000. This information will assist this office in ascertaining whether the contamination detected in monitoring well S-5 and S-6 is from the former Shell station. It appears from the map that Shell provided me of possible sites that maybe source of the contamination detected in well S-5 and S-6, the sites are cross-gradient with the Shell station. Do you have any knowledge of any upgradient site from the Shell station that maybe a potential source?

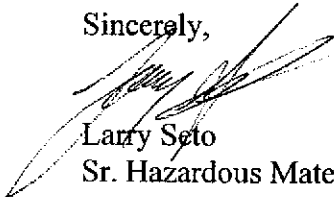
This site will be eligible for site closure pending either (1) cleanup of the contamination in wells S-5 and S-6; or (2) sufficient information identifying another source of the contamination in S-5 and S-6, in the event that it is not coming form the former Shell Station.

Ms. Karen Petryna
Equiva Services LLC
PO Box 7869
Burbank, CA 91510-7869
November 15, 2000
Page 2 of 2

I have been transferred to another position within my Department and will begin my duties there on a full-time basis on January 1, 2001. Please contact Tom Peacock at (510) 567-6782 in January 2001 to identify the new caseworker for this project.

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

Sincerely,



Larry Seto
Sr. Hazardous Materials Specialist

Cc: Leah Goldberg, Hanson Bridgett, 333 Market Street, Suite 2300,
San Francisco, CA 94105
Troy Buggle, Cambria, 1144 65th Street, Suite B, Oakland, CA 94608
Leroy Griffin, City of Oakland Fire Services, 1605 Martin Luther King,
Oakland, CA 94612

Files

RU343

Facsimile Cover Sheet

**HANSON
BRIDGETT**

**MARCUS
VLADIS
RUDY-LLP**

333 Market Street, Suite 2300, San Francisco, CA 94105-2173
Tele: (415) 777-3200, Facsimile: (415) 541-9366

TO: Larry Seto
Alameda County Environmental Health

RECEIVER'S FAX NO. (510) 337-9337⁵
RECEIVER'S PHONE NO.

FROM: Leah S. Goldberg



TOTAL NUMBER OF PAGES: 3

DATE: November 9, 2000

ORIGINAL MAILED: No

RE: Former Shell Station, 461 - 8th Street, Oakland, CA

PLEASE SEE ATTACHED.

<p>CAMBRIA</p>  <p>Melody Munz Project Engineer</p> <p>Cambria Environmental Technology, Inc. 1144 65th Street, Suite B Oakland, California 94608 Tel (510) 420-3324 Fax (510) 420-9170 mmunz@cambria-env.com</p>	<p>CAMBRIA</p>  <p>Diane Lundquist, P.E. Principal Engineer</p> <p>Cambria Environmental Technology, Inc. 1144 65th Street, Suite B Oakland, CA 94608 Tel (510) 420-3334 Fax (510) 420-9170 dlundquist@cambria-env.com</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

EQUIVA
SERVICES LLC
Shell, Texaco & Saudi Aramco Working Together

Karen Petryna, P.E.
Civil & Environmental Engineer
Northern California Bay Area

P.O. Box 7869
Burbank, CA 91510-7869
Tel: (559) 645-9306
Fax: (559) 645-5643
E-mail: kepetryna@equiva.com

THE FOLLOWING NO

BILLING NO 12889.65

THE INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE AND IS NOT TO BE RELEASED TO THE PUBLIC WITHOUT THE WRITTEN AUTHORIZATION OF THE OFFICE OF THE ATTORNEY GENERAL AND/OR THE ATTORNEY/WORK PRODUCT PRIVILEGES. IT IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL NAMED ABOVE AND THE PRIVILEGES ARE NOT WAIVED BY VIRTUE OF THIS HAVING BEEN SENT BY FACSIMILE. IF THE PERSON ACTUALLY RECEIVING THIS FACSIMILE OR ANY OTHER READER OF THE FACSIMILE IS NOT THE NAMED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE NAMED RECIPIENT, ANY USE, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

Please immediately call (415) 777-3200 and ask for THE FAX CENTER if you do not receive all of the transmitted pages

LEAH S. GOLDBERG
Environmental Law
DIRECT DIAL 415 995 5090
REPLY TO SAN FRANCISCO
E-MAIL lgoldberg@hansonbridgett.com

**HANSON
BRIDGETT**

**MARCUS
VLACHOS
RUBY-LLP**

November 9, 2000

VIA FACSIMILE (510) 337-9333

Larry Seto
Alameda County Environmental Health
1131 Harbor Bay Parkway
Suite 250
Alameda, CA 94507-6537

Re: Former Shell Station, 461 - 8th Street, Oakland, CA
File No. 12889.65

Dear Mr. Seto:

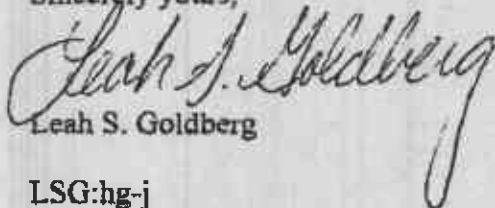
Thank you for sharing the draft letter to Equiva Services with me. I made a few minor changes to the letter. Please feel free to accept or reject any of the changes. If you cannot read any of the changes, please call me and I will clarify them.

I would suggest that in addition to asking about the conduit survey in question number 6 that you also ask about other potential sources of contamination in the area. It appears from the map that Shell provided to you a few months ago listing other sites in the area, that all of the other sites are cross-gradient with the Shell Station. I would ask Shell to explain how they could be sources of the contamination in S-5 and S-6.

Also, I was under the impression that you were going to tell Shell that this site could be closed pending either (1) cleanup of the contamination in wells S-5 and S-6; or (2) sufficient information identifying another source of the contamination in S-5 and S-6, in the event that it is not coming from the former Shell Station.

Thank you for allowing me to review the draft of this letter. I am sorry to hear that you will be rotating off of this project, but I would appreciate if you would take the time to bring the next caseworker up to speed.

Sincerely yours,



Leah S. Goldberg

LSG:hg-j
Enclosure

LAW OFFICES

SAN FRANCISCO
333 MARKET STREET 23RD FLOOR
SAN FRANCISCO CA 94105-2173
TELEPHONE 415 777 3200
FACSIMILE 415 541 9366
www.hansonbridgett.com

MARIN
WOOD ISLAND
80 E. SIR FRANCIS DRAKE BLVD SUITE 2E
LARKSPUR CA 94939
TELEPHONE 415 925 8400
FACSIMILE 415 925 8409

November 8, 2000

Draft

Ms. Karen Petryna
Equiva Services LLC
PO Box 7869
Burbank, CA 91510-7869
STID 4254

RE: Former Shell ^{Station} 461 8th Street, Oakland, CA 94607

Dear Ms. Petryna:

I have reviewed the site file for the above address with Ms. Leah Goldberg, counsel for the present property owner. During the file review, I could not locate documents that address the following questions:

- 1) What is the ^{and when} status of the original monitoring well S-1, S-2 and S-3? If they are closed, how were they closed?
- 2) Were the underground storage tanks and the associated piping removed from the site?
- 3) Were any soil or groundwater samples taken during the tank removal? Were the samples analyzed by a State certified laboratory? *Please provide me with copies of any sample results.*
- 4) When were monitoring wells S-4, S-5 and S-6 installed? Please submit a copy of ^{information} their well log and monitoring well construction to this office.
- 5) Are all the monitoring wells screened at the same depths?
- 6) Has a conduit survey been performed for this site?

by December 7, 2000. This information will assist this Department in ascertaining whether the contamination detected in monitoring well S-5 and S-6 is from the former Shell station.

I have been transferred to another position within my Department. *ad will begin my duties there on a full-time basis on January 1, 2001* Please contact Tom Peacock at (510) 567-6782 to identify the new caseworker for this project. *After that,*

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

Sincerely,

Larry Seto
Sr. Hazardous Materials Specialist

Cc: Leah Goldberg, Hanson Bridgett, 333 Market Street, Suite 2300, SF, CA 94105
Troy Buggle, Cambria, 1144 65th Street, Suite B, Oakland, CA 94608
Leroy Griffin, City of Oakland Fire Services, 1605 Martin Luther King, Oakland, CA 94612

Files

C A M B R I A

October 2, 2000

Mr. Larry Seto
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502-6577

Re: **Agency Correspondence**
Former Shell Service Station
461 8th Street
Oakland, California
Incident #97093399
Cambria Project #242-1501-002



Dear Mr. Seto:

On behalf of Equiva Services LLC, Cambria Environmental Technology, Inc. (Cambria) is submitting this correspondence addressing the presence of MTBE detected in groundwater samples during quarterly monitoring at the referenced facility. This correspondence is made in response to the Alameda County Health care Services Agency (ACHCSA) dated July 17, 2000.

Address Correction Request: Please update ACHCSA records to indicate the following address for Equiva's representative for this site: Ms. Karen Petryna, Equiva Services LLC, P.O. Box 7869, Burbank, CA 91510-7869.

Historical MTBE Use In Gasoline Products Sold at the Subject Facility: On September 30, 1997, Shell Oil Products Company (now Equilon Enterprises LLC) issued correspondence titled *Response to San Francisco Bay Regional Water Quality Control Board Request for Chemical Constituents of Gasoline Data*.

Oakland, CA
San Ramon, CA
Sonoma, CA
Portland, OR

**Cambria
Environmental
Technology, Inc.**

1144 65th Street
Suite B
Oakland, CA 94608
Tel (510) 420-0700
Fax (510) 420-9170

According to the above referenced document, Shell/Equilon utilizes the Shell Martinez Refining Company (SMRC) as **the primary source** for refined gasoline products in the San Francisco Bay area (Bay Area). MTBE use in refined gasoline products from the SMRC did not begin until November 1991. A copy of the document is included as Attachment A.

Gasoline underground storage tanks (USTs) at the subject facility were in operation until site

Note: did not say only source

00051-4-19000
PM 3:24
ENVIRONMENTAL PROTECTION

demolition in 1980 when they were removed along with gasoline station improvements. The site has not been used as a gasoline sales facility since that time. The USTs formerly onsite were removed approximately 10 years prior to the use of MTBE in gasoline at SMRC. It is not likely that MTBE in groundwater is associated with, or emanating from, the subject facility.

MTBE Reported in Groundwater: MTBE was first reported in groundwater samples associated with the subject facility on October 2, 1996. Reported concentrations of MTBE at this site have historically been made using EPA Method 8020, which is only a screening method for this fuel additive. Prior to July 19, 2000 no MTBE had been detected onsite using EPA Method 8260, a more accurate confirmation method for MTBE analysis.

The only samples collected from the site which detected MTBE by EPA Method 8260 were from July 19, 2000. Groundwater samples from S-5 and S-6 contained 253 parts per billion (ppb) and 72.7 ppb, respectively (these EPA Method 8260 analyses were run out of the EPA recommended holding time by Sequoia Analytical of Morgan Hill, CA). The results of this sampling event were received by Cambria on September 12, 2000 and are forthcoming in the third quarter 2000 quarterly monitoring report for this site.

EPA Method 8260 Analysis for MTBE: In order to aid the ACHCSA in determining the presence and potential source of MTBE in groundwater where reported, Cambria has arranged for wells S-5, S-6, and S-8 to be analyzed by EPA Method 8260 during the fourth quarter 2000 quarterly monitoring activities, to be performed by Blaine Tech Services of San Jose, California. These results will be presented in the forthcoming fourth quarter groundwater monitoring report.

Potential Offsite MTBE Source Map: The third quarter monitoring report will contain a vicinity map showing potential offsite sources of MTBE. These sources were identified in an August 12, 1996 correspondence titled *Offsite Source Investigation*, prepared by Enviros, of Sonoma, California. Additionally, the locations of the former onsite USTs, product piping and dispensers will be included on the site map.

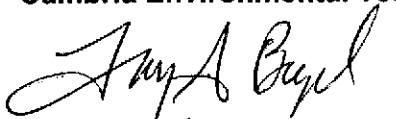
C A M B R I A


Mr. Larry Seto
October 2, 2000

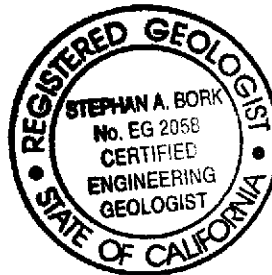
CLOSING

We appreciate the opportunity to work with you on this project. Please call Troy Buggle at (510) 420-3333 if you have any questions or comments.

Sincerely,
Cambria Environmental Technology, Inc


Troy A. Buggle
Project Environmental Scientist


Stephan A. Bork, C.E.G., C.H.G.
Associate Hydrogeologist



Attachment: A - Response to San Francisco Bay Regional Water Quality Control Board Request for Chemical Constituents of Gasoline Data

cc: Karen Petryna, Equiva Services LLC, P.O. Box 7869, Burbank, California 91510-7869
Rory Campbell, Hanson, Bridgett, Marcus, Vlahos, & Rudy, 333 Market Street, Suite 2300, San Francisco, California 94105-2173
Wells Fargo Bank National Association, Tr. (Property Owners), c/o Pacific Property, 364 Bush Street, San Francisco, CA 94104-2805
R. Casteel & Co., P.O. Box 6839, Moraga, California 94570

g:\oakland461\eighth\qm\3q00qm.doc

ATTACHMENT A

Response to San Francisco Bay Regional Water Quality Control Board

Request for Chemical Constituents of Gasoline Data

**RESPONSE TO SAN FRANCISCO BAY REGIONAL WATER QUALITY
CONTROL BOARD REQUEST FOR CHEMICAL CONSTITUENTS OF
GASOLINE DATA**

SHELL OIL PRODUCTS COMPANY

SEPTEMBER 30, 1997

CONTENTS:

- 1. CHEMICALS ADDED TO GASOLINE IN THE SAN FRANCISCO AREA
(APPROXIMATE PREVIOUS 20 YEAR HISTORY)**

- 2. A. PHYSICAL PROPERTIES AND POTENTIALS HEALTH EFFECTS OF
GASOLINE COMPONENTS**

- 2. B. SOIL TO GROUNDWATER MODELING FOR GASOLINE ADDITIVES**

- 3. ANALYTICAL METHODS FOR GASOLINE ADDITIVES AND
OXYGENATE BLENDING COMPONENTS**

SELECTED REFERENCES

SHELL OIL COMPANY MATERIAL DATA SAFETY SHEETS ATTACHMENT

1. CHEMICALS ADDED TO GASOLINE IN THE SAN FRANCISCO AREA (APPROXIMATE PREVIOUS 20 YEAR HISTORY)

Introduction

Gasoline is a highly complex mixture of petroleum-derived components. The individual components may vary depending on the crude oil being refined, the operating parameters of the various units of the refinery, and the availability of certain blending components. Although the specific content of gasoline components can vary, its overall characteristics must conform to specified federal and state requirements. Federal requirements cover volatility, aromatic content, sulfur content, octane, driveability, oxygenate content and the detergent additive. All of these must be met in order to be approved for commerce in the United States. The state of California has additional specifications that exceed the federal requirements and must be met also. Therefore, gasoline may vary from one refinery to another, but it must meet the same specifications. This allows each manufacturer to maximize their unique capabilities and strengths while still providing the public with a uniform product.

Gasoline Transportation, Exchanges, and Commingling

Shell Oil Products Company (Shell) utilizes the Shell Martinez Refining Company (SMRC) located in Martinez, California as its primary manufacturer of refined gasoline products in the San Francisco Bay area (Bay Area). However, Shell and SMRC rely on the exchange of gasoline with other refiners in order to level out demand imbalances, cover operational problems, and/or improve transportation logistics. Shell also provides terminalling services to third party companies that ship their own gasoline into commingled storage at Shell's distribution terminals. Therefore, a large percentage of the gasolines marketed from the Bay Area (San Francisco, San Jose, and Richmond (Tosco) distribution terminals) originate from Chevron, Tosco and/or Exxon refineries.

When manufactured by Shell, gasoline is transported from SMRC via Shell corporate or common carrier pipelines to Shell corporate or third party distribution terminals. In the Bay Area, Shell gasoline is commonly transported through Santa Fe Pacific Pipeline (SFPP) systems. As a batch of gasoline moves through a pipeline system, it may be commingled with similar products produced either by Shell or other refiners. However, these must meet the regulated specifications in order to be approved for transportation via pipeline. For example, SFPP's tariffs with the Federal Energy Regulatory Commission typically contain the following language:

Item 40 (c) "On the condition that Carrier will use due diligence to transport same to destination with a minimum of commingling and to maintain the identity of each shipment; however, it being impracticable to maintain absolute identity of each inbound shipment of products, reasonable substitution of gallonage of the same kind of commodity will be permitted."

From the distribution terminal, Shell utilizes a combination of corporate and common carrier trucks to transport gasoline to the service stations. Shell's proprietary fleet is used exclusively to deliver to Shell service stations. However, common carriers may be hired by other companies and make deliveries to numerous differently branded service stations. Since delivery truck tanks are designed to drain dry there should be no commingling of gasoline as a result of trucking activity.

Gasoline Additives and Blend Component Distinction

Gasoline "additives" are distinguished from "blend components" primarily on the amount of either present in the gasoline mixture. For instance, blend components such as oxygenates are a significant fraction of the gasoline (e.g., 10 percent by volume), while additives are used in the part

per million range. Furthermore, blend components, such as ethers, are used only at the refinery while additives are added either at the refineries and or distribution terminals. Once loaded on the trucks, no blend components or additives of any kind are added to the gasoline.

Gasoline Oxygenates

To meet the requirements of the Clean Air Act (CAA), EPA has established certain oxygenate content level requirements for commercial gasoline in the US. These vary for different parts of the country and for different times of the year. A list of potential oxygenates blend components used in gasoline marketed in the Bay Area over approximately the previous 20 years is given in Table 1.

Except for limited exceptions, no oxygenate other than methyl tertiary butyl ether (MTBE) has been used at SMRC. The exception was in the spring of 1996 when the equivalent of approximately 10 days of SMRC's production of gasoline was imported with gasoline containing TAME. However, due to exchanges and/or the use of third party distribution systems, gasoline found at Shell terminals and service stations may contain various oxygenates. Additionally, MTBE commonly contains methanol and tertiary butyl alcohol (TBA) as impurities which can, therefore, be found in any gasoline containing MTBE.

TABLE 1: Summary of Potential Oxygenate Blending Components Used in Gasoline Marketed in the San Francisco Bay Area (Approximate 20 Year History)
(Sources: Shell records for SMRC, experts at SMRC and at Shell Westhollow Technology Center)

Use	Added at SMRC	Potentially Added by Other Oil Companies*	Volume
Reformulated Gasoline, CARB, Octane Booster	Methyl-tertiary-butyl ether (MTBE)	Methyl tertiary-butyl ether (MTBE), Tertiary amyl methyl ether (TAME), Ethanol**	0-15%

*There may be other oxygenates in gasoline such as diisopropyl ether (DIPE), methanol and tertiary-butyl alcohol (TBA), because they can be present as impurities in MTBE.

** Ethanol is normally added at or near the distribution terminal

Shell began using MTBE as a gasoline blending component at SMRC in November, 1991. Note that Shell used MTBE as early as 1990 at a southern California refinery (Wilmington). From November, 1991 to the end of September, 1992, MTBE was used only in a premium grade of gasoline (Shell SU-2000E) in a range of 5 to 9 % by volume. This premium grade fuel was sold only in southern California. From October 1, 1992 through January 1996 10 to 12% by volume MTBE was used in all grades of gasoline produced at SMRC during the fall and winter months (October - January for northern California, and October 16 - February for gasoline shipped to southern California). Additionally, due to EPA requirements, gasoline shipped to southern California contained 10% MTBE by volume year around after the end of the winter season in February 1995.

Beginning March 1, 1996 the California Air Resource Board required all gasoline sold in the State of California to meet Phase 2 gasoline specifications. Refiners were given a choice of either meeting a set of flat limit gasoline specifications which required 1.8 to 2.2 wt % oxygen or an alternative formulation which did not require a minimum oxygen content if the resulting formulation had exhaust emissions no worse than the flat limit gasoline. Since inception of Phase 2 requirements, all gasolines produced by SMRC have contained nominally 11% MTBE by volume.

Gasoline Additives

The multifunctional proprietary detergent additive package is what make Shell's fuel unique in its performance and consumer preference. It prevents and cleans up engine deposits, and keeps the fuel clear. The specific nature of individual additive packages can produce remarkable differences in gasoline performance, and are therefore considered to be highly proprietary to the manufacturers.

The additives packages can vary chemically. However, current US EPA regulations only allow additives made with molecules that contain the same basic elements that comprise gasoline (carbon, hydrogen, oxygen, nitrogen and sulfur) and no other elements can be used. Although the basic molecules in our detergent package are similar to the same ones that have been used over the past 20 years, they have been constantly improved to result in better fuel performance and engine maintenance at lower concentrations. Thus, the detergent additive package has had several formulations through the years. Some of the types of compounds in the package include detergents (polymeric amines, amides and alcohols); demulsifiers (polyglycol derivatives), and carrier fluids (mineral oils, synthetic oils, polymers). Concentrations of individual components range from 0 to 1000 mg/L. Diluents, such as toluene, xylene or substituted benzenes, may be used to improve low temperature handling properties. A list of potential additives added to gasoline marketed in the Bay Area over approximately the previous 20 years is given in Table 2.

The only additive currently added to gasoline at SMRC is antioxidant UOP Number 6 produced by Universal Oil Products (UOP). This material is added at the nominal concentration of 1 pound per 1000 barrels (42,000 gallons) of gasoline. Two other antioxidants used previously at SMRC were DuPont Antioxidant 23 and Antioxidant 24.

Also in the past, lead packages and dyes were added to gasoline at the refinery. The lead package (anti-knock package) may contain one or more alkyl leads [tetramethyl lead (TML), trimethylethyl lead (TMEL), dimethyldiethyl lead (DMDEL), methyltriethyl lead (MTEL) and tetraethyl lead (TEL)]. The lead package also contains the lead scavengers ethylene dichloride (EDC or 1,2-dichloroethane) and ethylene dibromide (EDB or 1,2-dibromoethane). Until 1993, premium unleaded gasoline was dyed red with DuPont Oil Red B at a level of 0.324 lbs. per 1000 barrels. Leaded regular and unleaded midgrade gasolines were dyed bronze with DuPont Oil Bronze at a level of 0.648 lbs. per 1000 barrels. Unleaded regular gasoline contained no dye. Lead was phased out in November, 1991 and dye addition was discontinued in 1993.

At the distribution terminals, Shell's proprietary detergent additive is injected into the fuel stream while trucks are loaded. This detergent additive is added into all fuel destined for Shell service stations, whether loaded at a Shell owned terminal or a third party owned terminal.

Table 2. Summary of Potential Additives Added to Gasoline Marketed in the San Francisco Bay Area (Approximate 20 Year History)

(Sources: Shell records for SMRC, experts at SMRC and at Shell Westhollow Technology Center, and the literature. Some of these chemicals have not been used at SMRC but could be at a Shell service station because of gasoline exchanges)

Use	Added at Refinery, Pipeline or Distribution Terminal	Commercial Names	Compounds/Chemical Name/ Compound Class	Concentration Range in Product (mg/L)
Anti-Knock Package: Alkyl Lead with Lead Scavengers	Refinery (Discontinued in 1991)	DuPont ME-50-1 DuPont Tetramix-50 Red 01 500 Motor Mix (White No 1) TEL Motor White No 1 Ethyl Antinock Compound MLA	Mixtures of: • Tetramethyl Lead (TML) • Trimethylethyl Lead (TMEL) • Dimethyldiethyl Lead (DMDL) • Methyltriethyl Lead (MTEL) • Tetraethyl Lead (TEL) • Ethylene Dichloride (EDC) • Ethylene Dibromide (EDB)	0 - 1000 0 - 300
Anti-Knock Package: Manganese Compound (Along w/ Alkyl Leads)	Refinery (Used for a short time, <1 year)	MMT	Methylcyclopentadienyl Manganese Tricarbonyl	<1000 (?) Used for a very short time
Anti-Oxidants	Refinery	DuPont AO 23 DuPont AO 24 UOP No.6	Hindered Alkyl Phenols or Aromatic (Phenylene) Diamines	2 - 9
Dyes	Refinery (Discontinued in 1993)	DuPont Oil Red B DuPont Oil Bronze	Azo Dyes	2 - 9
Corrosion Inhibitors	Refinery or Pipeline	No knowledge of use	Esters and Amine Salts of Succinic, Phosphoric and Sulfonic Acids.	4 - 40
Metal Deactivators	Refinery or Pipeline	No knowledge of use	Chelating Agents: • N,N'-Disalicylidine-1,2-Propanediamine	4 - 12
Detergent Additive Package:	Distribution Terminal	Proprietary Formulation		< 1300
• Detergent			Polymeric Amine, Amide, or Alcohol	10 - 100
• Demulsifier			Polyglycol Derivatives	0.4 - 10
• Carrier Fluid			Mineral Oil, Synthetic Oil, or Polymer	10 - 1000
• Diluent			Toluene, Xylene, Substituted Benzenes	10 - 1000

2. A. PHYSICAL PROPERTIES AND POTENTIALS HEALTH EFFECTS OF GASOLINE COMPONENTS

Material Data Safety Sheets

All gasolines and additives must be registered with EPA. Each must meet certain testing requirements for health effects and be certified to perform as intended. In the testing requirements for gasoline additives, the EPA recognized that for "typical" additives that are undergoing testing, the designated baseline gasoline may be tested with a representative additive since they did not expect the potential health effects to vary substantially within this "typical" group of additives. In point of fact, EPA does not expect the fuel additive packages, which are present only at parts per million (ppm) quantities, to add any appreciable toxicity over and above that of the gasoline. Further details about potential adverse health effects of the major gasoline components are contained in the attached Material Safety Data Sheets (MSDSs).

Copies of Shell's current MSDSs for the three grades of gasoline Shell marketed in the Bay Area are attached. These MSDSs contain significant information on the composition, health, safety and regulatory characteristics of gasoline. For each major component, a Chemical Abstract Services (CAS) number, range of concentration used and a detailed description of the potential adverse health effects, safety and handling procedures, shipping requirements, and relevant environmental data are provided.

2. B. SOIL TO GROUNDWATER MODELING FOR GASOLINE ADDITIVES

Introduction

In consideration of the modification of environmental regulations based on the composition of gasoline, it is important to consider the initial concentration of that compound and its known or predicted behavior when released to the environment. For instance, low additive concentrations in gasoline limit the mass available for transport to environmental media. Also, because most additives are polar, polymeric or high molecular weight, they would not likely reach groundwater in the event of a release due to preferential solubility in product, adsorption and degradation mechanisms occurring while the release migrated through the soil. Although there is little environmental data relative to many additives, these compounds can be compared to those with similar chemical properties that are well known in order to make general predictions of their behavior if released into the environment. Due to the greater abundance of environmental data, on high concentration blending components, such as oxygenates and alcohols, are not being considered in this exercise.

Summary

Evaluation of additives through estimation of physical/chemical properties and soil to groundwater modeling indicates low potential impact from the sum of polar/non-volatile additives, and very low potential for impact from formerly used alkyl lead compounds. This exercise also predicts the potential for impact from formerly used ethylene dihalides. This prediction, however, verifies the conservative nature of this modeling exercise since ethylene dihalides are naturally chemically degraded (hydrolyzed) in groundwater.

Background

Various additives are added in small quantities and a range of concentrations (see Section 1, Table 2) depending upon gasoline performance requirements which change with time and location. As such, it is impossible to define a set of additives with their expected concentrations. This may also be complicated by protection of information due to proprietary usage. However, it is possible to define classes and/or representative compounds and use concentrations ranges to make general, worst case predictions. The properties of these compound classes were used to screen groundwater impacts from gasoline impacted soil.

Additive Descriptions

From discussions with Shell personnel and a review of the literature, classes of compounds with ranges of concentration and general properties were defined for the list of additives potentially present in gasoline over the approximate previous 20 year time period. (Table 3). These compounds are not necessarily presently in use nor ever used in some regions.

Table 3. Potential Additive Classes and Properties

Use	Class or Representative Compound	Concentration Range in Product (mg/L)	Water Solubility (mg/L)
Anti-Knock	Tetramethyl Lead	0 - 1,000	25
	Ethylene Dichloride	0 - 300	8,700
Anti-Oxidants	Hindered Phenols or Phenylene Diamine	2 - 9	less than 10,000
Dyes	Oil Red/Oil Bronze	2 - 9	less than 1,000
Corrosion Inhibitors	Long Chain Carboxylic, Phosphoric, or Sulfonic Acids.	4 - 40	less than 10,000
Metal Deactivators	Diamines	4 - 12	less than 10,000
Detergent Additive			
• Detergent	Polymeric Amine, Amide, or Alcohol	10 - 100	less than 1,000
• Demulsifier	Polyglycol Derivatives	0.4 - 10	less than 1,000
• Carrier Fluid	Mineral Oil, Synthetic Oil, or Polymer	10 - 1000	less than 10
• Diluent	Toluene, Xylene, Substituted Benzenes	10 - 1000	less than 500

Using all of the maximum concentrations from Table 3, a total additive package may be about 3,500 mg/L. Removing the diluent (toluene, xylene, substituted benzenes) which is addressed during environmental monitoring, the maximum package concentration would be about 2,500 mg/L. Also, we will evaluate the anti-knock package separately so the remaining maximum package is about 1,200 mg/L. Examination shows these remaining compounds to be non-volatile by an existing oil industry gum test. The gum test is a performance standard to minimize residues which could effect engine performance. A typical Shell gum standard is 300 mg gum/L fuel. Of this, 80 mg/l is attributed to the fuel and 220 mg/L attributed to the additive package. As an actual measurement and standard, this 220 mg/l more realistically reflects the non-volatile additive package than does the maximum calculated value of 1,200 mg/L.

Potential Groundwater Impacts

A simple model (ASTM, Standard Guide for Risk-Based Corrective Action Applied at Petroleum Release Sites, E 1739-95, 1995) was used to determine a maximum level of chemical additive in a product release which would indicate an acceptable risk level to potentially impacted groundwater. This model only considered distribution of chemical additive within the impacted soil and subsequent mixing of the leachate upon contacting groundwater. No natural biodegradation, vadose zone dispersion, adsorption during transport or source depletion was considered. In the absence of chronic toxicological data, all compounds were assumed to have an allowable groundwater concentration of 0.05 milligrams additive per liter of groundwater. Representative compounds for this exercise were tetramethyl lead (anti-knock), ethylene dichloride (lead scavenger), and benzene (all other additives). These representative compounds were selected to provide a worst case evaluation. Although it is not a constituent of additives (gum), benzene was selected because of its high water solubility which is similar to the proportional solubility of the

additives.

The following assumptions were made for the model:

1. The additive was released as part of the gasoline (not neat). Therefore Raoult's law may be used within the model. Note that the sum of the additives was used rather than separate classes to provide worst case assumption.
2. The following subsurface and properties were used:
 - Soil bulk density - 1.7 g soil/cm³
 - Volumetric water content in vadose - 0.12 cm³ water/cm³ soil
 - Henry's law coefficient - 0.22 cm³/cm³
 - Volumetric air content in vadose - 0.26 cm³ air/cm³ soil
 - Ground water velocity - 2,500 cm/yr
 - Infiltration rate - 30 cm/yr
 - Width of source - 1,500 cm
 - Groundwater mixing zone thickness - 200 cm
 - Oil fraction in soil - 0.01g oil/g soil (1%)
 - Avg fuel molecular weight - 100 g

Model results

The acceptable amount of a compound in fuel can be compared with the typical amount of the compound in fuel (Table 4) to determine potential for groundwater impact. If the 'typical amount in fuel' is less than the 'acceptable amount in fuel' there is less chance of impact. Under the conservative assumptions made, the model results (Table 4) indicate that additives (as benzene) will have a low potential of impacting groundwater, ethylene dichloride would have a high probability of impacting groundwater, and tetramethyl lead would have a low probability of impacting groundwater. In fact, groundwater analyses have shown the presence of ethylene dichloride or dibromide and little soluble lead resulting from soils containing product with these compounds. However, even the ethylene dihalides have proven to be a problem only under special circumstances, indicating the conservative nature of this model. While the acceptable and typical values for the additives are very close, the conservative nature of this evaluation would indicate that further modeling to include adsorption, mass limitations, degradation, etc. would indicate that the sum of the nonvolatile additives are of little threat to groundwater.

Table 4. Model results.

Compound	Assumed Allowable Groundwater Value (mg/L)	Acceptable Amount in Fuel (mg/L)	Typical Amount in Fuel (mg/L)
Additives (as Benzene)	0.05	190	220*
Ethylene Dichloride	0.05	51	300**
Tetramethyl Lead	0.05	45,300	1000**

* Based on Gum Analysis.

** Not Currently used in Gasoline Additive Packages.

Conclusions

In the absence of environmental data for specific additive compounds, the available data for

representative compounds were used to predict the behavior of the additive compounds if released into the environment. Predictions based on modeling using conservative chemical and soil parameters indicate:

1. Due to because of low solubility and, especially, limited available mass, the formerly used alkyl leads (antiknock compounds) are unlikely to impact groundwater, and other (polar, nonvolatile) additives have a low potential to impact groundwater.
2. The formerly used ethylene dihalides (lead scavengers) could result in a potential impact to groundwater. However, chemical degradation (hydrolysis) of these compounds typically result in a low actual impact to groundwater.

3. ANALYTICAL METHODS FOR GASOLINE ADDITIVES AND OXYGENATE BLENDING COMPONENTS

Summary

Analytical methods are described for the common gasoline additives and oxygenate blending components. For many of the additives, there are no analytical methods available and some of the available methods are applicable to the determination of the additives in gasoline but not in environmental samples. Most of the additives are polar, polymeric or high molecular weight and are not amenable to analysis by gas chromatography which is the most commonly used method in commercial laboratories.

Gasoline Additives

Lead Package (Anti-knock)

Typically, the lead package may be analyzed by a nonspecific method for total lead or by measuring individual compounds in the package (alkylleads as well as the scavengers ethylene dichloride (EDC) and ethylene dibromide (EDB)).

Total Lead in Gasoline:

- Determination of total lead in gasoline can be done using X-ray fluorescence (no EPA method). Reporting limit is 2 ppm (~0.01g Pb/gallon). Limited availability.
- Total lead can also be analyzed using inductively coupled plasma spectrometry, ICP (EPA Method 6010). Iodine is added to gasoline to react with the alkylleads. The gasoline is then evaporated to a minimum volume and an organic solvent is added. The resulting solution is analyzed by ICP. Reporting limit is 0.5 ppm (~0.002g Pb/gallon). The digested sample can also be analyzed using graphite furnace atomic absorption spectroscopy (GFAAS), EPA 7421, with reporting limits in the ppb range

Total Lead in Water/Groundwater/Soils:

- Direct analysis of water using EPA Method 6010 or EPA Method 7421. Reporting limits are 50 ppb and 5 ppb, respectively.
- Soil must be digested to extract the lead (EPA 3050). Analysis of the digestate is then analyzed by EPA Method 6010 or EPA Method 7421. Reporting limits are 5 ppm and 0.5 ppm, respectively.

Total Organic Lead in Soil:

California Department of Health Services method: Extract soil with xylenes then react with Aliquat 336/MIBK and Iodine/benzene and analyze by flame atomic absorption spectroscopy for lead. Reporting limits are 0.5 mg/kg in soil and 0.1 mg/L in water.

Individual Lead Package Compounds in Gasoline:

- The analysis for individual lead compounds, EDC and EDB can be done in the gasoline by direct injection into a gas chromatograph with electron capture detection. Reporting limits are in low ppm—Limited availability.
- EDC and EDB can be analyzed by EPA Methods 8010 (GC-ELCD), EPA 8021 (GC-PID/ELCD), EPA 8260 (GC/MS). In addition, EDB can be analyzed using EPA Methods 8211 or 504. These EPA methods are used with gasoline samples due to gasoline matrix interferences.

Individual Lead Package Compounds in Water/Groundwater/Soils:

- Determination of individual compounds in environmental samples is rarely done other than "total organic lead" as specified above.
- A soil can be extracted with organic solvents which can then be analyzed the same way as a gasoline sample by GC-ECD to obtain the individual alkyllead.
- Can determine EDC and EDB by EPA methods 8010, 8021, 8260 and 8211/504. Reporting limits in the ppbs are expected.

NOTES:

Alkylleads have very little water solubility so there are no significant amounts expected in ground water.

MMT (methylcyclopentadienyl manganese tricarbonyl)

Can analyze for total manganese in the gasoline by X-ray fluorescence (ppm reporting limits). After digestion, the gasoline samples can be analyzed using ICP (EPA Method 6010) or GFAAS (EPA Method 7461). Reporting limits can be in the ppb range. The EPA methods can also be used for water/groundwater/soil.

Antioxidants

The antioxidants (AO) used are hindered alkyl phenols and aromatic diamines. These are polar compounds that are not easily analyzed by gas chromatography. They can probably be analyzed using HPLC. However, direct measurements are not done by refiners. The compounds are added to the fuel at the refinery and then the fuel's performance is used as an indicator of the amounts of additives added.

There are no current methods for these compounds. The fuel performance is tested using the Induction Period (ASTM D-525) and Potential Gum (ASTM D-873) methods. These tests are used to establish that a gasoline has a satisfactory storage stability.

Commonly used AO are NN'-di-sec-butyl-paraphenylene diamine and 4-methyl-2,6-ditertiarybutyl phenol. Typical concentrations are 2 to 9 mg/L in the gasoline.

Dyes

Azo-dyes are used to color gasoline red, orange or bronze. There are no standard methods for these dyes, however, they could be measured colorimetrically. These dyes stay in the fuel. There is no color transferred to the water from contact with gasoline containing dyes, because the dyes are not significantly soluble in water. Typical concentrations of dyes in gasoline are 2 to 9 mg/L. These dyes are usually stripped from the gasoline by soil. No dyes have been added to gasoline at a Shell refinery in California since 1993.

Metal Deactivators

There are no analytical methods that we know for the determination of metal deactivators in fuels or in environmental samples. Metal deactivators are strong chelating agents such as N,N'-disalicylidene-1,2-propanediamine. Typical concentrations are 4 to 12 mg/L. Shell has not used metal deactivators because our gasoline passes the 4 hour Induction Period test.

Corrosion Inhibitors

There are no methods for the corrosion inhibitors. These are compounds with a long-chain alkyl or hydrophobic group and at least one polar or hydrophilic group. Typical corrosion inhibitors are esters and amine salts of succinic, phosphoric and sulfonic acids. Some of these compounds may be able to be analyzed by GC/MS. More convenient methods should be based on HPLC.

Detergent Package

The detergent package for most companies is extremely proprietary. The most common additive package detergents are composed of polymeric amines and ethers along with demulsifiers or dehaizers (polyglycol derivatives), carriers (light oils, synthetic oils, polymers), and diluents (toluene, xylenes and other substituted benzenes).

The carrier oils and diluents are not different from the fuel itself from a chromatographic standpoint and they may coelute with the fuel. Because of the small amounts (10 to 1000 mg/L), and the fact that these compounds are either already present in gasoline or too low to detect, no monitoring should be done for these compounds.

The polymeric amines in gasoline (usually 10 to 100 mg/L in gasoline) are measured by reduction of 50 ml of fuel to gum (evaporated gasoline residue). The concentrated polymeric amines that remain in the gum residue are measured using Fourier Transform Infrared Spectroscopy (FTIR). These methods are proprietary and confidential. They have been supplied to CARB and are available under confidential agreement upon request to Shell. The methods are not applied to the determination of polymeric amines in environmental samples.

Gasoline Blending Components

Oxygenates

The oxygenates are added in relatively large concentrations (>5%) and as such are considered to be blending components of gasoline.

⇒ Alcohols

- * Methanol
- * Ethanol
- * t-Butanol (TBA)

⇒ Ethers

- * Methyl tertiary-butyl ether (MTBE)
- * Diisopropyl ether (DIPE)
- * Ethyl Tertiary Butyl ether (ETBE)
- * Tertiary-amyl methyl ether (TAME)

Alcohols and Ethers in Gasoline

- ASTM D-4815: A multidimensional GC-FID method for the determination of MTBE, ETBE, TAME, DIPE, TBA and C1 to C4 alcohols in gasoline. The quantitation range of this method is 0.1 to 10%. Limited commercial availability.
- EPA Method 8260: It is difficult to detect oxygenates directly in a gasoline matrix without dilution. Typically, the best reporting limit is around 0.1 to 1% for the ethers and about 10 to 20 times higher for TBA.

At Shell, we typically extract the oxygenates from the gasoline by a 1:1 water shake. The water extract is then analyzed by either direct injection GC-FID or purge and trap GC/MS. Shell uses direct injection GC-FID for the determination of methanol and ethanol (reporting limit 1 to 2 ppm in the gasoline) and either direct injection or purge and trap GC/MS (Modified EPA Method 8260) for the determination of the ethers and TBA. Based on the water solubility of these components, the concentrations in gasoline can be calculated from the concentrations measured in the water at equilibrium. The reporting limits are in the ppm range. Limited commercial availability.

Methanol in Water/Groundwater and Soil

Methanol cannot be adequately measured by EPA Method 8260. The molecular weight and fragments of methanol are small and in the mass range of great interferences by permanent gases. Typically, starting mass is higher than methanol molecular ion mass to charge ratio. In addition, methanol is infinitely soluble in water and does not purge well. It is also used in large amounts at all environmental laboratories, thus the rate of false positives could be high. Furthermore, internal standards and stock calibration solutions used in EPA Method 8260 contain methanol as the solvent.

Methanol is very biodegradable and volatile. It is used in few instances in California as a fuel oxygenate. However, it may be present in small amounts in gasoline as an impurity in MTBE.

Ethanol in Water/Groundwater and Soil

Ethanol is infinitely soluble in water and does not purge well out of water. As with methanol, the mass spectrum of ethanol does not contain unique ions that allow adequate differentiation from fragments from other molecules. The best reporting limit by EPA Method 8260 for ethanol is 1 to 2 ppm (heated purge and trap). The same reporting limit can be achieved by direct injection either with GC/MS or GC-FID.

MTBE in Water/Groundwater

MTBE can be determined in water and groundwater samples using EPA Method 8020/8021 (GC-PID) and EPA Method 8260 (GC/MS). The method has a low rate of false positives unless the samples are contaminated with concentrations of gasoline in the ppm range. Typical reporting limit is 5 ppb. Based on a study conducted by Lawrence Livermore, 20 ppb may be the minimum suggested reported limit in the presence of gasoline to minimize false positives.

When MTBE is determined using EPA Method 8020/8021, it is recommended that at least one sample per site be confirmed using EPA Method 8260 (GC/MS).

MTBE in Soil

MTBE in soil should be determined using EPA Method 8260 (GC/MS). The GC-PID method (EPA Method 8020/8021) is not selective enough to quantitate MTBE in the presence of hydrocarbons in gasoline. Branched hydrocarbons, olefins and cyclic compounds have sufficient response in the PID to potentially cause false positives in the determination of MTBE in soil. In the case of water, many of these hydrocarbons are not soluble enough in water to cause the same potential coelution problems. In soil, all of the gasoline components are present and, depending on chromatographic conditions used at any given lab, the potential for false positives is significant when a PID is used.

Ethers and TBA

A limited evaluation done by AN/EN Laboratory in cooperation with Lawrence Livermore indicates that a modified (heated purge and trap) EPA Method 8260 is adequate for the determination of ethers and TBA in water. The reporting limit is 5 ppb for the ethers and 50 ppb for TBA. If the gasoline contamination is high, the sample must be diluted and the reporting limits would be elevated accordingly.

It is expected that the same method would be applicable to soil samples.

Recommended Primary Ion (m/z) for Quantitation for EPA Method 8260:

TBA	59
MTBE	73
DIPE	87
ETBE	87
TAME	73

There is a study underway at Lawrence Livermore to determine suitability of EPA Method 8020/8021 for the determination of the ethers and TBA in water. Until that study is completed, EPA Method 8020/8021 is not recommended for the determination of ethers (other than MTBE) and TBA in water without confirmation using EPA Method 8260. A more cost effective approach is to use 8020/8021 first and then confirm positive hits by 8260 similarly to the approach currently recommended for the determination of MTBE. Alternatively, if any of these oxygenates are confirmed at a site by 8260, subsequent monitoring could be done using /8021 with judicious periodic confirmations using 8260.

As with MTBE, it is expected that EPA Method /8020/8021 will not be adequate for the determination of ethers and TBA in soil samples.

SELECTED REFERENCE LIST

- Gibbs, L. M., 1990, Gasoline Additives - When and Why: in SAE Technical Paper Series(902104), International Fuels and Lubricants Meeting and Exposition, Tulsa, Oklahoma, October 22-26, 1990, 21 pp.
- Tupa, R. C. and Dorer, C. J., Gasoline and Diesel Fuel Additives for Performance/Distribution/Quality: Lubrizol Corp. pp. 69-100.
- Western States Petroleum Association and Alpine Environmental, Inc., 1997, Preliminary Data Compilation on the Fate, Transport and Remediation of Gasoline Additives: unpublished to date, 19 pp.
- Viton (DuPont), Leak Prevention of Reformulated Fuels and Oxygenates - Sealing Solutions to Protect the Environment and Meet Regulatory Requirements, 14 pp.
- Pankow, J. F., Rathbun, R. E., and Zogorski, 1996, Volatilization of Fuel Oxygenate Compounds from Rivers, Streams, and Urban Runoff Channels: A Comparison With Other Gasoline-Related Compounds, (preprint), 17 pp.
- Russell, T. J. 1988, Petrol and Diesel Additives: Petroleum Review, pp. 35-42.
- Stocky, T. P., Zahalka, T. L. and Udelhofen, J. H., 1992, Additives Help Gasoline Burn Cleanly: Fuel Reformation, March-April 1992, pp. 54-58.
- Granville, M. F., McKinley, J. K., Davidson, C. B., and Brinkman, R. G., 1977, Lubrication, A Technical Publication Devoted to the Selection and Use of Lubricants, v. 63, no. 1, 12 pp.
- Gibbs, L. M., 1989, Additives boost gasoline quality: Oil and Gas Journal, Apr-24, 1989, pp. 61-63.
- Unzelman, G. H., 1992, Fuel Composition in 2000 Will Correct Past Environmental Moves: Fuel Formulation, May/June 1992, pp. 16-24.
- Mansell, R. S., Ou, L., Rhue, R. D., and Ouyang, Y, 1995, The Fate and Behavior of Lead Alkyls in the Subsurface Environment, Battelle Memorial Institute - Final Technical Report for Period September 1990 - November 1995, Air Force Material Command, Tyndall Air Force Base, 102 pp.
- Squillace, P. J., Pankow, J. F., Kortjes, N. E., and Zogorski, J. S., Review of the Environmental Behavior and Fate of Methyl tert-Butyl Ether: Environmental Toxicology and Chemistry, v. 16, no. 9, pp. 1836-1997.

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

July 17, 2000

Ms. Karen Petryna, P.E.
Equilon Enterprises LLC
PO Box 6249
Carson, CA 90749-6249
STID 4254

RE: Former Shell Station, 461 8th Street, Oakland, CA 94607

Dear Ms. Petryna:

I have reviewed the Second Quarter 2000 Monitoring Report dated July 7, 2000 that was prepared by Cambria Environmental Technology. MTBE was detected in groundwater samples collected on April 11, 2000 from S-6 and S-8 at concentrations of 621 ppb and 21.4 ppb respectively. In the past, MTBE was detected in groundwater samples collected from monitoring wells S-5, S-9 and S-10. To assist us in our endeavor to determine whether the gasoline detected in downgradient wells S-5 and S-6 is from a recent release, commencing the next monitoring event groundwater samples containing MTBE should be confirmed using EPA Method 8260.

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

Sincerely,



Larry Seto
Sr. Hazardous Materials Specialist

Cc: Troy Buggle, Cambria, 1144 65th Street, Suite B, Oakland, CA 94608
Files

CAMBRIA

ENVIRONMENTAL
PROTECTION

00 APR -7 PM 2:57

March 31, 2000

Mr. Larry Seto
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, 2nd Floor
Alameda, California 94502

Re: Certified List of Record Fee Title Owners for:

Former Shell Service Station
461 8th St
Oakland, CA
Incident No. 97093399

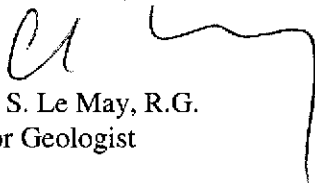
STED #254

Dear Mr. Seto:

In accordance with section 25297.15(a) of Chapter 6.7 of the Health Safety Code and on behalf of Equiva Services LLC, we certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site.

Wells Fargo Bank National Association, Tr., c/o Pacific Property, 364 Bush Street, San Francisco, CA 94104-2805

Sincerely,



Ailsa S. Le May, R.G.
Senior Geologist

cc: Karen Petryna, Equiva Services LLC, P.O. Box 7869, Burbank California 91510-7869
Wells Fargo Bank National Association, Tr., c/o Pacific Property, 364 Bush Street. San Francisco, CA 94104-2805

Oakland, CA
San Ramon, CA
Sonoma, CA
Portland, OR

**Cambria
Environmental
Technology, Inc.**

1144 65th Street
Suite B
Oakland, CA 94608
Tel (510) 420-0700
Fax (510) 420-9170

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6700
(510) 337-9432

November 16, 1999

Ms. Karen Petryna, P.E.
Equilon Enterprises LLC
P.O. Box 6249
Carson CA 90749-6249
STID 4254

RE: Former Shell Station, 461 8th Street, Oakland, CA

Dear Ms. Petryna:

This letter is to confirm that I received the following documents from Cambria Environmental:

- 1) Site map identifying location of former underground storage tanks, and assumed locations of the former service islands and product lines
- 2) Site map identifying location of 9 (nine) soil borings and their analytical results
- 3) Technical data, Groundwater Technology, Inc. dated 10-19-81
- 4) Considerations on Infiltration of Gasoline into BART K E Line, Groundwater Technology, Inc., no date
- 5) Brief History, Shell Oil Company, 7th & Broadway, Oakland, 1/9/89
- 6) BART RECOVERY PROJECT LOG, Shell Oil Co., East Bay District
- 7) Phase I Preliminary Site Assessment, GeoStrategies Inc., June 30, 1993
- 8) Site Investigation, Enviros, August 16, 1994
- 9) Site Investigation Report and Quarterly Monitoring Report – First Quarter 1995, 2-14-95
- 10) Off-Site Source Investigation, Enviros, 8-12-96

I have reviewed these reports, and the source of the hydrocarbons currently detected in the groundwater samples from downgradient monitoring wells S-5 and S-6 is not apparent. The information available to this office concerning the investigation and remediation efforts subsequent to the pipeline failure at the subject site that resulted with gasoline leaking into the BART line in 1979 is incomplete.

In accordance to Title 23, California Code of Regulations, Article 11, A Soil and Water Investigation must be implemented to define the extent of soil and groundwater contamination. This workplan must be prepared by a State of California-Registered Geologist, Certified Engineering Geologist, or Registered Civil Engineer.

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

Sincerely,



Larry Seto

Sr. Hazardous Materials Specialist

Cc: Leroy Griffin, City of Oakland Fire Services, 1603 Martin Luther King, Oakland,
CA 94612
Troy Buggle, Cambria Environmental, 1144 65th Street, Suite B, Oakland,
CA 94608

Files

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

Certified Mailer

October 18, 1999

Ms. Karen Petryna, P.E.
Equilon Enterprises LLC
P.O. Box 6249
Carson, CA 90749-6249

RE: Former Shell Station, 461-8th Street, Oakland, CA

Dear Ms. Petryna:

A letter addressed to you dated March 26, 1999 from this office request information concerning the underground tank removal at the above site. The letter asked that you forward the following information to my office:

- 1) Documentation of the removal of the underground tanks and associated piping
- 2) Analytical results of the soil and groundwater samples taken during the underground tank removal in 1980
- o.k. 3) Site map identifying the locations of the former underground tank, piping and dispenser islands
- 4) Copy of the manifests and receipts for the disposal of the underground tanks and associated piping
- 5) Documentation of the subsurface investigations(s) subsequent to the product line leak discovered in 1979 when he product pipeline leaked, and gasoline migrated into the BART tunnel near the intersection of 7th and Broadway.

As of this date, this information has not been received. Please forward this information to my office with 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: Leroy Griffin, 505-14th Street, 7th Floor, Oakland, CA 94612
Joe Neely, Cambria Environmental, 270 Perkins Street, P.O. Box 259,
Sonoma, CA 95476

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

March 26, 1999

Ms. Karen Petryna, P.E.
Equilon Enterprises LLC
P.O. Box 6249
Carson, CA 90749-6249
STID 4254

RE: Former Shell Station, 461-8th Street, Oakland, CA

Dear Ms. Petryna:

I have received your letter dated January 15, 1999. I contacted Chevron concerning their former station at 7th & Broadway. Monitoring well S-5, which has a history of containing floating product, is located upgradient from the former Chevron site. Monitoring well S-6 is located crossgradient and somewhat upgradient of the former Chevron site.

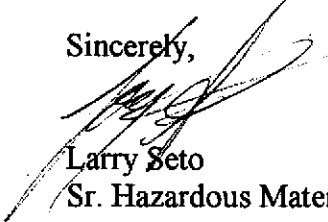
Methyl-Tert Butyl Ether (MTBE) has been detected in wells S-5 and S-6. This Chevron site, and the Former Flying A station at 629 Franklin street went out of business in the 1960's, before MTBE was added to gasoline. In addition, it does not appear hydrogeological possible for the hydrocarbon constituents and MTBE detected in monitoring wells S-5 and S-6 to be coming from the former Chevron and former Flying A sites.

Please forward to this office the following information:

- 1) Documentation of the removal of the underground tanks and associated piping
- 2) Analytical results of the soil and groundwater samples taken during the underground tank removal in 1980
- 3) Site map identifying the locations of the former underground tank, piping and dispenser islands
- 4) Copy of the manifests and receipts for the disposal of the underground tanks and associated piping
- 5) Documentation of the subsurface investigation(s) subsequent to the product line leak discovered in 1979 when the product pipeline leaked, and gasoline migrated into the BART tunnel near the intersection of 7th and Broadway.

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

Sincerely,



Larry Seto

Sr. Hazardous Materials Specialist

Cc: Leroy Griffin, 505-14th Street, 7th Floor, Oakland, CA 94612
Joe Neely, Cambria Environmental, 270 Perkins Street, PO Box 259,
Sonoma, CA 95476

Files



99 FEB 24 PM 3:45

February 23, 1999

Chevron Products Company
6001 Bollinger Canyon Road
Building L, Room 1110
PO Box 6004
San Ramon, CA 94583-0904

Philip R. Briggs
Project Manager
Site Assessment & Remediation
Phone 925 842-9136
Fax 925 842-8370

Mr. Larry Seto
Alameda County Health Care Services
Department of Environmental Health
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

**Re: Former Chevron Service Station #3-7562
7th and Broadway
Oakland, California**

Dear Mr. Seto:

Back in December you requested that an additional search be conducted to locate any files on the above noted facility. A search was conducted and no additional files or information was found for this site.

As noted in our letter of November 23, 1998, the only item found was the form "Agreement and Rental Advice". This form was one page (previously forwarded) and noted that the station was abandoned effective November 30, 1966 and was taken by BART. It could be expected that BART, to construct their facilities, removed all station facilities located on the site.

I reviewed the groundwater monitoring report for the Former Shell Station you sent me. Monitoring well S-6 of said report is located crossgradient and somewhat upgradient of the former Chevron site. The gradient shown in the report is in a southerly direction from the former Shell site located on Eighth Street, and toward the former Chevron site located on Seventh Street. Therefore, any hydrocarbon constituents detected in monitoring well S-6 does not appear hydrogeological possible to be coming from Chevron's former site but from an upgradient source.

February 23, 1999
Mr. Larry Seto
Former Chevron Service Station #3-7562
Page 2

If you have any questions please call me at (925) 842-9136.

Sincerely,
CHEVRON PRODUCTS COMPANY

A handwritten signature in cursive script, appearing to read "Philip R. Briggs".

Philip R. Briggs
Site Assessment and Remediation Project Manager

Enclosure

cc: Ms. Bette Owen, Chevron

99 JAN 19 PM 3:51
January 15, 1999

Mr. Larry Seto
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, #250
Alameda, California 94502-6577

Re: **Former Shell Service Station**
461 8th Street
Oakland, California
WIC #204-5508-6205

Dear Mr. Seto:



Cambria Environmental Technology, Inc. (Cambria) prepared this letter on behalf of Equiva Services LLC for Shell in response to Alameda County Health Care Services Agency's (ACHCSA's) letter dated December 3, 1998. The ACHCSA letter requested a monitoring well sampling frequency change and a work plan for further investigation at the site. These issues are addressed below.

Sampling Frequency Change

ACHCSA requested the sampling of Wells S-5, S-6, and S-8 be performed on a quarterly basis rather than the current semi-annual schedule. Cambria has implemented this change in the sampling frequency and these three wells will now be sampled on a quarterly basis.

Work Plan Request

Information collected by Enviros, Inc. (Enviros) and reported in their August 12, 1996 *Off-Site Source Investigation* identified several previously unknown potential off-site source areas in the vicinity of this site. This report was forwarded to you by Cambria in late October, 1998.

A former Chevron Service Station was located at the intersection of 7th Street and Broadway, which is the same intersection in which Wells S-5 and S-6 are located. The Enviros report states that a gas station was operated at the location of the former Chevron from at least 1953 to 1967, and that it appears that no environmental investigation has been conducted for this site.

Another former service station was identified at the intersection of 7th Street and Franklin. Enviros' report states this station was a Flying A Service Station which operated from at least 1953 through 1960 and that it appears that no environmental investigation has been conducted for this site.

See letter from
Chevron dated
2-23-99
Oakland, CA
Sonoma, CA
Portland, OR
Seattle, WA

**Cambria
Environmental
Technology, Inc.**

270 Perkins Street
P.O. Box 259
Sonoma, CA 95476
Tel (707)935-4850
Fax (707)935-6649

CAMBRIA

On-site Wells S-8, S-9, and S-10 have contained concentrations of Total Petroleum Hydrocarbons calculated as gasoline (TPH-G) ranging from 600 to 5,200 parts per billion (ppb), and benzene concentrations ranging from 4.8 to 1,800 ppb. No separate phase hydrocarbons have been detected on-site. Off-site Wells S-5 and S-6 have contained concentrations of TPH-G as high as 110,000 ppb, and benzene concentrations as high as 31,000 ppb. Well S-5 has consistently contained separate phase product. Shell's source area data does not suggest that the Shell site is the source of concentrations detected in Wells S-5 and S-6.

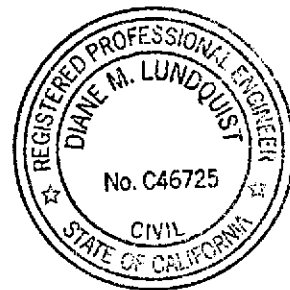
Because of the possibility that the former Chevron and/or former Flying A service stations may be responsible for or contributing to the petroleum hydrocarbons detected in Wells S-5 and S-6, we believe data from these two sites should be evaluated prior to any further investigation at the former Shell site.

If you have any questions regarding this letter, please call Joe Neely at 707-935-4854.

Sincerely,
Cambria Environmental Technology, Inc.



Diane M. Lundquist, P.E.
Principal Engineer
C46725



cc: Ms. Karen Petryna, Equiva Services LLC
Mr. Rory Campbell, Hanson, Bridgett, Marcus, Vlahos & Rudy (counsel for property owner)
R. Casteel & Co. P.O. Box 6839, Moraga, CA 94570, (property owner)
Mr. Leroy Griffin, City of Oakland Fire Department

C A M B R I A

ENVIRONMENTAL
PROTECTION

99 JAN 19 PM 3:51 ~~1999~~
January 15, 1999

Mr. Larry Seto
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, #250
Alameda, California 94502-6577

*Review files of sites
included in this report.
Original letters in file*

Re: **Former Shell Service Station**
461 8th Street
Oakland, California
WIC #204-5508-6205

Dear Mr. Seto:



Cambria Environmental Technology, Inc. (Cambria) prepared this letter on behalf of Equiva Services LLC for Shell in response to Alameda County Health Care Services Agency's (ACHCSA's) letter dated December 3, 1998. The ACHCSA letter requested a monitoring well sampling frequency change and a work plan for further investigation at the site. These issues are addressed below.

Sampling Frequency Change

ACHCSA requested the sampling of Wells S-5, S-6, and S-8 be performed on a quarterly basis rather than the current semi-annual schedule. Cambria has implemented this change in the sampling frequency and these three wells will now be sampled on a quarterly basis.

Work Plan Request

Information collected by Enviros, Inc. (Enviros) and reported in their August 12, 1996 *Off-Site Source Investigation* identified several previously unknown potential off-site source areas in the vicinity of this site. This report was forwarded to you by Cambria in late October, 1998.

A former Chevron Service Station was located at the intersection of 7th Street and Broadway, which is the same intersection in which Wells S-5 and S-6 are located. The Enviros report states that a gas station was operated at the location of the former Chevron from at least 1953 to 1967, and that it appears that no environmental investigation has been conducted for this site. *636 Broadway*

Another former service station was identified at the intersection of 7th Street and Franklin. Enviros' report states this station was a Flying A Service Station which operated from at least 1953 through 1960 and that it appears that no environmental investigation has been conducted for this site. *629 Franklin St., Oak.*

*See letter
from Chevron
dated 2-23-99*

Oakland, CA
Sonoma, CA
Portland, OR
Seattle, WA

Cambria
Environmental
Technology, Inc.

270 Perkins Street
P.O. Box 259
Sonoma, CA 95476
Tel (707)935-4850
Fax (707)935-6649

CAMBRIA

On-site Wells S-8, S-9, and S-10 have contained concentrations of Total Petroleum Hydrocarbons calculated as gasoline (TPH-G) ranging from 600 to 5,200 parts per billion (ppb), and benzene concentrations ranging from 4.8 to 1,800 ppb. No separate phase hydrocarbons have been detected on-site. Off-site Wells S-5 and S-6 have contained concentrations of TPH-G as high as 110,000 ppb, and benzene concentrations as high as 31,000 ppb. Well S-5 has consistently contained separate phase product. Shell's source area data does not suggest that the Shell site is the source of concentrations detected in Wells S-5 and S-6.

Because of the possibility that the former Chevron and/or former Flying A service stations may be responsible for or contributing to the petroleum hydrocarbons detected in Wells S-5 and S-6, we believe data from these two sites should be evaluated prior to any further investigation at the former Shell site.

If you have any questions regarding this letter, please call Joe Neely at 707-935-4854.

Sincerely,
Cambria Environmental Technology, Inc.



Diane M. Lundquist, P.E.
Principal Engineer
C46725



cc: Ms. Karen Petryna, Equiva Services LLC
Mr. Rory Campbell, Hanson, Bridgett, Marcus, Vlahos & Rudy (counsel for property owner)
R. Casteel & Co. P.O. Box 6839, Moraga, CA 94570, (property owner)
Mr. Leroy Griffin, City of Oakland Fire Department

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)

December 3, 1998

Ms. Karen Petryna, P.E.
Equilon Enterprises LLC
P.O. Box 6249
Carson CA 90749-6249
STID 4254

RE: Former Shell Station, 461-8th Street, Oakland, CA

Dear Ms. Petryna:

I have reviewed the semi-annual Monitoring Report – Third Quarter 1998, dated August 31, 1998 that was prepared by Cambria Environmental. Benzene concentrations increased from 14,000 to 26,000 ppb and 790 to 1,800 ppb in monitoring wells S-6 and S-8 respectively from the previous sampling event. Monitoring well S-5 has a history of containing separate phase hydrocarbons. Commencing the First Quarter 1999, sampling of monitoring wells S-5, S-6, and S-8 should be performed on a quarterly basis.

The extent of the groundwater plume at the above site has not been delineated. The groundwater sample taken from well S-6 in July 1998, the further downgradient well contained 26,000 ppb of benzene.

In accordance to Title 23, California Code of Regulations, Article 11, A Soil and Water Investigation must be implemented to define the extent of soil and groundwater contamination. This workplan must be prepared by a State of California-Registered Geologist, Certified Engineering Geologist, or Registered Civil Engineer. Please submit a soil and groundwater investigation workplan for the above site within 45 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: Leroy Griffin, City of Oakland Fire Department
Leah Goldberg, Hanson & Bridgett Law Firm, 333 Market Street, Suite 2300,
San Francisco, CA 94105

Files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



December 3, 1998

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

Mr. Phil Briggs
Chevron Products
6001 Bollinger Canyon Road
Building L, Room 1110
PO Box 6004
San Ramon, CA 94583-0904

RE: Former Chevron Station #3-7562, 7th & Broadway, Oakland, CA

Dear Mr. Briggs:

As you have requested in response to my letter dated December 1, 1998, enclosed is a copy of the most recent groundwater monitoring report for the Former Shell Station at 461 8th Street, Oakland, CA. Their off-site monitoring well nearest the former Chevron Station at 7th and Broadway is well S-6.

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

Sincerely,


Larry Seto
Sr. Hazardous Materials Specialist

Cc: Karen Petryna, Equilon Enterprises LLC, PO Box 6249, Carson, CA 90749-6249
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

December 1, 1998

Mr. Phil Briggs
Chevron Products
6001 Bollinger Canyon Road
Building L, Room 1110
PO Box 6004
San Ramon, CA 94583-0904

RE: Former Chevron Station #3-7562, 7th & Broadway, Oakland, CA

Dear Mr. Briggs:

Thank-you for your letter dated November 23, 1998 concerning the limited site history of the above site. As you mentioned in your letter, our telephone conversations was focus on MTBE that was discovered in a groundwater monitoring well (S-6) near your former site. A groundwater sample taken from monitoring well S-6 in July 1997 contained 1,900 ppb MTBE.

Monitoring well S-6 has been sampled since April 1987, and elevated levels of Total Purgeable Petroleum Hydrocarbons (TPPH) and benzene have been detected in every sampling event with concentrations up to 110,000 and 43,000 ppb respectively. The most recent groundwater sample from this well contained 74,000 ppb TPPH and 26,000 ppb of benzene.

It would be very helpful in our investigation if documentation for the tank removal, and subsequent sampling at the above site could be located. Is it possible that the records are stored in another file storage facility other than Dublin?

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

Sincerely,


Larry Seto
Sr. Hazardous Materials Specialist

Cc: Files

C A M B R I A

STUD 4254
LS

November 30, 1998

Mr. Tom Peacock
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, #250
Alameda, California 94502-6577

Re: **Status Letter - Fourth Quarter 1998**
Former Shell Service Station
461 8th Street
Oakland, California
WIC #204-5508-6205



Dear Mr. Peacock:

This letter is provided to describe recently completed activities performed at the above referenced site in accordance with reporting requirements of the California Administrative Code Title 23 Waters, Chapter 3, Subchapter 16, Article 5, Section 2652.d.

Current Quarter's Activities


This site is sampled semi-annually in the first and third quarters. The next sampling event is scheduled for the first quarter of 1999.

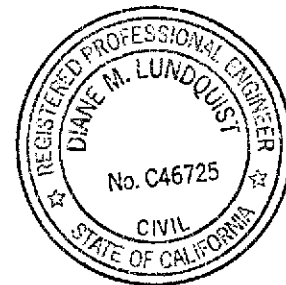
Proposed Activities

Ground water monitoring and sampling will continue on the proposed schedule. A report will be issued documenting the first quarter 1999 ground water sampling event.

If you have any questions, please call.

Sincerely,
Cambria Environmental Technology, Inc.


Diane M. Lundquist, P.E.
Principal Engineer
C46725



Oakland, CA
Sonoma, CA
Portland, OR
Seattle, WA

**Cambria
Environmental
Technology, Inc.**

270 Perkins Street
P.O. Box 259
Sonoma, CA 95476
Tel (707)935-4850
Fax (707)935-6649

cc: Mr. Karen Petryna, Equiva Services LLC
Mr. Rory Campbell, Hanson, Bridgett, Marcus, Vlahos & Rudy
R. Casteel & Co. P.O. Box 6839, Moraga, CA 94570

ENVIRONMENTAL
PROTECTION



Chevron

98 NOV 25 PM 3: 18

November 23, 1998

Chevron Products Company
6001 Bollinger Canyon Road
Building L, Room 1110
PO Box 6004
San Ramon, CA 94583-0904

Philip R. Briggs
Project Manager
Site Assessment & Remediation
Phone 925 842-9136
Fax 925 842-8370

Mr. Larry Seto
Alameda County Health Care Services
Department of Environmental Health
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

**Re: Former Chevron Service Station #3-7562
7th and Broadway
Oakland, California**

Dear Mr. Seto:

In response to your verbal request of today, to confirm the location of files for the above noted facility, we have not located any files on this site, here in our San Ramon office or in Chevron's file storage facility in Dublin.

We have a record of the site on our form, Agreement and Rental Advice, which we found, with respect to this station. This form is one page (enclosed) and notes that the station was abandoned effective November 30, 1966 and that it was a lessor owned facility. Upon termination of the lease, the lessee (Chevron) gave the lessor a bill of sale for the buildings on the site.

In our previous conversations you had stated that MtBE was being detected in the area where Chevron's former facility was located and there was some concern that this constituent could have been migrating from our former site. It is my understanding that Chevron did not start to introduce MtBE into gasoline until 1990-91 and since this station was abandoned in 1966, it is Chevron's position that any MtBE detected in the surrounding area would not be from Chevron's previous operations.

November 23, 1998
Mr. Larry Seto
Former Chevron Service Station #3-7562
Page 2

If you have any questions please call me at (925) 842-9136.

Sincerely,
CHEVRON PRODUCTS COMPANY

A handwritten signature in cursive script, appearing to read "Philip R. Briggs".

Philip R. Briggs
Site Assessment and Remediation Project Manager

Enclosure

cc: Ms. Bette Owen, Chevron

AGREEMENT AND RENTAL ADVICE (LEASES TO COMPANY)

Cancelled

STATION NO. 3-7562-L
 DATE 3-13-67
 S-949 NO. SF-468
 REGION/DIST./ZONE SF E-3
 C. T. Z. NO. 19-SF
 BULK PLANT Oakland
 COUNTY Alameda 01108
 DATE OF 1st DELIVERY _____
 DATE STATION OPENED _____

REASON FOR CHANGE *

- | | | |
|--------------------------------------------|--------------------------------------------------------|--------------------------------------------|
| <input type="checkbox"/> NEW STATION | <input type="checkbox"/> MODIFICATION | <input type="checkbox"/> CHANGE OF ADDRESS |
| <input type="checkbox"/> LEASE RENEWAL | <input type="checkbox"/> CLOSED TEMP. | <input type="checkbox"/> CHANGE OF LESSOR |
| <input type="checkbox"/> TERMINATION | <input type="checkbox"/> LEASE OP. EXERCISED | <input type="checkbox"/> DIRECTIONAL SIGN |
| <input type="checkbox"/> SUPERSEDING LEASE | <input checked="" type="checkbox"/> Abandonment | |

TYPE OF OPERATION

- CD CO-OP CONS. PARTY 3

LEASE

LEASE: DATED 6-6-57 PERIOD 15 YEARS FROM 11-1-57 TO 10-31-82
 OPTIONS: NO None PERIOD _____ YEARS _____ RENTAL _____ DAYS NOTICE _____

STATION LOCATION SE COR., STREETS 7th & Broadway CITY Oakland STATE Calif.
 LESSOR: NAME Jackson P. Hildreth & Azelea M. Hildreth, his wife
 ADDRESS 12 Marlborough Court, Piedmont 11, California

RENTAL: PAYEE (1) J.P. Hildreth (Hildreth Loan Acct.)
 (2) Central & Southern Pacific R.R. Employee's Mutual Benefit Assoc.
ADDRESS (1) 2832 Giant Rd., San Pablo, California
 (2) 65 Market Street, Attn: Mr. R.W. Mumray, San Francisco, Calif.
EFFECTIVE DATE: 1-1-65 pay on 1st & 20th of mo.
PAYMENT: Combined Max. rental \$1,300/mo.

MONTHLY FLAT RENT: \$650/mo. Pay to #2 above
MONTHLY GALLONAGE: 1.5¢/gallon in excess of 40,000 gals/mo. Pay to #1 above
ANNUAL FLAT RENT: _____
ANNUAL GALLONAGE: _____
GROSS RECEIPTS: 11-1-72 min. rental changes to \$700/mo. & max. to \$1,400/mo.

INTERIM RENT: _____
TAXES PAID BY COMPANY: Co. on its facilities. Lessor on land

PURCHASE OPTION: Prior right - 60 day action

CANCELLATION: BY COMPANY: None DAYS NOTICE _____ PENALTY _____
 BY LESSOR: None DAYS NOTICE _____ PENALTY _____

OTHER PROVISIONS: Upon termination of lease, lessee gives lessor bill of sale for buildings on site. Lessee retains title to all other facilities.
Station taken by BARTD. Abandoned effective 11-30-66.
Cancel station number and remove from rental records.

APPROVED
 RETAIL SALESMAN
E. R. SCUTTLE
 BY uor



5710 4754
ENVIRONMENTAL PROTECTION
98 JUN -4 PM 1:58
CS

May 31, 1998

Mr. Tom Peacock
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, #250
Alameda, California 94502-6577

Re: **Status Letter - Second Quarter 1998**
Former Shell Service Station
461 8th Street
Oakland, California
WIC #204-5508-6205

Dear Mr. Peacock:

This letter is provided to describe recently completed activities performed at the above referenced Shell Oil Products Company site in accordance with reporting requirements of the California Administrative Code Title 23 Waters, Chapter 3, Subchapter 16, Article 5, Section 2652.d.

Current Quarter's Activities

This site is sampled semi-annually in the first and third quarters. The next sampling event is scheduled for the third quarter of 1998.


Proposed Activities

Ground water monitoring and sampling will continue on the proposed schedule. A report will be issued documenting the third quarter 1998 ground water sampling event.

CAMBRIA
ENVIRONMENTAL
TECHNOLOGY, INC.
1144 65TH STREET,
SUITE B
OAKLAND,
CA 94608

If you have any questions, please call.

Sincerely,
Cambria Environmental Technology, Inc..


Diane M. Lundquist, P.E.
Senior Engineer
C46725

X194



PH: (510) 420-0700
FAX: (510) 420-9170

cc: Mr. Alex Perez, Shell Oil Products Company
Mr. Rory Campbell, Hanson, Bridgett, Marcus, Vlahos & Rudy
Mr. Sheldon E. Crandall



ST 04254
JE

ENVIRONMENTAL
PROTECTION
97 DEC -4 PM 3:15

November 30, 1997

Mr. Tom Peacock
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, #250
Alameda, California 94502-6577

Re: **Status Letter - Fourth Quarter 1997**
Former Shell Service Station
461 8th Street
Oakland, California
WIC #204-5508-6205

Dear Mr. Peacock:

This letter is provided to describe recently completed activities performed at the above referenced Shell Oil Products Company site in accordance with reporting requirements of the California Administrative Code Title 23 Waters, Chapter 3, Subchapter 16, Article 5, Section 2652.d.

Current Quarter's Activities

This site is sampled semi-annually in the first and third quarters. The next sampling event is scheduled for the first quarter of 1998.


Proposed Activities

Ground water monitoring and sampling will continue on the proposed schedule. A report will be issued documenting the first quarter 1998 ground water sampling event.

CAMBRIA
ENVIRONMENTAL
TECHNOLOGY, INC.
270 PERKINS STREET,
P.O. BOX 259
SONOMA,
CA 95476

If you have any questions, please call.

Sincerely,
Cambria Environmental Technology, Inc..


Diane M. Lundquist, P.E.
Senior Engineer
C46725



PH: (707) 935-4850
FAX: (707) 935-6649

cc: Mr. Alex Perez, Shell Oil Products Company
Mr. Rory Campbell, Hanson, Bridgett, Marcus, Vlahos & Rudy
Mr. Sheldon E. Crandall

ENVIRONMENTAL PROTECTION

97 JUN 27 PM 3: 20

June 25, 1997

Ms. Jennifer Eberle
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, #250
Alameda, California 94502

Re: Implementation of Non-Purge Sampling Methodology

Dear Ms. Eberle:

We intend to apply non-purge sampling methodology at the sites listed below beginning in the third quarter of 1997. The application of non-purge sampling methodology at these sites is consistent with the San Francisco Bay Regional Water Quality Control Board's January 31, 1997 letter regarding "Utilization of Non-Purge Approach for Sampling of Monitoring Wells Impacted by Petroleum Hydrocarbons, BTEX, and MTBE".

Former Shell Service Station
2703 Martin Luther King, Oakland, California
WIC #204-5508-1701

Former Shell Service Station
461 Eighth Street, Oakland, California
WIC #204-5508-6205

Specifically, these sites satisfy each of the following conditions outlined in the SFRWQCB letter.

- Ground water at these sites has only been impacted by Petroleum Hydrocarbons, BTEX, and MTBE.
- The monitoring wells at these sites have been installed in unconfined aquifers.
- The monitoring wells at these sites have been properly permitted, constructed, and developed.
- The monitoring wells are not in use for ground water or soil vapor extraction.
- The monitoring wells from which ground water samples are collected do not have free product.

8th ST
MLK

35
Kia
FP

enviros®

- The monitoring wells have already been routinely purged in previous sampling events and therefore do not require an initial duplicate non-purged and purged sample. We recognize that new monitoring wells installed at these sites will require an initial duplicate non-purged and purged sample.

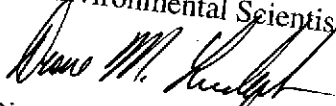
If you have any questions regarding the contents of this letter, please call.

Sincerely,

Enviros, Inc.



John Werfal
Sr. Environmental Scientist



Diane M. Lundquist, P.E.
Senior Engineer
C46725



cc: Mr. Alex Perez, Shell Oil Products Company
SFRWQCB

Attachment

SFRWQCB's January 31, 1997 Non-Purge Letter

Shell Oil Products Company



P O Box 4023
Concord CA 94524

East Bay Retail Marketing District

1390 Willow Pass Road
Suite 900
Concord CA 94520
(510) 675-6100

February 13, 1997

Hanson, Bridgett, Marcus, Vlahos & Rudy
Attn: Leah S. Goldberg
333 Market St., Suite 2300
San Francisco, California 94105-2173

Re: Former Shell Service Station
461 8th Street
Oakland, California

Dear Ms. Goldberg:

I am writing to you in response to your letter dated February 10, 1997.

In your letter you state that I reported incorrect information to you. I am assuming that you are referencing our telephone conversation on January 22, 1997. If this is correct, then I wish to clear up whatever concerns you may have.

First, I called you as a courtesy since I had met with the regulator, Jennifer Eberle, on January 21, 1997. Secondly, I did not tell you that "the County would contact Chevron in writing in an attempt to bring them in on the petroleum contamination problem". What I told you was that Shell had performed a minor Phase I on the site and had discovered that a former Chevron station was located "catty-corner" and that Ms. Eberle had agreed to ask them for information concerning their site.

Shell is planning to pump out the Liquid Phase Hydrocarbons on a quarterly basis and sample the wells.

My replacement will be Mr. Alejandro (Alex) E. Perez and his phone and address will be the same as mine.

Please call me if you have any questions or concerns at (510) 675-6168.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Jeff Granberry". The signature is written in a cursive style with a large, sweeping flourish at the end.

R. Jeff Granberry
Environmental Engineer

cc: Ms. Jennifer Eberle, Alameda County Health Care Services Agency

Project Summary

Former Shell Service Station
461 Eighth Street
Oakland, California
WIC 204-5508-6205

Site Description

Property: Former service station, presently occupied by a parking lot

Equipment: None

Number of wells: Three on-site wells, three off-site wells

Ground Water: Depth to water approximately 22 feet below grade. Flow direction is to the south/southeast

Site History/Status

Seven wells previously installed due to gasoline reported in BART tube. Four of the seven wells destroyed. Three additional wells installed on-site in 1994.

Soil Contamination: 760 ppm identified in former UST backfill. Low levels in capillary fringe in other wells on-site

Ground Water contamination: S-5 has consistently had free product ranging from 0.01 to 1.13 feet in thickness. Well S-6 has had benzene concentrations ranging from 1184 to 43,000 ppb. On-site wells have no free product and current benzene concentrations ranging from 8.2 to 680 ppb.

Remedial Action: Quarterly purging of wells S-5 and S-6

Regulatory Contacts: Jennifer Eberle, Alameda County Health Care Services Agency

Recent Activities

Field: None

Remediation: Quarterly purging performed in Wells S-5 and S-6.

Reporting: Fourth quarter QMR issued 11-29-96. Documents provided in response to ACHCSA letter dated 11-4-96.

Regulatory: Per 11-4-96 ACHCSA letter, documents provided, quarterly well purging reinstated, sampling frequency reduced to semi-annual.

Upcoming Activities

Continued quarterly purging of S-5 and S-6, and semi-annual ground water monitoring and sampling.

ENVIRONMENTAL
PROTECTION

96 DEC 20 PM 4:26

enviros®

Transmittal

Date: December 16, 1996

To: Ms. Jennifer Eberle
Alameda County Health Care Services Agency

From: Diane Lundquist

RE: Former Shell Service Station
461 8th Street
Oakland, California

Comments:

Enclosed is the aerial photo of the above referenced site. This photo was obtained from Pacific Aerial Surveys in Oakland California. The photo ID is AV-1377-05-24, dated July 19, 1977.

If you have any questions, please call me at (707) 935-4852.

cc: Mr. R. Jeff Granberry, Shell Oil Products Company

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



DAVID J. KEARS, Agency Director

November 4, 1996
STID 4254
page 1 of 3

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

Wells Fargo Bank
PO Box 63939
San Francisco CA 94163
ATTN: Steve Schulman

Shell Oil Co.
PO Box 4023
Concord CA 94524
ATTN: Jeff Granberry

RE: Former Shell Station, 461-8th St., Oakland CA 94607

Dear Mr. Schulman and Mr. Granberry,

Since my last letter to you, dated 10/6/94, the following documents have been received in this office:

- 1) "Quarterly Monitoring Report--Third Quarter 1994," prepared by enviros, dated 10/4/94;
- 2) 12/14/94 letter from enviros, regarding the installation of three new onsite wells;
- 3) "Quarterly Monitoring Report--Fourth Quarter 1994," prepared by enviros, dated 1/5/95;
- 4) "Site Investigation Report and Quarterly Monitoring Report--First Quarter 1995," prepared by enviros, dated 2/14/95;
- 5) Transmittal from enviros, dated 2/28/95, regarding the corrected boring log S-10;
- 6) Facsimile from enviros, dated 3/8/95, regarding the non-hazardous waste data form for disposal of cuttings;
- 7) "Quarterly Monitoring Report--Second Quarter 1995," prepared by enviros, dated 6/2/95;
- 8) letter from enviros, dated 9/26/95, regarding loss of samples and scheduling for resampling;
- 9) "Quarterly Monitoring Report--Third and Fourth Quarter 1995," prepared by enviros, dated 11/13/95;

November 4, 1996
STID 4254
page 2 of 3
Wells Fargo Bank
Shell Oil Co.

- 10) "Quarterly Monitoring Report--First Quarter 1996," prepared by enviros, dated 3/5/96;
- 11) "Quarterly Monitoring Report--Second Quarter 1996," prepared by enviros, dated 5/27/96; and
- 12) "Quarterly Monitoring Report--Third Quarter 1996," prepared by enviros, dated 8/30/96.

While sorting through this file, two documents were located. First, a document dated 1/9/89 was located. This document is stamped "Gettler-Ryan Inc." and refers to "an attached chronological list of events of all actions taken regarding the gasoline that was leaking into the BART tube from 1/10/79 to 12/3/81." The chronological list was not attached to the document. I have enclosed a copy of the first two pages of the 1/9/89 Gettler-Ryan document for your reference. The 1/9/89 documents also refers to a recovery system removal report dated 6/26/86, prepared by Emcon Associates. Second, the 6/30/93 GeoStrategies "Phase I Preliminary Site Assessment" report refers to aerial photos from 1971 and 1975-1979, which show a gasoline service station on the subject site (see page 6-7). **You are requested to look through your files and contact your past contractors if necessary, and submit these documents and original aerial photos within 30 days, or by December 4, 1996.**

The free product in well S5 has increased to 0.90' (7/11/96) from 0' (10/4/95), since an absorbent sock was installed. This issue was discussed with Diane Lundquist of enviros today. The absorbent sock does not appear to be effective in removing free product; it is usually used for wells with a sheen. **Therefore, you are requested to reinstitute the quarterly pumpout of well S5, and to include well S6.** Well S6 is the most downgradient well, and exhibited significant concentrations of TPH-g and BTEX. Pumpout of this well would serve to control the downgradient edge of the groundwater plume.

The groundwater concentrations appear to be fairly consistent, and this site has been sampled/monitored quarterly since at least 1989. Therefore, **the frequency of well sampling may be reduced from quarterly to semi-annually (twice per year)**, performed in the first and third quarters. This issue was also discussed with Diane Lundquist of enviros today. Reports may be submitted twice per year. **If there is a significant change in free product, please notify me asap.**

November 4, 1996
STID 4254
page 3 of 3
Wells Fargo Bank
Shell Oil Co.

If you have any questions, please contact me at 510-567-6761.

Sincerely,



Jennifer Eberle
Hazardous Materials Specialist

cc: Diane Lundquist, Enviros, Inc., PO Box 259, Sonoma CA 95476-0259 (with attachment)
Rory J. Campbell, Hanson, Bridgett, Marcus, Vlahos and Rudy, 333 Market St., Suite
2300, San Francisco CA 94105-2173
Jennifer Eberle/file (with attachment)

je 4254-C
enclosure

SHELL OIL COMPANY
7th/BROADWAY
OAKLAND

FILE
44607

1/9/89

BRIEF HISTORY

- On January 10, 1979, BART notified Shell that gasoline was leaking into an underground BART tube near the intersection of 7th and Broadway in Oakland.
- See the attached chronological list of events of all actions taken regarding the gasoline that was leaking into the BART tube from January 10, 1979 to December 3, 1981.
- Groundwater recovery system installed in October of 1982.
- The discharge permit was revoked in March of 1983 because the gasoline concentrations of the effluent water exceeded the discharge requirements.
- A recovery system removal report dated June 26, 1986, was prepared by Emcon Associates.
- Due to the presence of separate phase product in well 5, (approximately 0.5 feet), pumped well (which is adjacent to an active BART tube) continuously with a vacuum truck to remove the product on October 31, 1987.
- Met with BART personnel regarding the presence of separate phase product in well 5 on November 9, 1987. Inspected the KE line of the BART tube for the presence of gasoline seepage and/or gasoline vapors. No evidence of gasoline seepage observed.

WORK COMPLETED THIS PERIOD

- The groundwater monitoring wells were sampled on October 26, 1988. A copy of the groundwater sampling report and analytical results is attached.

GROUNDWATER MONITORING

FREQUENCY: WEEKLY

- **INITIAL:** Seven (7) groundwater monitoring wells (1 through 7) and one recovery well (MW). Groundwater at 17 feet to 18 feet below grade. No separate phase product in any of the wells.
- **HISTORICAL:** Six groundwater monitoring wells (1 through 6) and one recovery well (MW). Well 7 destroyed during freeway construction. Groundwater fluctuated from 17 feet to 21 feet below grade. Separate phase product in well 5 ranging from film to 0.6 feet. No separate phase product in any of the other wells.
- **CURRENT:** Three groundwater monitoring wells (4 through 6) and one recovery well (MW). Wells 1 through 3 are inaccessible. Groundwater is encountered at depths of 14 to 21 feet below grade. A product sheen has been observed in well S-5.

**SHELL OIL COMPANY
7th/BROADWAY
OAKLAND**

1/9/89

- PRODUCT

RECOVERED: Approximately 50 gallons of separate phase product was pumped from well 5 in October of 1987.

GROUNDWATER SAMPLING

FREQUENCY: QUARTERLY

- **HISTORICAL:** Groundwater monitoring wells 2, 5, and 6 were sampled on April 16, 1988. Gasoline concentrations ranged from 47.0 ppm to 130.0 ppm. Benzene concentrations ranged from 8.2 ppm to 16.0 ppm. See attached table summarizing the results.
- **CURRENT:** Groundwater samples collected on October 26, 1988 contained benzene concentrations ranging from 0.0038 ppm to 29 ppm.

PROPOSED ACTION:

- Prepare a work plan to define the extent of soil and groundwater contamination at the site. The work plan will be prepared under the direction of a registered professional.
- Perform field work upon receipt of all necessary permits.
- Continue quarterly groundwater sampling.
- Periodically make contact with BART personnel to assure there are no gasoline vapors in the KE line of the BART tube.

September 26, 1995

95 SEP 29 PM 1: 14

Ms. Jennifer Eberle
Alameda County Health Care Services Agency
1131 Harbor Bay Pkwy., 2nd Floor
Alameda, California 94502-6577

RE: Former Shell Service Station
461 Eighth Street
Oakland, California
WIC 204-5508-6205

Dear Ms. Eberle:

On behalf of Shell Oil Products Company, Enviro's is issuing this letter to advise you of a delay in issuance of the third quarter monitoring report for the above-referenced site.

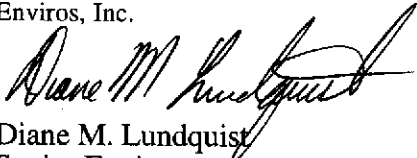
We have been notified by National Environmental Testing (NET), the laboratory to whom the third quarter groundwater samples were submitted for analysis, that due to equipment malfunction, data for several of the samples was lost, and the samples could not be re-run because holding times had expired.

The site has been scheduled for resampling. It is anticipated that resampling can be completed and the third quarter report submitted by November 1, 1995.

We apologize for the delay in this report. If you have any concerns regarding the delay, please call (707) 935-4852.

Sincerely,

Enviro's, Inc.



Diane M. Lundquist
Senior Engineer

cc: Mr. Lynn Walker, Shell Oil Products Company

enviros.

Facsimile

Date: 3/8/95

To: Jennifer Eberle

From: Diane Lundquist

RE: 461-8th St Soil Disposal

Attached is the non-hazardous waste date form documenting disposal of cuttings from this site. Please call if you have any questions or comments.

2 page(s) including cover

Enviros, Inc.

270 Perkins Street
Post Office Box 259

Sonoma
California 95475

Tel 707 / 935-4850
Fax 707 / 935-6649

03-08-1995 02:23PM

FROM MANLEY&SONS

TO

17079356649 P.02

ALTA ENVIRONMENTAL SERVICES, INC.
6426 HAY ROAD • VACAVILLE, CA 95687
(800) 794-2768

NO 13288

NON-HAZARDOUS WASTE MANIFEST

1. Generator's US EPA ID No.
NOT APPLICABLE

Manifest Document No.

2. Page 1 of

Authorizer No.

3. Generator's Name and Mailing Address
SHELL OIL COMPANY - SHARON BLANTON
P.O. BOX 4848 ANAHEIM, CA 92803

MANLEY & SONS TRUCKING, INC
01597

4. Generator's Phone () (714) 520-3312

5. Transporter 1 Company Name
MANLEY & SONS TRUCKING, INC.

6. US EPA ID Number
NOT APPLICABLE

7. Transporter 2 Company Name

8. US EPA ID Number
NOT APPLICABLE

9. Designated Facility Name and Site Address
**B & J LANDFILL
6426 HAY ROAD
VACAVILLE, CA 95687**

10. US EPA ID Number
NOT APPLICABLE

A. Transporter's Phone (916) 381-6864

B. Transporter's Phone

C. Facility's Phone (707) 451-3276

TRK # M-25

11. Waste Shipping Name and Description	12. Containers		13. Total Quantity	14. Unit W/Vol
	No.	Type		
a. PETROLEUM CONTAMINATED SOIL	001	DT	4	Y
b.				
c.				
d.				

D. Additional Descriptions for Materials Listed Above
**GENERATING FACILITY
461 8TH STREET & BROADWAY
OAKLAND, CA. WIC# 204-5508-6205**

E. Handling Codes for Wastes Listed Above
03

15. Special Handling Instructions and Additional Information
**USE APPROPRIATE SAFETY GEAR. USE STANDARD SAFETY PRECAUTIONS.
IN CASE OF EMERGENCY, CONTACT (800) 794-2768.**

16. GENERATOR'S CERTIFICATION: I certify the materials described above on this manifest are not subject to federal regulations for reporting proper disposal of Hazardous Waste.

Printed/Typed Name: **FOR SHELL Tim Manley** Signature: *Tim Manley* Month: **12** Day: **19** Year: **95**

17. Transporter 1 Acknowledgement of Receipt of Materials
Printed/Typed Name: **Chris Hosmann** Signature: *Chris Hosmann* Month: **12** Day: **01** Year: **1995**

18. Transporter 2 Acknowledgement of Receipt of Materials
Printed/Typed Name: Signature: Month: Day: Year:

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of waste materials covered by this manifest except as noted in Item 19.

Printed/Typed Name: **MARY BORDEN** Signature: *Mary Borden* Month: **01** Day: **19** Year: **95**

GENERATOR
TRANSPORTER
FACILITY

December 14, 1994

Ms. Jennifer Eberle
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway
Alameda, California 94502-6577

RE: Former Shell Service Station
461 Eighth Street
Oakland, California
WIC 204-5508-6205

Dear Ms. Eberle:

Confirming our December 12, 1994 phone conversation, three onsite groundwater monitoring wells were installed on December 7 and 8, 1994. The three new wells will be sampled in December. The three existing offsite wells, which would normally be sampled in January, 1995 as part of the quarterly sampling program, will be sampled along with the new wells. Since the three existing wells will be sampled in December, this sampling event will be substituted for the upcoming January, 1995 quarterly sampling event. Subsequent quarterly sampling will continue on the current schedule beginning in April, 1995, and will include all six wells.

A report documenting well installation and groundwater sampling will be issued upon receipt of chemical analysis.

If you have any questions, please call.

Sincerely,

Enviros, Inc. by,



Diane M. Lundquist, P.E.
Senior Engineer

cc: Mr. Lynn Walker, Shell Oil Company
Mr. Francis Thie, Blaine Technical Services

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



October 6, 1994
STID 4254

Wells Fargo Bank
PO Box 63939
San Francisco CA 94163
ATTN: Steve Schulman

Shell Oil Co.
PO Box 5278
Concord CA 94520-9998
ATTN: Lynn Walker

RE: Former Shell Station, 461-8th St., Oakland CA 94607

Dear Mr. Schulman and Mr. Walker,

I am in receipt of the 10/4/94 Quarterly Monitoring Report and the 10/3/94 Work Plan, both prepared by enviros. As you probably know, the Work Plan involves the drilling of three onsite groundwater monitoring wells. This workplan is acceptable for implementation, on the condition that soils will be sampled and analyzed from the capillary fringe in each boring.

Please notify me at least 2 business days in advance of field activities, so that I may be present if possible. If you have any questions, please contact me at 510-567-6700, ext 6761. This is our new permanent phone number; our new fax number is 510-337-9335. Feel free to submit reports on double-sided paper in order to save precious trees. You need not copy the RWQCB any longer.

Sincerely,

Jennifer Eberle
Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney's Office
Diane Lundquist, Enviros, Inc., 19411 riverside Dr., PO Box
259, Sonoma CA 95476-0259
Ed Howell/file

je 4254-B

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Program
80 Swan Way, Rm. 200
Oakland, CA 94621
(415)

white -env.health
 yellow -facility
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

80 Swan Way, #200
 Oakland, CA 94621
 (415) 271-4320

Hazardous Materials Inspection Form

II, III

Site ID # _____ Site Name former Shell Today's Date 7/7/94

Site Address 469 - 8th St.

City Oakland Zip 94607 Phone _____

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

Inspection Categories:

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks

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

10:10 arrived onsite.
 Comments:
 Met Jeff Peterson of Enviro
 They got refusal at 10-19' bgs. * They have not hit gw yet, so they'll have to reschedule to get gw samples. The only PID reading (38 ppm) was in the former AST area at ~10' bgs. They did 5 of the primary borings yesterday. There are no soil cuttings generated from this process (Geoprobe).

10:35 left site

* The refusal was due to a hard, dry indurated sand.

II.A BUSINESS PLANS (Title 19)

- 1. Immediate Reporting 2703
- 2. Bus. Plan Stds. 25503(b)
- 3. RR Cars > 30 days 25503.7
- 4. Inventory Information 25504(a)
- 5. Inventory Complete 2730
- 6. Emergency Response 25504(b)
- 7. Training 25504(c)
- 8. Deficiency 25505(a)
- 9. Modification 25505(b)

II.B ACUTELY HAZ. MATLS

- 10. Registration Form Filed 25533(a)
- 11. Form Complete 25533(b)
- 12. RMPP Contents 25534(c)
- 13. Implement Sch. Req'd? (Y/N) _____
- 14. OffSite Conseq. Assess. 25524(c)
- 15. Probable Risk Assessment 25534(d)
- 16. Persons Responsible 25534(g)
- 17. Certification 25534(f)
- 18. Exemption Request? (Y/N) 25536(b)
- 19. Trade Secret Requested? 25538

III. UNDERGROUND TANKS (Title 23)

- General**
- 1. Permit Application 25284 (H&S)
- 2. Pipeline Leak Detection 25292 (H&S)
- 3. Records Maintenance 2712
- 4. Release Report 2651
- 5. Closure Plans 2670
- 6. Method (38)
- 1) Monthly Test
- 2) Daily Vadose Semi-annual groundwater One time soils
- 3) Daily Vadose One time soils Annual tank test
- 4) Monthly Gndwater One time soils
- 5) Daily Inventory Annual tank testing Cont pipe leak det Vadose/gndwater mon.
- 6) Daily Inventory Annual tank testing Cont pipe leak det
- 7) Weekly Tank Gauge Annual tank testing
- 8) Annual Tank Testing Daily Inventory
- 9) Other _____
- 7. Precis Tank Test Date: _____ 2643
- 8. Inventory Rec. 2644
- 9. Soil Testing 2646
- 10. Ground Water. 2647
- New Tanks**
- 11. Monitor Plan 2632
- 12. Access. Secure 2634
- 13. Plans Submit Date: _____ 2711
- 14. As Built Date: _____ 2635

Rev 8/88

II, III

Contact: _____

Title: _____ Inspector: _____

Signature: Jeffrey J. Lister Signature: J. Gherke

HAZMAT

Shell Oil Company



96 JUL -7 PM 5:04

P. O. Box 5278
Concord, CA 94520-9998
(510) 675-6165

July 1, 1994

Mr. Steven F. Schulman
Asset Manager
Wells Fargo Bank
P.O. Box 63939
San Francisco, CA 94163

Re: Right of Entry Agreement - 461 8th Street, Oakland, CA

Dear Mr. Schulman:

Please find enclosed a fully executed copy of the above referenced document. I have initialed the document as requested. I would like to take this opportunity to thank you for your cooperation in this matter and look forward to working with you on this project.

Please contact me at (510) 675-6169 if you have any questions or concerns.

Very truly yours,

A handwritten signature in cursive script, appearing to read "D. Lynn Walker".

D. Lynn Walker
Environmental Engineer

Enclosure

cc: Rory J. Campbell, Hanson Bridgett, Marcus, Vlahos & Rudy w/o enclosure
Diane Lundquist, Enviros, Inc.
Jennifer Eberle, Alameda County Health Services w/o enclosure

Shell Oil Company



P. O. Box 5278
Concord, CA 94520-9998
(510) 675-6165

June 17, 1994

Mr. Steven F. Schulman
Asset Manager
Wells Fargo Bank
P.O. Box 63939
San Francisco, CA 94163

Re: Right of Entry Agreement - 461 8th Street, Oakland, CA

Dear Mr. Schulman:

Please find enclosed the executed copy of the above referenced document. Please execute the document and return a copy to me for Shell's records. At this point, I do not have any definite dates to place in Exhibit A for work commencement and end dates as we have been waiting on finalization of this Agreement prior to scheduling the work. However, I will call you when I have definite dates established and we can fill them in on our respective copies at that time. In any case, I do not expect the work to last more than 2-3 days maximum.

Please return a fully executed copy of the Agreement to me as soon as possible at which time I will schedule the work and advise you of the details of that schedule. Please contact me at (510) 675-6169 if you have any questions or concerns.

Very truly yours,

A handwritten signature in cursive script, appearing to read "D. Lynn Walker".

D. Lynn Walker
Environmental Engineer

Enclosure

cc: Rory J. Campbell, Hanson Bridgett, Marcus, Vlahos & Rudy w/o enclosure
Diane Lundquist, Enviros, Inc.
Jennifer Eberle, Alameda County Health Services w/o enclosure

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

June 6, 1994
STID 4254

Wells Fargo Bank
PO Box 63939
San Francisco CA 94163
ATTN: Steve Schulman

Shell Oil Co.
PO Box 5278
Concord CA 94520-9998
ATTN: Lynn Walker

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

RE: Former Shell Station, 461-8th St., Oakland CA 94607

Dear Mr. Schulman and Mr. Walker,

I am in receipt of a letter from Lynn Walker, dated 6/2/94. This letter summarizes the site history as reflected in Shell's records. I am also in receipt of a letter from Mr. Walker to Mr. Schulman, dated 4/25/94, regarding the disputed right of entry agreement. Attached to this letter is a copy of the agreement with Mr. Walker's suggested revisions.

I have had several conversations with Mr. Walker regarding the status of the 11/2/93 "Workplan for Soil and Groundwater Sampling," by enviros. It is my understanding that the right of entry issue has not been settled due to disputed insurance requirements.

In the meantime, free product continues to be detected in at least one well (S-5), located offsite and downgradient. Well S-5 has contained free product on and off since 1989. It is possible that well S-5 is located inside a larger plume of groundwater contamination. In order to determine the source of this problem, the onsite soil and groundwater investigation proposed by Shell must be implemented.

Title 23 of the California Code of Regulations (CCR), Division 3, Chapter 16, Articles 5 and 11 mandate site characterization (Sect. 2652, 2654, 2724, 2725), quarterly reporting (Sect. 2652), and abatement actions (Sec. 2653, 2655, 2722).

Therefore, you are required to come to an agreement to implement the workplan herein mentioned within 30 days, or by July 6, 1994. This means that the field work must be completed by July 6, 1994. A report documenting field activities and laboratory findings must be submitted to this office within 45 days of completion of field activities, or by August 21, 1994.

June 6, 1994
STID 4254
ATTN: Steve Schulman
ATTN: Lynn Walker
page 2 of 2

Please be advised that "no person shall close an underground tank system unless that person . . . demonstrates to the appropriate agency . . . that the site has been investigated to determine if there are any present, or were past releases, and if so, that appropriate corrective or remedial actions have been taken," as per Section 25298 (c) (4) of the California Health & Safety Code, (CH&SC) Division 20, Chapter 6.7. Further, "any operator of an underground tank system shall be liable for a civil penalty of not less than five hundred dollars (\$500) or more than five thousand dollars (\$5,000) for each underground storage tank for each day of violation for. . . failure to properly close an underground tank system," as per Section 25299 (a) (5) of CH&SC, Division 20, Chapter 6.7.

As per the Policies and Procedures for Investigation and Cleanup and Abatement of Discharges under Water Code Section 13304, dated June 1992, from the State Water Resources Control Board Resolution No. 92-49, "the Regional Water Board has the authority to require uncooperative landowners and tenants of property affected by the discharge to cooperate or, if necessary, to participate in investigation, cleanup, and abatement."

Please notify me at least 3 business days in advance of field activities, so that I may be present if possible.

Sincerely,



Jennifer Eberle
Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney's Office
Diane Lundquist, Enviros, Inc., 19411 riverside Dr., PO Box
259, Sonoma CA 95476-0259
Ed Howell/file

je 4254-A



Shell Oil Company

P. O. Box 5278
Concord, CA 94520-9998
(510) 675-6165

FAX TRANSMITTAL

DATE: 6/2/94

TO: Jennifer Eberle
Alameda County Health Agency

FAX#: (510) 569-4757

TEL#: (510) 271-4530

FROM: D. LYNN WALKER, ENVIRONMENTAL ENGINEER - WESTERN REGION

FAX#: (510) 675-6172 TEL#: (510) 675-6169 SSN#: 676-6169

SUBJECT: 461 8th Street, Oakland

3 Number of pages including cover sheet

COMMENTS: Jennifer:

The attached represents the latest information I have on
the status of this site.

Thanks,

Lj

Please call (510) 675-6165 if you did not receive all pages.

Shell Oil Company



P. O. Box 5278
Concord, CA 94520-9998
(510) 675-6165

VIA FACSIMILE & REGULAR MAIL

June 2, 1994

Ms. Jennifer Eberle
Hazardous Materials Specialist
Alameda County Health Agency
Division of Hazardous Materials
Department of Environmental Health
80 Swan Way, Room 350
Oakland, California 94621

Re: 461 8th Street, Oakland, CA

Dear Ms. Eberle:

Per your request, I have had available Shell records researched as to Shell's relationship to the subject site. The following summarizes the site history as reflected in Shell's records:

- John W. Havens, Jr. Trust, c/o Trust Real Estate Dept., Wells Fargo Bank, was the property owner. *when?*
- American Oil Company (Amoco) leased the property from at least January 1965 through April 1972. Amoco operated a service station at the site during this time period.
- Amoco assigned its lease to Shell effective April 1972.
- Shell leased the property from April 1972 through May 1980.
- A Shell capital asset transfer & retirement record dated May 1980 stated USTs "junked", i.e., removed along with other improvements.

In response to your phone message of June 1, 1994, I contacted Wells Fargo Bank today and inquired as to the current status of the Right of Entry negotiation. I was informed by Mr. Steven Schulman that a decision on Shell's suggested revisions to the agreement was forthcoming shortly. Mr. Schulman stated that he planned to meet with his attorney today regarding the agreement.

I hope the above information meets your needs. Please feel free to contact me at (510) 675-6169 if you have any questions or require further assistance regarding this matter.

Very truly yours,



D. Lynn Walker
Environmental Engineer

ALCO
HAZMAT

Shell Oil Company



94 JUN -3 PM 2:52

P. O. Box 5278
Concord, CA 94520-9998
(510) 675-6165

VIA FACSIMILE & REGULAR MAIL

June 2, 1994

Ms. Jennifer Eberle
Hazardous Materials Specialist
Alameda County Health Agency
Division of Hazardous Materials
Department of Environmental Health
80 Swan Way, Room 350
Oakland, California 94621

Re: 461 8th Street, Oakland, CA

Dear Ms. Eberle:

Per your request, I have had available Shell records researched as to Shell's relationship to the subject site. The following summarizes the site history as reflected in Shell's records:

- John W. Havens, Jr. Trust, c/o Trust Real Estate Dept., Wells Fargo Bank, was the property owner.
- American Oil Company (Amoco) leased the property from at least January 1965 through April 1972. Amoco operated a service station at the site during this time period.
- Amoco assigned its lease to Shell effective April 1972.
- Shell leased the property from April 1972 through May 1980.
- A Shell capital asset transfer & retirement record dated May 1980 stated USTs "junked", i.e., removed along with other improvements.

In response to your phone message of June 1, 1994, I contacted Wells Fargo Bank today and inquired as to the current status of the Right of Entry negotiation. I was informed by Mr. Steven Schulman that a decision on Shell's suggested revisions to the agreement was forthcoming shortly. Mr. Schulman stated that he planned to meet with his attorney today regarding the agreement.

ALCO
HAZMAT

94 APR 26 AM 10:08

Shell Oil Company



P. O. Box 5278
Concord, CA 94520-9998
(510) 675-6165

April 25, 1994

Mr. Steven F. Schulman
Asset Manager
Wells Fargo Bank
P.O. Box 63939
San Francisco, CA 94163

Re: Right of Entry Agreement
461 8th Street
Oakland, CA

Dear Mr. Schulman:

Pursuant to our telephone conversation, I have enclosed a copy of the subject agreement with my suggested revisions in red ink.

As I indicated to you, the most disagreeable portion of the agreement is the requirement that all persons entering onto the property are to maintain certain insurance coverage. The required insurance coverage is well above industry standards. It would place an undue burden upon Shell's contractors to obtain this excessive coverage.

I have enclosed Certificates of Insurance for Enviros, Inc., Shell's consultant, and Environmental Control Associates, Shell's drilling contractor. I hope that I can persuade you to lower your insurance requirements to coverage that Shell's contractors currently have. I believe that this is a reasonable request since all parties concerned are to indemnify you.

Please let me know if you are agreeable to my suggested language modifications and insurance proposal. Thank you in advance for your anticipated cooperation in this matter.

Very truly yours,

A handwritten signature in cursive script, appearing to read "D. Lynn Walker".

D. Lynn Walker
Environmental Engineer

cc: Ms. Jennifer Eberle, Alameda County Health Care Services
Ms. Diane Lundquist, Enviros, Inc.

RIGHT OF ENTRY AGREEMENT

Right of Entry Permit for Investigation at 459-461 Eighth Street,
Oakland, California (APN 1-201-15) ("Premises")

This agreement between Shell Oil Company, a Delaware corporation duly authorized to do business in California ("Permittee") and Wells Fargo Bank as trustee of the Weston Havens Trust ("Permitter") is hereby entered into on December ____, 1993, with reference to the following terms and conditions.

RECITALS

- A. Permitter is the owner of the Premises.
- B. Permittee wishes to investigate whether there are any gasoline, petroleum or other liquids, solids, and/or vapors located on the Premises by undertaking a preliminary site assessment of the Premises in accordance with the work plan ("Work Plan") attached hereto as Exhibit "A".
- C. In taking this action, Permittee in no way admits or acknowledges liability for the presence of such gasoline or other liquids, solids, and/or vapors, nor does Permitter relinquish or waive any of Permitter's legal or equitable rights.
- D. It is intended that entry onto the Premises by Permittee, or any of its contractors, subcontractors, agents, employees, or invitees (collectively, "Permittee's Agents") and the performance of any activities by them on the Premises, shall be at no cost to Permitter or its lessees, licensees, assignees or agents, and all work shall be performed on the Premises by Permittee and/or Permittee's Agents. Further, that Permitter shall be fully held harmless and indemnified against any and all claims, liabilities and costs arising out of or in connection with Permittee's entry onto the Premises or performance of the Work Plan.

Therefore, the parties agree as follows:

AGREEMENT

Permitter hereby grants a revocable permit to Permittee to enter upon the Premises, subject to all licenses, easements, encumbrances and claims of title affecting the Premises and upon the following further terms and conditions.

1. Permittee shall not enter the premises and no work shall commence on the Premises until Permittee accepts this right of entry permit ("Permit" or "Agreement"). The doing of any

work under this Permit shall constitute acceptance of these Permit provisions.

2. This Permit is for Permittee's exclusive use and is not assignable. It is given to Permittee solely for the purposes of completing an environmental investigation on the dates specified in, and consistent with, the work plan attached hereto as Exhibit A ("Work Plan") and in full compliance with this Permit. The entry onto the Premises and any work or activity by Permittee or Permittee's Agents shall be referred to as "Work."
3. This Agreement is intended, and shall be construed to be only a temporary and revocable license to enter the Premises and conduct the Work as specified in the Work Plan; it is not a grant of an easement or any other interest in the Premises. This Permit shall lapse and terminate if the Work is not commenced on the date specified in the Work Plan, or by the date of any extension granted in writing by Permittor. ?
 S
 No date was specified by Work Plan. Could refer to Exhibit for this.
4. A copy of this Permit must be kept on the Premises and shown to any representative of the Permittor upon demand. Work may be suspended if this Permit is not at the job site.
5. The Work is to be performed in accordance with the Work Plan submitted to and accepted by Permittor and shall conform to all applicable laws and regulations. Acceptance of the Work Plan submitted by Permittor is solely for Permittor's benefit and purposes, and shall not constitute a warranty or insurance whatsoever that the plan conforms with applicable federal, state and/or local codes and regulations.
6. All costs related to Permittee's operations upon the Premises (including, without limit, the costs of any permits or other authorizations) shall be at Permittee's sole expense. All of the Work shall be performed in a good and workerlike manner satisfactory to Permittor and at such times and in such manner as not to interfere with the operations of Permittor or any tenant on the Premises. (unreasonably)
7. Permittee shall at all times keep Permittor's Premises in a neat and safe condition reasonably satisfactory to Permittor and any tenant of Permittor. If Permittee fails to do so, Permittor may immediately terminate this permit. Upon completion of each phase of the Work, Permittee shall cause any tools, equipment, or materials placed thereon to be removed and shall restore the Premises to its former condition to the maximum extent feasible.

8. Any open holes shall be satisfactorily covered at all times when Permittee's forces are not physically working in the actual vicinity. Upon completion of work, all excavations and holes not otherwise addressed in the Work Plan, must be filled in to surrounding ground level with clean structural fill, compacted to at least 97% maximum dry density under ASTM standard D1557, and resurfaced with the surfacing materials existing before the Work commenced.
9. It shall be Permittee's sole responsibility to determine the existence of any underground facilities and Permittee shall call Underground Service Alert at 1-800-642-2444 prior to beginning any Work on the Premises. Since there is the possibility of the existence of pipelines or other structures beneath the Premises, if Permittee should excavate or drill, then Permittee's forces shall explore such structures with hand tools to a depth of at least five feet (5') below the surface of the ground or, at Permittee's option, use suitable detection equipment prior to drilling or excavating with mechanized equipment. Absence of markers does not constitute a warranty by Permitter that there are no subsurface installations.
10. No hazardous materials shall be brought onto the Premises at any time, nor shall any hazardous waste be stored upon the Premises at any time without first identifying such waste and obtaining the prior written consent for such storage from the Permitter. In no event shall any such storage exceed the maximum period allowed by law; any storage shall strictly conform to all requirements of law and shall be removed by Permittee at the first opportunity.
11. Permittee shall furnish Permitter, without cost or charge, promptly upon its availability, a copy of all data developed or finalized by Permittee or Permittee's Agents from the studies or Work conducted upon the Premises.
12. With respect to the Work, Permittee shall fully pay for all materials comprising the Work, and shall pay in full all persons who perform labor on the Premises. If any mechanic's liens are recorded against the Premises, Permittee shall immediately cause the removal of all such mechanic's liens or claims against the Property and shall pay for all costs (including without limit any attorney's fees) of Permitter in interceding to protect its interests. Should Permittee fail, neglect or refuse so to do, Permitter, after forty-eight (48) hours prior notice to Permittee, shall have the right but not the obligation to pay any amount required to release any such liens, or to

defend any action brought, and to pay any judgment entered. Permittee shall be liable to Permitter for all costs, damages, reasonable attorneys' fees, and any amounts expended in defending any proceedings or in the payment of any of said liens or any judgment, together with interest at the maximum rate allowed by law. Permittee shall give Permitter at least ten (10) days' notice prior to entering upon, or otherwise commencing any work on, the Premises. Permitter may post and maintain upon the Premises notices of nonresponsibility as provided by law.

13. Permittee shall hold harmless, defend (with counsel reasonably satisfactory to Permitter) and indemnify Permitter, its tenants at the Premises, and each of them, the successors and assigns of any of them, all of their respective beneficiaries, officers, directors, employees, representatives and agents (all of the above hereinafter collectively known as "Indemnitees"), from and against all liabilities, costs (including reasonable attorney's fees), penalty, fine, action or proceeding for loss of or damage to property and for injuries to or death of any person (including, but not limited to, the Premises and employees of each party) when arising out of or resulting from the ~~entry upon or use of the Premises~~ by Permittee or Permittee's Agents or due to their breach of this Agreement. The duty of Permittee to indemnify and save harmless includes, without limit, the duties to defend as set forth in Section 2778 of the Civil Code. It is the express intent of the parties that Permittee will indemnify and hold harmless Indemnitees from any and all claims, suits or actions arising from any cause whatsoever as set forth above regardless of the existence or degree of fault or negligence on the part of Indemnitees other than the gross negligence, wilful misconduct or criminal acts of the Indemnitees. Permittee waives any and all rights to any type of express or implied indemnity against Indemnitees. This indemnity shall survive termination of this Agreement.

14. Permittee's Agents shall be subject to all the applicable terms of this Permit. Prior to entry upon the Right of Way by such agents, Permittee shall provide the Permitters with satisfactory evidence (e.g. by certified copy of the insurance policy, or, at Permitters' election, in the form of a Certificate of Insurance) that it and its contractors or other agents who will obtain access to the Premises pursuant to this Permit are insured in accordance with the following, which insurance shall remain in effect throughout the term of this Permit and shall be at the sole cost and expense of Permittee (or its agents). Upon evidence of financial

capacity satisfactory to Permittor, Permittee's obligation hereunder may be satisfied in whole or in part by adequately funded self-insurance.

15. Prior to the start of the Work or entry onto the Premises, Permittee agrees to procure and maintain, and to require Permittee's Agents, as applicable, to procure and maintain, at its or their sole cost and expense (and to prove to Permittor's reasonable satisfaction that it remains in effect throughout the Work), the kinds of insurance described below:

(a) Workers' Compensation and Employers' Liability Insurance.

Permittee shall secure the payment of Workers' Compensation Act coverage for its employees as required by the California Labor Code, or any other applicable law, any subsequent amendments or successor acts thereto governing the liability of employers to their employees. Permittee shall maintain Employer's Liability coverage with minimum limits of \$1,000,000.00.

Prior to the commencement of any work on the Premises, the Permittee shall furnish the Owner with the insurance policy or Certificate(s) of Insurance required hereunder. Permittee shall also satisfy Permittor that the Permittee's policy will not be cancelled or have coverage reduced without thirty (30) days' prior written notice to Permittors.

(b) Commercial General Liability Insurance.

Permittee shall, at its own cost and expense, also procure and maintain Commercial General Liability insurance which shall include as additional insureds the Indemnitees and their successors or assignees, as they now, or as they may hereafter be constituted, singly, jointly or severally.

Insurance shall provide bodily injury and property damage coverage with a combined single limit of at least \$2,000,000.00 each occurrence or claim and a general aggregate limit of at least \$3,000,000.00. This insurance shall include but not be limited to premises and operations; contractual liability covering the indemnity provisions contained in this Agreement; personal injury; explosion, collapse, and underground coverage, products and completed operations, and broad form property damage.

Prior to commencing work or entering onto the Premises, Permittee shall provide a Certificate(s) of Insurance to the Permitter evidencing such coverage, and upon request, a certified duplicate original of the applicable policy(ies). Said Certificate(s) and policy (ies) shall stipulate:

(1) The insurance company(ies) issuing such policy(ies) shall give written notice to Wells Fargo Bank, N.A., as Trustee for the Weston Havens Trust of any material alteration, or reduction in aggregate limits, if such limits apply, and provide at least thirty (30) days' notice of cancellation.

(2) That the policy(ies) is primary insurance and the insurance company(ies) providing such policy(ies) shall be liable thereunder for the full amount of any loss or claim which Permittee is liable for under this Section, up to and including the total limit of liability, without right of contribution from any other insurance effected or which may be effected by the Indemnitees.

(3) The policy shall also stipulate that inclusion of the Indemnitees as additional insureds shall not in any way affect its rights to bring or pursue any claim, demand, suit or judgment against the Permittee. Said policy shall protect Permittee and Indemnitees in the same manner as though a separate policy had been issued to each of them, but nothing in said policy shall operate to increase the insurance company's liability as set forth in its policy beyond the amount or amounts shown or to which the insurance company would have been liable if only one interest had been named as an insured.

Required:
Yes x No

(c) Automobile Liability Insurance.

Permittee shall, at its own cost and expense, procure and maintain Automobile Liability insurance providing bodily injury and property damage with a combined single limit of at least \$2,000,000.00 per occurrence for all owned, non-owned and hired automobiles. This insurance shall provide contractual liability covering all motor vehicles and mobile equipment to the extent coverage may be excluded from general liability insurance. Such insurance shall include as additional insureds the Indemnitees, and their successors or assignees, as they now or as they may hereafter be constituted, singly, jointly or severally.

Required:
Yes x No

(d) Environmental Impairment Liability Insurance.

The Permittee shall, at its own cost and expense, procure and maintain a professional liability policy covering the liability of the Permittee arising out of the pollution or impairment of the environment, including clean-up costs, caused by the performance of activity in connection with the Work or in the exercise of any right under this Permit. The Indemnitees shall be named as additional insureds with respect to such operations and Work, and the policy shall contain a waiver of subrogation against all additional insureds and their directors, employees and agents. Coverage may be by endorsement to the general liability and automobile policies or be a separate policy. Limits of liability will not be less than the limits required for General Liability Insurance above. The automobile coverage shall contain the MCS90 endorsement and the ISO pollution endorsement which includes coverage for loading and unloading. If coverage is by endorsement, the certificates of insurance submitted must clearly indicate that these coverages are combined.

In the event of disposal of hazardous materials, Permittee shall designate the disposal site, and must provide a copy of the permit for the disposal facility and a Certificate of Insurance from the disposal facility to the Permitter. Coverage must include Environmental Impairment Liability Insurance with limits of not less than \$3,000,000 per occurrence and \$6,000,000 annual aggregate, including sudden and accidental pollution coverage.

16. Permittee and Permittee's Agents shall comply, at their expense, with all applicable laws, regulations, rules and orders with respect to the use of the Premises, regardless of when they become or became effective, including, without limitation, those relating to construction, grading, signage, health, safety, noise, environmental protection, hazardous materials, waste disposal and water and air quality, and furnish satisfactory evidence of such compliance upon request of Permitter. Permittee shall also obtain, at Permittee's expense, any and all permits required for the Work.
17. Should any discharge, leakage, spillage, emission or pollution of any type occur upon or from the Premises due to Permittee's ~~use and occupancy thereof~~, Permittee, at Permittee's expense, shall clean the Premises to the satisfaction of Permitter and any governmental agency having jurisdiction.

performance of the Work as contemplated by this Agreement

18. Permittee shall pay all amounts due Permittor under this section within ten (10) business days after Permittor has submitted the same to Permittee for payment. Upon failure to do so, interest shall accrue on the delinquent amount at the maximum rate allowed by law.
19. Any person, firm or corporation Permittee authorizes to work upon the Premises shall be deemed to be Permittee's agent and shall be subject to all the applicable terms hereof.
20. Permittee is hereby required to give ten (10) days' advance notice of the date Permittee elects to enter upon the Premises. Said notice shall be by telephone to Peter O'Hare, Property Manager, at 415-986-3236 and then confirmed by letter to the undersigned at the above address.
21. If any provision of this Permit shall be for any reason unenforceable, in any respect, such unenforceability shall not affect the other provisions of this Permit.
22. If any legal proceeding should be instituted by either of the parties to enforce the terms of this Permit or to determine the rights of the parties under this Permit, the prevailing party in the proceeding shall receive, in addition to all court costs, reasonable attorneys' fees.
23. Permittee shall pay the costs for review of the permit application, design and construction plans, preparation of the permit and any inspection of construction, including but not limited to, expenses incurred by Permittor which costs Permittee agrees to pay upon demand.

— should be capped @ \$800.00
max.

21. Permittee agrees to advance \$400.00 to Permitter to compensate Permitter for its attorney's fees incurred in responding to Permittee's request for entry onto the Premises. Any unused advance will be promptly refunded to Permittee; any shortfall shall be paid by Permittee within ten (10) days after presentation of an accounting thereof.

AGREED TO AND ACCEPTED THIS

_____ day of _____, 1993

SHELL OIL COMPANY

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

WELLS FARGO BANK, N.A., as Trustee
of the Weston Havens Trust

By: _____

Its: _____

By: _____

Its: _____

EXHIBIT 'A'
TO
AGREEMENT FOR RIGHT OF ENTRY

1) Such Activities will include, and will be limited to:

a) Perform a visual site survey. If any of the proposed locations are in conflict with existing site structures, the locations, with prior written approval, will be adjusted in order to avoid damage to them.

b) Contact Underground Services Alert (USA) to provide location of recorded underground utilities.

c) Borings will be hand-probed to a depth of five feet in order to attempt to identify any unrecorded underground structures.

d) The drilling will be performed with a GeoProbe device. The approximate depth of each boring will be 25 feet below grade. The holes drilled by the GeoProbe will be less than 2 inches in diameter. After sampling, the borings will be backfilled with neat cement, and the pavement will be replaced. No permanent monitoring wells, structures or equipment will be left on-site after completion of the work.

2) Such activities shall commence on _____, 199~~3~~⁴, and end on _____, 199~~3~~⁴.

ACKNOWLEDGED AND AGREED:

WELLS FARGO BANK, N.A., AS TRUSTEE

BY: _____

ITS: **Steven S. Schulman**
Assistant Vice President

BY: _____

ITS:

SHELL OIL COMPANY

BY: _____

ITS: _____

ACORD. CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY)

4/23/93

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

PRODUCER

Pettit-Morry Co.
320 Pike Street
Seattle, WA 98101

206-447-0500

INSURED

Enviros, Inc.
Enviros 4, Inc.
19411 Riverside Drive
Sonoma
CA 95476

COMPANIES AFFORDING COVERAGE

COMPANY LETTER A	Twin City Fire Ins. Company
COMPANY LETTER B	Hartford Fire Ins. Company
COMPANY LETTER C	Hartford Casualty Ins. Co.
COMPANY LETTER D	Hartford Underwriters
COMPANY LETTER E	American Intl. Surplus (Group)

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
GENERAL LIABILITY					
A X	COMMERCIAL GENERAL LIABILITY CLAIMS MADE X OCCUR, OWNER'S & CONTRACTOR'S PROT.	52UUNJK9745	4/22/93	4/22/94	GENERAL AGGREGATE \$ 2000000 PRODUCTS-COMP/OP AGG. \$ 2000000 PERSONAL & ADV. INJURY \$ 1000000 EACH OCCURRENCE \$ 1000000 FIRE DAMAGE (Any one fire) \$ 300000 MED. EXPENSE (Any one person) \$ 10000
AUTOMOBILE LIABILITY					
B	ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS X HIRED AUTOS X NON-OWNED AUTOS GARAGE LIABILITY	52UUNJK9745	4/22/93	4/22/94	COMBINED SINGLE LIMIT \$ 1000000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE \$
EXCESS LIABILITY					
X	UMBRELLA FORM OTHER THAN UMBRELLA FORM	52RHUJMO128	4/22/93	4/22/94	EACH OCCURRENCE \$ 3000000 AGGREGATE 3000000
WORKER'S COMPENSATION					
D	AND EMPLOYERS' LIABILITY	52WECT7602 (CA)	4/22/93	4/22/94	STATUTORY LIMITS EACH ACCIDENT \$ 1000000 DISEASE-POLICY LIMIT \$ 1000000 DISEASE-EACH EMPLOYEE \$ 1000000
OTHER					
E	Pollution E & O	7707238	1/09/93	1/09/94	\$1000000 Each Claim \$1000000 All claims \$50000 Ded. Per Claim
DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS					

CERTIFICATE HOLDER

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 45 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Michael P. P. J. H.

217447000

CERTIFICATE OF INSURANCE

Producer:

NATIONAL ENVIRONMENTAL COVERAGE CORP.
400 K111 A BOULEVARD
SUFFERN, NEW YORK 10901

Issue Date: 3-25-94

This Certificate is issued as a matter of information only and confers no rights upon the Certificate Holder. This Certificate does not amend, extend or alter the coverage afforded by the policy below.

Insured:

ENVIRONMENTAL CONTROL ASSOCIATES
275 LEE ROAD
SUITE C
WATSONVILLE, CA 96078

COMPANY AFFORDING COVERAGE

AMERICAN SAFETY RISK RETENTION GROUP, INC.
1900 The Exchange, Suite 450
Atlanta, Georgia 30339

This is to certify that the policy of insurance listed below has been issued to the insured named above for the policy period indicated. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this Certificate may be issued, or may pertain, the insurance afforded by the policy described herein is subject to all the terms, exclusions and conditions of such policy. Limits shown may have been reduced by paid claims.

TYPE OF INSURANCE	POLICY NUMBER	EFFECTIVE DATE	EXPIRATION DATE	LIMITS
Commercial General Liability - Claims Made	ASR04-02247-1	08/02/93	08/02/94	General Aggregate \$1,000,000 Products Comp/Op Aggregate . \$1,000,000 Personal & Adv. Injury \$1,000,000 Each Occurrence \$1,000,000 Fire Damage (any one fire) . . \$ 50,000 Med. Expense (any one person) \$ 5,000
Professional Liability - Endorsement ASR 011 10 92	Included			

Description of Operations/Locations/Special Items:

This Certificate is not a policy, and is issued for information purposes only. This Certificate confers no rights on the Certificate Holder, and does not amend, extend or alter the terms, conditions or exclusions contained in the policy referenced above. The recipient of this Certificate has the obligation to verify coverages for the Named Insured and any Additional Insureds and the terms, conditions and exclusions in the policy referenced above.

Certificate Holder:

Cancellation:

Should the above described policy be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice (ten (10) days if cancelled for non-payment of premium) to the certificate holder named to be left. But failure to mail such notice shall impose no obligation or liability of any kind upon the company its agents or representatives.

Signature:

William J. Hansen

Authorized Representative

CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY)

03/25/94

PRODUCER

HANSEN INSURANCE AGENCY
 P.O. BOX 203
 WATSONVILLE, CA. 95077

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

COMPANIES AFFORDING COVERAGE

- COMPANY LETTER **A** Superior National
- COMPANY LETTER **B**
- COMPANY LETTER **C**
- COMPANY LETTER **D**
- COMPANY LETTER **E**

INSURED

ENVIRONMENTAL CONTROL ASSO
TIMOTHY TYLER DBA:
 2/5 LRR ROAD, STE C
 WATSONVILLE, CA. 95076

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT. CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IN EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTP	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
	GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE REPAIR <input type="checkbox"/> OWNER'S & CONTRACTOR'S PROT.				GENERAL AGGREGATE \$ PRODUCTS-COMP/OP AGGL \$ PERSONAL & ADV. INJURY \$ EACH OCCURRENCE \$ FIRE DAMAGE (Any one fire) \$ MED. EXPENSE (Any one person) \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS <input type="checkbox"/> GARAGE LIABILITY				COMBINED SINGLE LIMIT \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE \$
	EXCESS LIABILITY <input type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM				EACH OCCURRENCE \$ AGGREGATE \$
A	WORKER'S COMPENSATION AND EMPLOYERS' LIABILITY	WCN27350B	03/20/94	03/20/95	<input checked="" type="checkbox"/> STATUTORY LIMITS EACH ACCIDENT \$ 1,000,000 DISEASE-POLICY LIMIT \$ 1,000,000 DISEASE-EACH EMPLOYEE \$ 1,000,000
	OTHER				

DESCRIPTION OF OPERATIONS/LOCATIONS/RISKS/SPECIAL ITEMS
LIMITS AT POLICY INCEPTION

GENERAL EXCLUSIONS

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BY EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

ACORD 25 (1/79)

ACORD CORPORATION

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

April 5, 1994
STID 4254

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

Attn: Steve Schulman
Wells Fargo Bank TREO
PO Box 63939
San Francisco CA 94163

Attn: Lyn Walker
Shell Oil Co.
PO Box 5278
Concord CA 94520-9998

RE: former Shell station, 461-8th St., Oakland CA 94607

Dear Mr. Schulman and Mr. Walker,

We are in receipt of the 11/2/93 Work Plan, prepared by enviros, for the above referenced site. As you know, this workplan involves the installation of several soil borings to determine the presence of onsite soil and groundwater contamination. This workplan is acceptable on the following conditions:

- 1) Not one, but two borings will be located in the former fuel UST area.
- 2) Since it is likely that any gasoline contamination would be weathered, TPH-diesel will be added to the sampling matrix.
- 3) At least 2 soil samples will be analyzed per boring.

These conditions were discussed and agreed to between myself and Diane Lundquist of enviros today.

Please note that with the exception of closure reports, routine reports and documents no longer need to be copied to the Regional Water Quality Control Board. Kindly submit a cover letter with your consultant's reports. If you have any questions, please contact me at 510-271-4530. Please notify me at least 2 business days in advance of field activities so that I may arrange to be onsite.

Sincerely,

Jennifer Eberle
Hazardous Materials Specialist

cc: Diane Lundquist, Enviros, Inc., 19411 Riverside Dr., PO Box
259, Sonoma CA 95476-0259
Ed Howell/file (je)

ALCO
HAZMAT
94 MAR 29 PM 2:21

Shell Oil Company



P. O. Box 5278
Concord, CA 94520-9998
(510) 675-6165

Writer's Direct Line:
(510) 675-6169

March 23, 1994

Ms. Jennifer Eberlee
Alameda County Health Agency
80 Swan Way, Rm 350
Oakland, CA 94621

Re: 461 Eighth Street, Oakland, CA

Dear Ms. Eberlee:

Per our telephone conversation of this date, please find enclosed a copy of Shell's Right of Entry Agreement and Wells Fargo Bank's last amended version of same. Shell's agreement is the three page document while Wells Fargo's is the ten page document.

As discussed, I will check with our legal department as to the current status of the negotiation.

Very truly yours,

A handwritten signature in cursive script, appearing to read "D. Lynn Walker".

D. Lynn Walker
Environmental Engineer

Enclosures

AGREEMENT FOR RIGHT OF ENTRY

STATE OF CALIFORNIA

COUNTY OF ALAMEDA

THIS AGREEMENT is entered by and between SHELL OIL COMPANY, a Delaware corporation duly authorized to do business in the State of California, hereinafter referred to as "SHELL", and Weston Havens Trust, c/o Pacific Property Asset Management hereinafter referred to as "OWNER".

WHEREAS:

- A. OWNER is the owner of certain real property located at ~~459/461~~ **Eight Street**, Oakland, California (APN 1-201-15), described in Exhibit "A" attached hereto and by reference made a part hereof (hereinafter referred to as "the Property");
- B. There may be present on or under the Property gasoline and other liquids, solids and/or vapors which SHELL is desirous of investigating by undertaking to perform a site assessment of the Property, and possible recovery or cleanup of the Property ("Activities"). Such Activities may include the drilling of an investigation well or wells, and/or other investigation or cleanup of the Property;
- C. In taking this action, SHELL in no way admits or acknowledges liability for the presence of such gasoline or other liquids, solids and/or vapors, nor does OWNER waive any of OWNER's legal rights.
- D. The performance of the Activities will be at no cost or expense to OWNER or OWNER's lessees, licensees, assignees or agents, and it is recognized that all work will be performed by SHELL or SHELL's agents;
- E. It will be necessary for SHELL personnel, or persons performing under contract for SHELL, to enter upon the Property for the purpose of conducting said Activities; and

F. It is the desire and intention of SHELL and OWNER to make this mutual agreement with respect to such Activities.

NOW, THEREFORE, for and in consideration of the foregoing and the sum of ONE and NO/100 dollar (\$1.00) paid to OWNER by SHELL and the agreements herein stated:

1. OWNER, and any lessees, licensees or agents of the OWNER, grant to SHELL, its contractors, subcontractors, and their employees and agents, a temporary license to enter upon the Property for the purposes necessary for the performance of the Activities described herein, and the right to perform all acts necessary in connection therewith. Such license to enter shall continue in force until said Activities are completed to the satisfaction of SHELL and any applicable governmental agencies.
2. OWNER and any lessees, licensees or agents of OWNER agree not to prohibit, interfere with or obstruct such entry of Activities upon the Property, and not to cause or permit same to be done by others. Entry to the Property shall be limited to Saturdays or Sundays unless otherwise agreed upon by OWNER or tenant of OWNER and SHELL.
3. OWNER covenants that the temporary license to enter hereby granted SHELL is binding upon both itself and any present or future lessees or occupants of the Property and the OWNER will make any grant of rights to such lessees or occupants subject to SHELL's license to enter.
4. SHELL agrees that such entry upon the Property shall be limited to the extent necessary for the performance of the Activities undertaken by SHELL for the purposes expressed herein.
5. Upon completion of each of the Activities upon the Property, SHELL will cause any tools, equipment, or materials placed thereon to be removed and will exercise due diligence to restore the said Property to its former condition.
6. This agreement is intended and shall be construed only as a temporary license to enter and conduct the Activities upon the Property and not as a grant of easement or any other interest in the Property.
7. SHELL agrees to indemnify and defend OWNER, its lessees, licensees, or agents, from any and all claims for injury or damage arising out of or attributable to SHELL's performance of the Activities upon the Property.
8. This agreement shall be binding upon the parties hereto and their respective successors, representatives, heirs and assigns.

IN WITNESS HEREOF, SHELL and OWNER have executed two (2) original copies of the Agreement on the dates specified immediately adjacent to their respective signatures.

EXECUTED ON

_____, 19__

Attest _____

SHELL OIL COMPANY

By: _____

Title: _____

EXECUTED ON

_____, 19__

Attest _____

OWNER

By: _____

Title: _____

RIGHT OF ENTRY AGREEMENT

Right of Entry Permit for Investigation at 459-461 Eighth Street, Oakland, California (APN 1-201-15) ("Premises")

This agreement between Shell Oil Company, a Delaware corporation duly authorized to do business in California ("Permittee") and Wells Fargo Bank as trustee of the Weston Havens Trust ("Permitter") is hereby entered into on December ____, 1993, with reference to the following terms and conditions.

RECITALS

- A. Permitter is the owner of the Premises.
- B. Permittee wishes to investigate whether there are any gasoline, petroleum or other liquids, solids, and/or vapors located on the Premises by undertaking a preliminary site assessment of the Premises in accordance with the work plan ("Work Plan") attached hereto as Exhibit "A".
- C. In taking this action, Permittee in no way admits or acknowledges liability for the presence of such gasoline or other liquids, solids, and/or vapors, nor does Permitter relinquish or waive any of Permitter's legal or equitable rights.
- D. It is intended that entry onto the Premises by Permittee, or any of its contractors, subcontractors, agents, employees, or invitees (collectively, "Permittee's Agents") and the performance of any activities by them on the Premises, shall be at no cost to Permitter or its lessees, licensees, assignees or agents, and all work shall be performed on the Premises by Permittee and/or Permittee's Agents. Further, that Permitter shall be fully held harmless and indemnified against any and all claims, liabilities and costs arising out of or in connection with Permittee's entry onto the Premises or performance of the Work Plan.

Therefore, the parties agree as follows:

AGREEMENT

Permitter hereby grants a revocable permit to Permittee to enter upon the Premises, subject to all licenses, easements, encumbrances and claims of title affecting the Premises and upon the following further terms and conditions.

1. Permittee shall not enter the premises and no work shall commence on the Premises until Permittee accepts this right of entry permit ("Permit" or "Agreement"). The doing of any

work under this Permit shall constitute acceptance of these Permit provisions.

2. This Permit is for Permittee's exclusive use and is not assignable. It is given to Permittee solely for the purposes of completing an environmental investigation on the dates specified in, and consistent with, the work plan attached hereto as Exhibit A ("Work Plan") and in full compliance with this Permit. The entry onto the Premises and any work or activity by Permittee or Permittee's Agents shall be referred to as "Work."
3. This Agreement is intended, and shall be construed to be only a temporary and revocable license to enter the Premises and conduct the Work as specified in the Work Plan; it is not a grant of an easement or any other interest in the Premises. This Permit shall lapse and terminate if the Work is not commenced on the date specified in the Work Plan, or by the date of any extension granted in writing by Permittor.
4. A copy of this Permit must be kept on the Premises and shown to any representative of the Permittor upon demand. Work may be suspended if this Permit is not at the job site.
5. The Work is to be performed in accordance with the Work Plan submitted to and accepted by Permittor and shall conform to all applicable laws and regulations. Acceptance of the Work Plan submitted by Permittor is solely for Permittor's benefit and purposes, and shall not constitute a warranty or insurance whatsoever that the plan conforms with applicable federal, state and/or local codes and regulations.
6. All costs related to Permittee's operations upon the Premises (including, without limit, the costs of any permits or other authorizations) shall be at Permittee's sole expense. All of the Work shall be performed in a good and workerlike manner satisfactory to Permittor and at such times and in such manner as not to interfere with the operations of Permittor or any tenant on the Premises.
7. Permittee shall at all times keep Permittor's Premises in a neat and safe condition reasonably satisfactory to Permittor and any tenant of Permittor. If Permittee fails to do so, Permittor may immediately terminate this permit. Upon completion of each phase of the Work, Permittee shall cause any tools, equipment, or materials placed thereon to be removed and shall restore the Premises to its former condition to the maximum extent feasible.

8. Any open holes shall be satisfactorily covered at all times when Permittee's forces are not physically working in the actual vicinity. Upon completion of work, all excavations and holes not otherwise addressed in the Work Plan, must be filled in to surrounding ground level with clean structural fill, compacted to at least 97% maximum dry density under ASTM standard D1557, and resurfaced with the surfacing materials existing before the Work commenced.
9. It shall be Permittee's sole responsibility to determine the existence of any underground facilities and Permittee shall call Underground Service Alert at 1-800-642-2444 prior to beginning any Work on the Premises. Since there is the possibility of the existence of pipelines or other structures beneath the Premises, if Permittee should excavate or drill, then Permittee's forces shall explore such structures with hand tools to a depth of at least five feet (5') below the surface of the ground or, at Permittee's option, use suitable detection equipment prior to drilling or excavating with mechanized equipment. Absence of markers does not constitute a warranty by Permitter that there are no subsurface installations.
10. No hazardous materials shall be brought onto the Premises at any time, nor shall any hazardous waste be stored upon the Premises at any time without first identifying such waste and obtaining the prior written consent for such storage from the Permitter. In no event shall any such storage exceed the maximum period allowed by law; any storage shall strictly conform to all requirements of law and shall be removed by Permittee at the first opportunity.
11. Permittee shall furnish Permitter, without cost or charge, promptly upon its availability, a copy of all data developed or finalized by Permittee or Permittee's Agents from the studies or Work conducted upon the Premises.
12. With respect to the Work, Permittee shall fully pay for all materials comprising the Work, and shall pay in full all persons who perform labor on the Premises. If any mechanic's liens are recorded against the Premises, Permittee shall immediately cause the removal of all such mechanic's liens or claims against the Property and shall pay for all costs (including without limit any attorney's fees) of Permitter in interceding to protect its interests. Should Permittee fail, neglect or refuse so to do, Permitter, after forty-eight (48) hours prior notice to Permittee, shall have the right but not the obligation to pay any amount required to release any such liens, or to

defend any action brought, and to pay any judgment entered. Permittee shall be liable to Permitter for all costs, damages, reasonable attorneys' fees, and any amounts expended in defending any proceedings or in the payment of any of said liens or any judgment, together with interest at the maximum rate allowed by law. Permittee shall give Permitter at least ten (10) days' notice prior to entering upon, or otherwise commencing any work on, the Premises. Permitter may post and maintain upon the Premises notices of nonresponsibility as provided by law.

13. Permittee shall hold harmless, defend (with counsel reasonably satisfactory to Permitter) and indemnify Permitter, its tenants at the Premises, and each of them, the successors and assigns of any of them, all of their respective beneficiaries, officers, directors, employees, representatives and agents (all of the above hereinafter collectively known as "Indemnitees"), from and against all liabilities, costs (including reasonable attorney's fees), penalty, fine, action or proceeding for loss of or damage to property and for injuries to or death of any person (including, but not limited to, the Premises and employees of each party) when arising out of or resulting from the entry upon or use of the Premises by Permittee or Permittee's Agents or due to their breach of this Agreement. The duty of Permittee to indemnify and save harmless includes, without limit, the duties to defend as set forth in Section 2778 of the Civil Code. It is the express intent of the parties that Permittee will indemnify and hold harmless Indemnitees from any and all claims, suits or actions arising from any cause whatsoever as set forth above regardless of the existence or degree of fault or negligence on the part of Indemnitees other than the gross negligence, wilful misconduct or criminal acts of the Indemnitees. Permittee waives any and all rights to any type of express or implied indemnity against Indemnitees. This indemnity shall survive termination of this Agreement.
14. Permittee's Agents shall be subject to all the applicable terms of this Permit. Prior to entry upon the Right of Way by such agents, Permittee shall provide the Permitters with satisfactory evidence (e.g. by certified copy of the insurance policy, or, at Permitters' election, in the form of a Certificate of Insurance) that it and its contractors or other agents who will obtain access to the Premises pursuant to this Permit are insured in accordance with the following, which insurance shall remain in effect throughout the term of this Permit and shall be at the sole cost and expense of Permittee (or its agents). Upon evidence of financial

capacity satisfactory to Permittor, Permittee's obligation hereunder may be satisfied in whole or in part by adequately funded self-insurance.

15. Prior to the start of the Work or entry onto the Premises, Permittee agrees to procure and maintain, and to require Permittee's Agents, as applicable, to procure and maintain, at its or their sole cost and expense (and to prove to Permittor's reasonable satisfaction that it remains in effect throughout the Work), the kinds of insurance described below:

(a) Workers' Compensation and Employers' Liability Insurance.

Permittee shall secure the payment of Workers' Compensation Act coverage for its employees as required by the California Labor Code, or any other applicable law, any subsequent amendments or successor acts thereto governing the liability of employers to their employees. Permittee shall maintain Employer's Liability coverage with minimum limits of \$1,000,000.00.

Prior to the commencement of any work on the Premises, the Permittee shall furnish the Owner with the insurance policy or Certificate(s) of Insurance required hereunder. Permittee shall also satisfy Permittor that the Permittee's policy will not be cancelled or have coverage reduced without thirty (30) days' prior written notice to Permittors.

(b) Commercial General Liability Insurance.

Permittee shall, at its own cost and expense, also procure and maintain Commercial General Liability insurance which shall include as additional insureds the Indemnitees and their successors or assignees, as they now, or as they may hereafter be constituted, singly, jointly or severally.

Insurance shall provide bodily injury and property damage coverage with a combined single limit of at least ~~\$2,000,000.00~~ each occurrence or claim and a general aggregate limit of at least \$3,000,000.00. This insurance shall include but not be limited to premises and operations; contractual liability covering the indemnity provisions contained in this Agreement; personal injury; explosion, collapse, and underground coverage, products and completed operations, and broad form property damage.

Prior to commencing work or entering onto the Premises, Permittee shall provide a Certificate(s) of Insurance to the Permitter evidencing such coverage, and upon request, a certified duplicate original of the applicable policy(ies). Said Certificate(s) and policy (ies) shall stipulate:

(1) The insurance company(ies) issuing such policy(ies) shall give written notice to Wells Fargo Bank, N.A., as Trustee for the Weston Havens Trust of any material alteration, or reduction in aggregate limits, if such limits apply, and provide at least thirty (30) days' notice of cancellation.

(2) That the policy(ies) is primary insurance and the insurance company(ies) providing such policy(ies) shall be liable thereunder for the full amount of any loss or claim which Permittee is liable for under this Section, up to and including the total limit of liability, without right of contribution from any other insurance effected or which may be effected by the Indemnitees.

(3) The policy shall also stipulate that inclusion of the Indemnitees as additional insureds shall not in any way affect its rights to bring or pursue any claim, demand, suit or judgment against the Permittee. Said policy shall protect Permittee and Indemnitees in the same manner as though a separate policy had been issued to each of them, but nothing in said policy shall operate to increase the insurance company's liability as set forth in its policy beyond the amount or amounts shown or to which the insurance company would have been liable if only one interest had been named as an insured.

Required:
Yes x No

(c) Automobile Liability Insurance.

Permittee shall, at its own cost and expense, procure and maintain Automobile Liability insurance providing bodily injury and property damage with a combined single limit of at least \$2,000,000.00 per occurrence for all owned, non-owned and hired automobiles. This insurance shall provide contractual liability covering all motor vehicles and mobile equipment to the extent coverage may be excluded from general liability insurance. Such insurance shall include as additional insureds the Indemnitees, and their successors or assignees, as they now or as they may hereafter be constituted, singly, jointly or severally.

Required:
Yes x No

(d) Environmental Impairment Liability Insurance.

The Permittee shall, at its own cost and expense, procure and maintain a professional liability policy covering the liability of the Permittee arising out of the pollution or impairment of the environment, including clean-up costs, caused by the performance of activity in connection with the Work or in the exercise of any right under this Permit. The Indemnitees shall be named as additional insureds with respect to such operations and Work, and the policy shall contain a waiver of subrogation against all additional insureds and their directors, employees and agents. Coverage may be by endorsement to the general liability and automobile policies or be a separate policy. Limits of liability will not be less than the limits required for General Liability Insurance above. The automobile coverage shall contain the MCS90 endorsement and the ISO pollution endorsement which includes coverage for loading and unloading. If coverage is by endorsement, the certificates of insurance submitted must clearly indicate that these coverages are combined.

In the event of disposal of hazardous materials, Permittee shall designate the disposal site, and must provide a copy of the permit for the disposal facility and a Certificate of Insurance from the disposal facility to the Permitter. Coverage must include Environmental Impairment Liability Insurance with limits of not less than \$3,000,000 per occurrence and \$6,000,000 annual aggregate, including sudden and accidental pollution coverage.

16. Permittee and Permittee's Agents shall comply, at their expense, with all applicable laws, regulations, rules and orders with respect to the use of the Premises, regardless of when they become or became effective, including, without limitation, those relating to construction, grading, signage, health, safety, noise, environmental protection, hazardous materials, waste disposal and water and air quality, and furnish satisfactory evidence of such compliance upon request of Permitter. Permittee shall also obtain, at Permittee's expense, any and all permits required for the Work.
17. Should any discharge, leakage, spillage, emission or pollution of any type occur upon or from the Premises due to Permittee's use and occupancy thereof, Permittee, at Permittee's expense, shall clean the Premises to the satisfaction of Permitter and any governmental agency having jurisdiction.

18. Permittee shall pay all amounts due Permittor under this section within ten (10) business days after Permittor has submitted the same to Permittee for payment. Upon failure to do so, interest shall accrue on the delinquent amount at the maximum rate allowed by law.
19. Any person, firm or corporation Permittee authorizes to work upon the Premises shall be deemed to be Permittee's agent and shall be subject to all the applicable terms hereof.
20. Permittee is hereby required to give ten (10) days' advance notice of the date Permittee elects to enter upon the Premises. Said notice shall be by telephone to Peter O'Hare, Property Manager, at 415-986-3236 and then confirmed by letter to the undersigned at the above address.
21. If any provision of this Permit shall be for any reason unenforceable, in any respect, such unenforceability shall not affect the other provisions of this Permit.
22. If any legal proceeding should be instituted by either of the parties to enforce the terms of this Permit or to determine the rights of the parties under this Permit, the prevailing party in the proceeding shall receive, in addition to all court costs, reasonable attorneys' fees.
23. Permittee shall pay the costs for review of the permit application, design and construction plans, preparation of the permit and any inspection of construction, including but not limited to, expenses incurred by Permittor which costs Permittee agrees to pay upon demand.

21. Permittee agrees to advance \$400.00 to Permitter to compensate Permitter for its attorney's fees incurred in responding to Permittee's request for entry onto the Premises. Any unused advance will be promptly refunded to Permittee; any shortfall shall be paid by Permittee within ten (10) days after presentation of an accounting thereof.

AGREED TO AND ACCEPTED THIS

_____ day of _____, 1993

SHELL OIL COMPANY

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

**WELLS FARGO BANK, N.A., as Trustee
of the Weston Havens Trust**

By: _____

Its: _____

By: _____

Its: _____

EXHIBIT 'A'
TO
AGREEMENT FOR RIGHT OF ENTRY

1) Such Activities will include, and will be limited to:

a) Perform a visual site survey. If any of the proposed locations are in conflict with existing site structures, the locations, with prior written approval, will be adjusted in order to avoid damage to them.

b) Contact Underground Services Alert (USA) to provide location of recorded underground utilities.

c) Borings will be hand-probed to a depth of five feet in order to attempt to identify any unrecorded underground structures.

d) The drilling will be performed with a GeoProbe device. The approximate depth of each boring will be 25 feet below grade. The holes drilled by the GeoProbe will be less than 2 inches in diameter. After sampling, the borings will be backfilled with neat cement, and the pavement will be replaced. No permanent monitoring wells, structures or equipment will be left on-site after completion of the work.

2) Such activities shall commence on _____, 1993, and end on _____, 1993.

ACKNOWLEDGED AND AGREED:

WELLS FARGO BANK, N.A., AS TRUSTEE

BY: _____

ITS: Steven S. Schulman
Assistant Vice President

BY: _____

ITS:

SHELL OIL COMPANY

BY: _____

ITS: _____

October 4, 1993

93 OCT -7 AM 8:22

Mr. Peter O'Hara
Pacific Property Asset Management Company
244 California, Suite 500
San Francisco, California 94111

RE: ***Right-of-Entry Agreement***
461 Eighth Street
Oakland, California

Dear Mr. O'Hara:

As we discussed in our conversation this morning, Enviros, Inc. has been retained by Shell Oil Company as the environmental consultant on the subject property. Contact information for Enviros is as follows:

Enviros, Inc.
P.O. Box 259
Sonoma, California 95476-0259
Phone: (707) 935-4850
Fax: (707) 935-4855
Attention: Diane Lundquist

Enviros will be conducting the on-site investigation previously discussed with you by GeoStrategies, Inc. This work is scheduled for Saturday and Sunday, October 23-24, 1993, pending receipt of the executed right-of-entry agreement.

As you mentioned, this agreement is currently with the Well Fargo Trust Officer, awaiting his approval. The equipment required for the investigation will be available only during a limited window of time, therefore it is important to complete the work on the scheduled dates. Please let me know if there is any information or assistance we can provide to expedite approval of this agreement.

Sincerely,

Enviros, Inc.



Diane M. Lundquist
Senior Engineer

cc: Mr. Lynn Walker, Shell Oil Company
Ms. Jennifer Eberlee, Alameda County Health Care Services Agency

675-6169



GeoStrategies Inc.

93 SEP 23 PM 3: 04

September 22, 1993

Mr. Peter O'Hara
Pacific Property Asset Management Company
244 California Street, Suite 500
San Francisco, California 94111

Re: Right-of-Entry Agreement
461 Eighth Street
Oakland, California


Mr. O'Hara:

GeoStrategies Inc. (GSI), on behalf of Shell Oil Company (Shell), sent a Right-of-Entry Agreement to you in August, 1993 for your review and execution. We understand that this agreement is currently with Wells Fargo Bank and is awaiting execution.

Shell wishes to enter the above referenced property on Saturday and Sunday, October 23 and 24, 1993 to perform a site investigation. The required equipment for this investigation will be in the Bay Area during this time period. We would appreciate any assistance in expediting the execution of the Right-of-Entry Agreement.

If you have any questions, please call.

Sincerely,


John F. Vargas
Project Manager

cc: Mr. Lynn Walker, Shell Oil Company
Ms. Jennifer Eberle, Alameda County Department of Health

C:O'HARA.JFV(rt)



GeoStrategies Inc.

93 AUG 27 AM 11:37

August 26, 1993

Mr. Peter O'Hara
Pacific Property Asset Management Company
244 California Street, Suite 500
San Francisco, California 94111

Re: Right Of Entry Request
461 Eighth Street
Oakland, California

Mr. O'Hara:

GeoStrategies, Inc. on behalf of Shell Oil Company, requests authorization for access to the subject property, to conduct a limited subsurface soil and groundwater investigation at the site. Shell Oil Company formerly operated a service station at the subject location, which was demolished in 1980. Three monitoring wells (S-1, S-2 and S-3) were installed on the site in 1980, during an investigation of a groundwater leak in a nearby BART tube. These wells are no longer in use. Shell obtained a previous right of entry to the site in 1990, but it has now expired.

The Alameda County Health Services Agency has requested that Shell characterize soil and groundwater conditions below the site, and prepare plans for site remediation, if required. In order to accomplish this, GSI plans to collect samples of soil and groundwater, and to analyze the samples for chemical compounds associated with gasoline.

Site investigation activities are anticipated to include the placement of approximately 8 to 10 small-diameter probes to depths up to 25 feet below the ground surface. Each probe will be pushed into the ground using a hydraulic jack pushing against a small truck. A 2-inch diameter hole will be drilled through the asphalt pavement at each probe location. At the completion of the investigation, each probe hole will be backfilled with cement, and the pavement will be restored using concrete or cold-pack asphalt. Equipment at the site will include the drilling van and one or two support trucks.

GeoStrategies Inc.

Shell Oil Company
August 26, 1993
Page 2

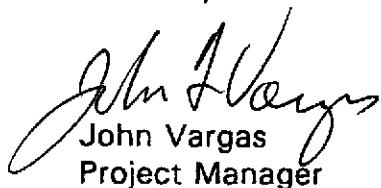
A small volume of soils may be generated by the probes. This soil may need to be stored onsite while we obtain authorization for disposal at a local landfill. To minimize any tampering with the soil, it will be stored in a locked 55-gallon drum, which will be chained and locked to the chain-link fence in the northeast corner of the site.

This field work can be completed in one to two days time. In order to reduce the impact to your operations, GSI plans to conduct the field work over a Saturday and part of a Sunday. The field work is tentatively scheduled for either the weekend of September 18 and 19, or the weekend of September 25 and 26, 1993.

Enclosed is the modified Right-Of-Entry Agreement that was previously signed for the site. If this agreement continues to be acceptable, please sign both copies and return them to our office. We will return one fully-executed copy to you.

If you have any questions, please call our office.

Sincerely



John Vargas
Project Manager

cc: Mr. Lynn Walker; Shell Oil Co.
Ms. Jennifer Eberlee; Alameda County

4254

His answers
in black.

7-8-93 ltr M. Carey spw/mc on 7-13.

1) site history - when USTs were removed?

soil contain?

soil remed?

2) why no onsite MWs destroyed? to build parking lot.

3) why was 54 "(in) accessible" ?
no gate; but can get your body in, but can't
get equipment in such as drums

4) why? ~~the~~ PSA is being revu by Shell.
It contains a lot of site history.

He thinks gw is trapped in the casing (54).
bec. ^{blank} casing ^{gd} go to 20' + at least 10' slotted.
But the total well depth GSI calculated on
5-13-93 was only 17.05'. He d n want to
make this a big issue. Must discuss it w/
Shell. 54 is damaged.

early 70's Shell bought site + op. as gas sta.
til 79 or 80. BART h multiple tubes going
near the site. 54 straddles 2 sets of tubes.
BART found gas. in gw in 80. Police Dept.
supposedly replaced USTs in 80 ~ 1 1/2 blocks
away, + DG.

**Alameda County Health Care Services Agency, Department of
Environmental Health, Hazardous Materials Division**

In Re The Property Know As :)
Everidge Service Station)
1211-7th St., Oakland CA 94607)

**Proof of Service of
Notice of Pre-
Enforcement
Review Panel**

(insert address of property)

I _____, do hereby certify that I
personally served _____
with a copy of the attached **Notice of Pre-Enforcement Review Panel** on
_____ June 29, 1993 _____ at 10 _____ am/pm at
80 Swan Way, Rm 200, Oakland CA 94621 _____
(address/city)

Dated: _____ (signature)

Kathy

420 Montgom.
464 Cal. St. HQ

Group 6939 Steve Schulman
415-396-6750
" 6742

4254

R0343

10-30-92 ~~Im~~ Tel con w/ P. Hayes - Shell

1. FP is now .58' in S-5 ^{→ 5-11-92} Consultants go once a month - it's ^{now} a sheen. 1/2' is not a sheen.
2. Why were onsite wells destroyed in 87?
(was S-7 onsite?) ^{Had to do with S-1, S-3, S-7, S-2} new prop. owner + pairing of site.
3. Why did a gw recovery ^{SSM} (in S-1) only operate < 1 yr (in 87)?
4. What do u propose to do to recover the FP in S-5 now?
5. Q from Aug. sample? He'll ✓ + get bk. to me.
6. Any records from vacuum truck + FP? he'll include it w/Q.

12-18-92 Im Paul Hayes. Questions # 5, and 6
 7. on vacation thru Xmas.

12-28-92 Tel con w/P. Hayes

sent on 10-16 to me: last 4 Q's w/cover ltrs
 I need Oct. 92 Q.

right of entry agreement - they sent it to prop. owner. I was cc'd. but didn't get it
 still recovering FP w/vac truck. frequency reduced. Records on aunts ✓ yes - will be in cover letter.

3-11-93 165 Dan Kirk?

Section 2646 - Inventory Reconciliation

Existing MVF tanks, only

Shallow ground water limitations / "Sunset"

General "sunset" clause

Applicability

Inventory reconciliation

daily quantity measurements: product / water

daily input / withdrawal readings

compare delivery receipts w/ measured volumes

Meter calibrations

"Daily" = 5 days per week

Quantity measurements

performed during quiescence

owner / operator / trained individual

two reading average (manual)

1/8 inch accuracy

center or low end of tank

calibration charts

Variation

measured inventory - calculated inventory = **variation**

measurement / calculation schedule

allowable **monthly** variations

10-15-92

latest report:

"Site Update" by GSI 10-21-91

FP in S-5 at .06'

42,000 ppb TPH-g } S-6 9-24-91
14,000 ppb benz }

lin Dan Kirk 675-6168

10-16

Paul Hayes - Shell 675-6169
↓ does

non-operating sites since mid 80's.

Shell no longer owns prop.

new prop. owner is: will get name to me.

City wants a bond or deed for encroachment permits
for what?

Dr's is unknown.

vge truck to purge wells - once or 2X per Q.
bec no place to store drums.
FP is < 1" (in S-5 only). net true = .58' in S-5
on 5-11-92

when were tanks removed?

maybe another tank nearby - Police Station

GSI is consultant.

$1" \times \frac{1'}{12"} = .08'$



grettler — ryan inc.

March 17, 1993

Via Certified Mail

Wells Fargo Bank
National Association Trust
c/o Pacific Asset Management
244 California Street, #500
San Francisco, California 94111

Re: Right of Entry Request
459 8th Street
Oakland, California

*461-8th St. is Std 4254
former Shell*

Gentlemen:

Gettler-Ryan Inc. on behalf of Shell Oil Company, requests authorization to access your property located at 459 8th Street in Oakland, California. Access to this property is requested to conduct a limited subsurface soil and ground-water investigation.

Shell Oil Company operated a service station on the southwest corner of 8th Street and Broadway in Oakland, California. As part of a continuing investigation, we are requesting your approval to collect ground-water samples on a quarterly basis (every three months). The well sampling can normally be completed in an hour.

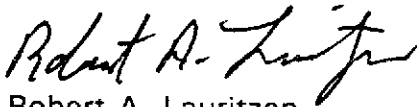
If the enclosed agreement is acceptable, please sign both copies and return them to our office. We will return one fully-executed copy to you.

:SHELLMISC\WFROE.LTR(kjj)

Wells Fargo Bank
March 17, 1993
Page 2

If you have any questions, please call.

Sincerely,



Robert A. Lauritzen
Project Geologist

RAL/kjj

enclosure

cc: Mr. Randy Orłowski, Shell Oil Company
Mr. Jeff Holland, Shell Oil Company
Ms. Jennifer Eberle, Alameda County Health Department



GeoStrategies Inc.

2140 WEST WINTON AVENUE
HAYWARD, CALIFORNIA 94545

(415) 352-4800

December 13, 1990

Gettler-Ryan Inc.
2150 West Winton Avenue
Hayward, California 94545

Attn: Mr. John Werfal

Re: **SITE UPDATE**
Former Shell Service Station
461 8th Street
Oakland, California

Gentlemen:

This report by GeoStrategies Inc. (GSI) describes the results of the fourth quarterly ground-water sampling for 1990 performed by Gettler-Ryan Inc. (G-R) in accordance with the current quarterly monitoring plan for the site (Plate 1). G-R Groundwater Sampling Procedures are presented in Appendix A. Field work and laboratory analytical methods were performed in compliance with current State of California Water Resources Control Board (SWRCB) procedures for underground fuel tanks. The field and chemical analytical data discussed in this report were collected between September 1, and November 30, 1990.

In January 1979, Bay Area Rapid Transit (BART) discovered gasoline leaking into an underground rail tube near the corner of the former Shell Service Station. As a result, seven monitoring wells were installed (S-1 through S-7) to evaluate soil and ground-water quality conditions at the site in August and September, 1981. Monitoring well S-5 contained separate-phase petroleum hydrocarbons (floating product), approximately 0.5 feet in measured thickness. In 1982, a ground-water recovery system was installed at the site. In August 1982, the recovery system was turned off. Well S-7 was destroyed in August 1985, due to freeway construction. Monitoring wells S-1, S-2 and S-3 have been inaccessible since August 1987, and it is suspected that these wells were destroyed during site construction activities.

Report No. 7644-8



GeoStrategies Inc.

2140 WEST WINTON AVENUE
HAYWARD, CALIFORNIA 94545

RECEIVED

JUN 29 1990

GETTLER-RYAN INC.
GENERAL CONTRACTORS

(415) 352-4800

June 25, 1990

Gettler-Ryan Inc.
2150 West Winton Avenue
Hayward, California 94545

Attn: Mr. John Werfal

Re: SITE UPDATE
Former Shell Service Station
461 8th Street
Oakland, California

Gentlemen:

This Site Update has been prepared by GeoStrategies Inc. (GSI) for the above referenced site (Plate 1). The report presents the results of the April 30, 1990 ground-water sampling conducted by Gettler-Ryan Inc. (G-R). As shown on Plate 2, there are currently three ground-water monitoring wells off-site (S-4, S-5, and S-6). The three on-site wells have been destroyed. Potentiometric data were collected, wells were inspected for floating product, and ground-water samples were collected and analyzed according to current State of California Water Resources Control Board (SWRCB) guidelines.

Depth to groundwater in the uppermost water-bearing zone ranged from 14.48 to 22.10 feet below ground surface. A potentiometric contour map has been prepared from these data (Plate 3). Potentiometric data indicate that the shallow groundwater beneath the site flows to the west with an approximate hydraulic gradient of 0.02.

Floating product was not observed in any site monitoring wells sampled during this quarter.

Chemical analyses reported detectable concentrations of Total Petroleum Hydrocarbons calculated as Gasoline (TPH-Gasoline) in Wells S-5 and S-6 at concentrations of 100 parts per million (ppm) and 39 ppm, respectively. Benzene concentrations of 13 ppm were reported in Wells S-5 and S-6 and exceed the current Regional Water Quality Control Board Maximum Contaminant Level. Well S-4 was reported as none detected for all chemical constituents analyzed. Plate 4 presents the TPH-Gasoline and benzene chemical analytical reports.

Report No. 7644-6

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
 DEPARTMENT OF ENVIRONMENTAL HEALTH
 HAZARDOUS MATERIALS DIVISION
 470 - 27TH ST., RM. 322
 OAKLAND, CA 94612
 PHONE NO. 415/874-7237

DEPARTMENT OF ENVIRONMENTAL HEALTH

470 - 27th Street, Third Floor

Oakland, CA 94612

Telephone: (415) 874-7237

ACCEPTED

5/18/89

These plans have been reviewed and found to be acceptable and essentially meet the requirements of State and local health laws. Changes to your plans indicated by this Department are to assure compliance with State and local laws. The project proposed herein is not subject to the issuance of any required building permits for construction.

One copy of these accepted plans must be on file at the Division available to all contractors and craftsmen involved with the removal.

Any change or alterations of these plans and specifications must be submitted to this Department and to the District and Building Inspection Department for determination. If such changes meet the requirements of State and local laws, Notify this Department at least 48 hours prior to the following required inspections:

Removal of Tank and Piping _____
 Sampling _____
 Final Inspection _____

Receipt of a permit to operate is dependent on compliance with accepted plans and all applicable laws and regulations.

UNDERGROUND TANK CLOSURE/MODIFICATION PLANS

- Business Name Texaco Service Station
 Business Owner Alex Shaw
- Site Address 800 Franklin
 city Oakland Ca. Zip _____ Phone _____
- Mailing Address Dynamic Investment Realty Corporation
 city SAN FRANCISCO zip 94118 Phone 668-2211
- Land Owner Alex Shaw
 Address _____ City, State _____ Zip _____
- EPA I.D. No. CAC000172525
- Contractor Robert J. Miller
 Address 631 MARINA Way South
 city Richmond, CA 94804 Phone 233-9000
 License Type B/C61 ID# 118850
- Other (Specify) _____
 Address _____
 City _____ Phone _____

US42328
 5/19/89
 5/5/89

8. Contact Person for Investigation.

Name JAMES STANFORD Title Project Consultant
Phone 382-8885

9. Total No. of Tanks at facility 6

10. Have permit applications for all tanks been submitted to this office?
Yes [] No []

11. State Registered Hazardous Waste Transporters/Facilities

a) Product/Waste Transporter

Name ERICKSON EPA I.D. No. CA D009466392
Address 255 PARR Blvd
city Richmond State Ca. zip 94801

b) Rinsate Transporter

Name ERICKSON EPA I.D. No. CA D009466392
Address 255 PARR Blvd
city Richmond State Ca. zip 94801

c) Tank Transporter

Name ERICKSON EPA I.D. No. CA D009466392
Address 255 PARR Blvd
city Richmond State Ca. zip 94801

d) Contaminated Soil Transporter

Name ERICKSON Trucking EPA I.D. No. CA D009466392
Address 255 PARR Blvd
city Richmond State Ca. zip 94801

12. Sample Collector

Name R.J. Miller Co., Inc.
Company R.J. Miller Co. Inc.
Address 631 MARINA Way South
City Richmond State Ca. zip 94804 Phone 233-9000

13. Sampling Information for each tank or area

Tank or Area		Material sampled	Location & Depth
Capacity	Historic Contents (past 5 years)		
2 - 550 gall	Waste Oil	Soil	Soil Samples will be taken 1'-2' Below the Fill and opposite Ends of the tank. At the Natural soil interface two samples will be taken for the 2-6000 gall tanks, AND 1 each for the 550 gall tanks
2 - 550 gall.	GASOLINE	Soil	
2 - 6000 gall	GASOLINE	Soil	

✓ 14. Have tanks or pipes leaked in the past? Yes [] No [] unknown [✓]
 If yes, describe. _____

15. NFPA methods used for rendering tank inert? Yes [✓] No []
 If yes, describe. 15 lbs of dry ice per 1000 Gall Volume -
AN Explosion Proof combustible Gas Meter will be used
to verify tank.

16. Laboratories
 Name Acculab Environmental Services
 Address 3700 Lakeville Highway
 city Petaluma state Ca. zip 94975-8024
 State Certification No. 109

17. Chemical Methods to be used for Analyzing Samples

Contaminant Sought	EPA, DHS, or Other Sample Preparation Method Number	EPA, DHS, or Other Analysis Number
Total Petroleum Hydrocarbons For Gasoline BTX & F	EPA 5030 Purge and Trap Head Space 3810	Total Petroleum Hydrocarbons For Gasoline DHS Method 80 BTXE Modified EPA 8020
Oil - grease Total Petroleum Hydrocarbons Diesel EPA 8010, 8020	3550 3550 5030 - 5020	STANDARD METHOD 5035 DHS METHOD EPA METHOD 8010, 8020 8270 will be required if any of the other tests indicate a positive detection

18. Site Safety Plan submitted? Yes No

19. Workman's Compensation: Yes No

Copy of Certificate enclosed? Yes No

Name of Insurer State Fund

20. Plot Plan submitted? Yes No

21. Deposit enclosed? Yes No

22. Please forward to this office the following information within 60 days after receipt of sample results.

- a) Chain of Custody Sheets
- b) Original Signed Laboratory Reports
- c) TSD to Generator copies of wastes shipped and received
- d) Attachment A summarizing laboratory results

I declare that to the best of my knowledge and belief 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 an approval from the Department of Environmental Health 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 will notify the Department of Environmental Health at least two (2) working days (48 hours) in advance to schedule any required inspections. 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.

Signature of Contractor

Name (please type) Audrey HAAVISTO - Permits
Signature Audrey Haavisto
Date 5/4/89

✓ Signature of Site Owner or Operator

Name (please type) ALEX SHAW
Signature Alex Shaw
Date 5/5/89

NOTES:

1. Any changes in this document must be approved by this Department.
2. Any leaks discovered must be submitted to this office on an underground storage tank unauthorized leak/contamination site report form within 5 days of its discovery.
3. Three (3) copies of this plan must be submitted to this Department. One copy must be at the construction site at all times.
4. A copy of your approved plan must be sent to the landowner.

UNDERGROUND TANK CLOSURE/MODIFICATION PLANS

ATTACHMENT A

SAMPLING RESULTS

Tank or Area	Contaminant	Location & Depth	Results (specify units)

INSTRUCTIONS

2. SITE ADDRESS

Address at which closure or modification is taking place.

5. EPA I.D. NO.

This number may be obtained from the State Department of Health Services, 916/324-1781.

6. CONTRACTOR

Prime contractor for the project.

7. OTHER

List professional consultants here.

12. SAMPLE COLLECTOR

Persons who are collecting samples.

13. SAMPLING INFORMATION

Historic contents - the principal product(s) used in the last 5 years.

Material sampled - i.e., water, oil, sludge, soil, etc.

16. LABORATORIES

Laboratories used for chemical and geotechnical analyses.

17. CHEMICAL METHODS:

All sample collection methods and analyses should conform to EPA or DHS methods.

Contaminant - Specify the chemical to be analyzed.

Sample Preparation Method Number - The means used to prepare the sample prior to analyses - i.e., digestion techniques, solvent extraction, etc. Specify number of method and reference if not an EPA or DHS method.

Analysis Method Number - The means used to analyze the sample - i.e., GC, GC-MS, AA, etc. Specify number of method and reference if not a DHS or EPA method.

NOTE:

Method Numbers are available from certified laboratories.

18. SITE SAFETY PLAN

A plan outlining protective equipment and additional specialized personnel in the event that significant amount of hazardous materials are found. The plan should consider the availability of respirators, respirator cartridges, self-contained breathing apparatus (SCBA) and industrial hygienists.

19. ATTACH COPY OF WORKMAN'S COMPENSATION

20. 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 Line
- d) Location of all Structures
- e) Location of all relevant existing equipment including tanks and piping to be removed
- f) Streets
- g) Underground conduits, sewers, water lines, utilities
- h) Existing wells (drinking, monitoring, etc.)
- i) Depth to ground water
- j) All existing tanks in addition to the ones being pulled

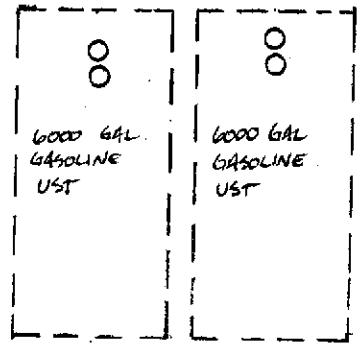
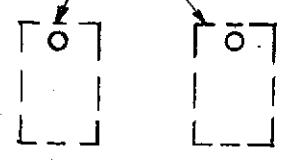
1/88



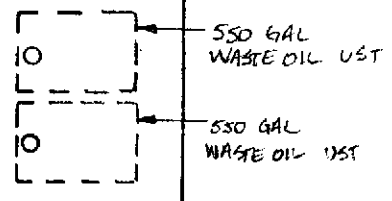
FRANKLIN STREET

(2) - 550 GAL GASOLINE UST

SIDEWALK



8TH STREET



550 GAL WASTE OIL UST

550 GAL WASTE OIL UST

- BUILDING

SCALE 1" = 10'

ROBERT J. MILLER CO.

General Contractors, Inc.

631 MARINA WAY SOUTH
RICHMOND, CALIFORNIA 94804
(415) 233-9000

Alameda County Health Department May 4, 1989
80 Swan Way, Room 200
Oakland, Ca. 94621

SITE SAFETY AND HEALTH PLAN UNDERGROUND TANK REMOVAL, ALAMEDA COUNTY

The Robert J. Miller Co., Inc., will follow the Site Safety and Health Plan below when performing underground tank removal work in Alameda County.

- 1 - The tank excavation area shall be secured by a cyclone fence or other suitable barrier to prevent entry into the excavation area by unauthorized persons during excavation operations and protect against the physical hazards of an open excavation.

- 2 - During routine excavation of the tank(s), respiratory protection is normally not required. If there is evidence of soil contamination (soil discolored, hydrocarbon vapors, etc.) prior to or during excavation the immediate area around the excavation shall be monitored for percent level of the Lower Explosive Limit (LEL). If the LEL exceeds 10%, employees will be required to wear half mask respirators with organic vapor cartridges when performing duties at the excavation site. LEL readings in excess of 20% will require that all work be suspended until the LEL is reduced below 20%. Dependent upon soil and weather conditions, a dust pre-filter may be required for nuisance dust. The Robert J. Miller Co., Inc., employees follow the requirements of Erickson, Inc., Respiratory Protection Program, which has been approved by a Certified Industrial Hygienist.

- 3 - The Robert J. Miller Co., Inc.,/Erickson, Inc., uses Gastech oxygen/combustible gas monitors models 1314, 1641, or GX-82. These units are calibrated weekly and maintained in accordance with the manufacturers specifications.

ROBERT J. MILLER CO.

General Contractors, Inc.

631 MARINA WAY SOUTH
RICHMOND, CALIFORNIA 94804
(415) 233-9000

4 - A job site safety meeting shall be conducted prior to the start of each days work. The safety meeting shall outline the work to be performed that day and address site safety hazards. The job site safety meeting shall be documented, detailing the subjects/information discussed and names of the participants.

5 - The following emergency numbers shall be maintained at the job site:

Ambulance/Fire/Police Emergency #	-	911
Robert J. Miller Company	-	233-9000
Erickson, Inc.	-	235-1393

Local Hospital -

Peralta Hospital Oakland, Ca.	-	655-4000
----------------------------------	---	----------

6 - All employees shall be trained for the work to be performed in compliance with applicable Federal, State and Local regulations.

If you have any questions please give me a call.

Sincerely,
ROBERT J. MILLER COMPANY
GENERAL CONTRACTOR, INC.

AH:ckd

Audrey Haavisto
Permit Department

**STATE
COMPENSATION
INSURANCE
FUND**

P.O. BOX 807, SAN FRANCISCO, CA 94101-0807

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

MAY 15, 1989

POLICY NUMBER: 0741769 - 89
CERTIFICATE EXPIRES: 7-1-89

5/17/89

ALAMEDA COUNTY
HEALTH DEPT
30 SWAN WAY ROOM 200
OAKLAND
CA 94621

ALAMEDA COUNTY
DEPT. OF ENVIRONMENTAL HEALTH
HAZARDOUS MATERIALS

JOB: P & H ASSOCIATES
EMERYVILLE

This is to certify that we have issued a valid Workers' Compensation insurance policy in a form approved by the California Insurance Commissioner to the employer named below for the policy period indicated.

This policy is not subject to cancellation by the Fund except upon ten days' advance written notice to the employer.

We will also give you TEN days' advance notice should this policy be cancelled prior to its normal expiration.

This certificate of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policies listed herein. Notwithstanding any requirement, term, or condition of any contract or other document with respect to which this certificate of insurance may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies.


PRESIDENT

EMPLOYER

ROBERT J. MILLER GENERAL CONTRACTOR
631 MARINA WAY
SOUTH RICHMOND
CA 94304

Chris Jesaiola

Chris Kwoka -

365 Hawthorne

465-6600

732-6444

Shell Oil Company



E OK
606-31.1
KE 611/100K

One-Shell Plaza
P. O. Box 2463
Houston, Texas 77001
RECEIVED
DEC 31 1981

BART CONSTRUCTION

December 28, 1981

Mr. Elmer Ross, Manager
Wastewater Operations Department
East Bay Municipal Utility District
P. O. Box 24055
Oakland, California 94623

SUBJECT: REQUEST FOR APPROVAL OF DISCHARGE INTO EAST BAY MUD

Dear Mr. Ross:

This is to request your approval of a discharge into the East Bay Municipal Utility District (MUD) beginning in January 1982. On December 23, 1981, I talked with Mr. Joseph Damas of your office to explain the urgency of this situation and he was kind enough to suggest that I send this letter to you.

The facts are these. Gasoline seepage has been found in a BART subway tunnel (Track KE) in the vicinity of 7th and Broadway in the city of Oakland, California. The gasoline apparently came from a Shell service station, formerly at 8th and Broadway and razed (for unrelated reasons and with all tanks removed) in 1980. In September 1981, Shell drilled seven observation wells in the area to evaluate the extent of any groundwater contamination and to define the best location for a recovery system. In November 1981, we got the results from the observation wells and on December 3, 1981, we met with representatives of the Oakland Public Works Department, Oakland Fire Marshall's office and BART to lay out a plan of action. All parties are cooperating fully, recognizing that BART plans to open Track KE in mid-January 1982 and recognizing that the gasoline seepage must be resolved before such opening can occur. On December 8, 1981, the Oakland City Council issued a right-of-way permit for the placement of a recovery well on the sidewalk at 7th and Broadway. The recovery well will be drilled on January 5, 1982, and after the equipment is installed we hope to be ready to begin pumping on January 11, 1982. Attached is a copy of the detailed drawings of the well equipment, subsurface vault proposed sewer connections and recovery tank.

The recovery well system involves a 36-inch hole 50 feet deep. Two pumps will be installed. The gasoline recovery pump will have an intake which floats on top of the water table and which collects all recovered hydrocarbons and pumps them to a holding tank. The hydrocarbons will then be trucked away for recycling. The second pump will be placed 21 feet lower and is designed as a "drawdown pump" to create a zone of depression in the aquifer so that all groundwater will gravitate toward the recovery system.

This will be a 100 gpm pump which must operate continuously (so as to maintain the cone of depression) but not necessarily at maximum capacity, until the problem is solved (i.e., until no hydrocarbons are detected in the upper pump water), approximately three to twelve months. There will be a monitoring point to check the discharge from the drawdown pump. We estimate that the drawdown water will contain no more than 1 to 10 PPM TOC, primarily the soluble components of gasoline.

We face the immediate problem of what to do with the discharge from the drawdown pump. The City of Oakland initially advised us that the drawdown water could be discharged to the local storm sewer. This is a gravity flow to San Francisco Bay. Our review of the state water regulations showed that the problem was not so simple and, on December 21, 1981, I called Mr. Larry Kolb of the San Francisco Bay Regional Water Quality Board to explain the situation. After they reviewed the matter, Mr. James Levine of that office got back to me on December 23 and advised me to call the East Bay MUD. I then called Mr. Damas, who was most helpful, and who has sent me a copy of your ordinance.

Several additional factors may be relevant to your consideration of this problem. First, the equipment and pumps associated with the recovery well are to be enclosed in a small underground vault to be constructed under the sidewalk in front of the Oakland Police Department. There will be little or no room in this vault for installation of pretreatment equipment. We no longer own the site of the former service station and, in any event, installation of any equipment on that lot would involve delay and the tearing up of a portion of a full block of Broadway. Second, the level of hydrocarbons in the drawdown water cannot be known until the pumping begins. In any event the hydrocarbons will be very negligible and, given the other normal influent to POTW's, would present no fire or explosion hazard, even in a pure oxygen system.

In essence, we are asking that the East Bay MUD issue Shell an "optional permit" under East Bay MUD Ordinance No. 270, Title IV Section 1(b)(2) ("discharge is less than the normal range of waste water strength") and allow us to begin discharging immediately pursuant to Title I Section 6 ("unusual conditions") pending the receipt of the formal permit. Recognizing your authority and public responsibility in the East Bay area, we respectfully request this action so that Shell, BART and the City of Oakland can quickly proceed to resolve this problem and permit the subway to open.

We would very much appreciate your consideration and action on this request as soon as possible. I will be glad to try to answer any questions you

Mr. Elmer Ross

3

may have (713-241-3954). In addition, we will try to be available to meet with you or show you the site at your convenience.

Thank you for your assistance.

Yours truly,



Alex Karlin

AK/mm

cc: Mr. Joseph Damas, w/o attachments
Mr. James Levine, w/o attachments
→ Mr. Frank Linville, w/o attachments
Mr. Paul Bailey, w/o attachments
Mr. James McCarty, w/o attachments
Mr. Ernest Van Ibsch, w/o attachments

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

INTER-OFFICE COMMUNICATION

To: FILE

Date: June 23, 1981

From: F. J. Linville, Manager of Construction

Subject: KE - Gas Leak
Site Tour - June 22, 1981
File: 606.31.1

An inspection was made of the KE - Gas Leak on June 22, 1981 at 1330 hours by the personnel on the attached sheet.

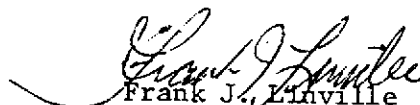
Generally the inspection was for the additional consultants brought in by Shell Oil and Crowley.

A history of the leak characteristics was given by Pete Kosowan and the entry points for the gas were shown.

A tour of 7th & Broadway at street level and relative location of the gas leak to the surface improvements followed.

It is noted that Shell Oil has retested the gas leaking into the KE track and stated that the latest sample contains new unleaded high octane gas which was not in use at the time the station was in operation.

The new gas was manufactured by Shell which is the type presently being used by the Oakland Police Department at 6th & Broadway.


Frank J. Linville

FJL/mjm

A O I I U I N

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

C. Pelton

INTER-OFFICE COMMUNICATION

Also discuss with me.

To: Distribution *WEM*

From: Power & Way Coordination Engineer *V.P.M.*

Subject: KE Subway Gasoline Leak
File: 606.31.1

Rev c.p.

Date: March 11, 1981

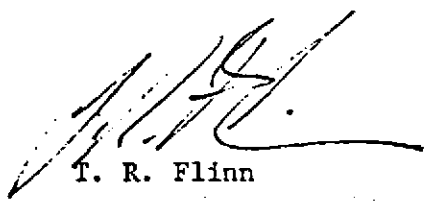
4-7-81
MAR 28 1981
ENVIRONMENTAL
COMMUNICATIONS
P.M. 4:16

As a result of coordination via Chuck Sampson of our Safety Department, Mr. Charlie Everman of Crowley Environmental Services Corporation contacted me regarding the elimination of the gasoline leak in the KE Subway. On site and office meetings were conducted to review their proposed procedures, and general knowledge of the problem. Enclosed is a copy of Crowley Environmental Services Corp. letter of February 27, 1981 which sets forth their initial proposal for elimination of the gasoline leak.

As you are probably aware, the gasoline leak in the KE Subway was first noted in early 1978 and it was confirmed that this condition was the result of a failure of the gasoline storage tanks belonging to the Shell Service Station located on 8th & Broadway. In cooperation with the Shell Oil Company, the District drained some of the gasoline from the soil via the ring-section grout plugs and prior to commencing work under Contract No. 1K5304A, Oakland KE Subway Track & Station Completion, the area was sealed as well as possible. However, in spite of these efforts, seepage of a small amount of gasoline still exists. There exists a strong possibility that a great deal of gasoline may still be in the soil adjacent to the KE Subway and thus, I favor implementation of at least Phase I of Crowley's proposal.

Mr. Everman of Crowley Environmental Services Corp. advised that they have performed similar services for many Oil Companies, including Shell Oil Company. Per my knowledge of this matter, I understand that Shell Oil Company has assumed financial responsibility for this condition and I presume they would also fully fund the costs of this project. Crowley is reluctant to quote a total price for both Phase I & II, but they have implied that it could be in the range of \$60,000-\$80,000.

It is requested that all addressees review the attached proposal and provide comments by March 16, 1981. Upon completion of the District's review, I will forward Crowley's proposal, with comments, to our Real Estate Department for implementation of an agreement with Shell Oil Company.



T. R. Flinn

Distribution:

- | | |
|-----------------|-----------------|
| V. P. Mahon | W. R. McCutchen |
| C. Pelton | F. J. Linville |
| P. W. Lamoreaux | |

JULIE K. WALTERS
ATTORNEY AT LAW

BEVERIDGE & DIAMOND
SUITE 3400
ONE SANSOME STREET
SAN FRANCISCO, CA 94104-4438

5/20/00

TEL: (415) 397-0100
FAX: (415) 397-4238

For your information from

JULIE K. WALTERS