

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) 337-93

December 19, 2008

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

Linli Lee  
Foothill Blvd. LLC  
141 Woodland Way  
Piedmont, CA 94611-3839

Walter Watters  
101 Jasmine Creek Drive  
Corona Del Mar, CA 92625-1420

Subject: Fuel Leak Case No. RO0000415 and Geotracker Global ID T0600101065, 4411 Foothill Boulevard, Oakland, CA 94601

Dear Denis Brown, Linli Lee, and Walter Watters:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the recently submitted reports entitled, "*Soil Vapor Probe Installation and Sampling Report*," dated November 10, 2008 and "*Groundwater Monitoring Report, - Third Quarter 2008*," dated November 21, 2008. Both reports were prepared on Shell's behalf by Conestoga-Rovers & Associates. The "*Soil Vapor Probe Installation and Sampling Report*," presents results from sampling of eleven soil vapor probes conducted on October 22 and 23, 2008. Soil vapor samples contained up to 51,000,000 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ) of total petroleum hydrocarbons as gasoline, 8,300  $\mu\text{g}/\text{m}^3$  of benzene, 9,800  $\mu\text{g}/\text{m}^3$  of ethylbenzene, and 7,700  $\mu\text{g}/\text{m}^3$  of xylenes.

The "*Groundwater Monitoring Report, - Third Quarter 2008*," presents the results of groundwater sampling conducted on August 12, 2008. Total petroleum hydrocarbons as gasoline and benzene were detected in groundwater from each of the four existing groundwater monitoring wells at concentrations up to 77,000 micrograms per liter ( $\mu\text{g}/\text{L}$ ) and 9,300  $\mu\text{g}/\text{L}$ , respectively.

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

#### **TECHNICAL COMMENTS**

1. **Soil Vapor Sampling Results.** Eleven soil vapor samples were collected on October 22 and 23, 2008. The concentrations of volatile petroleum hydrocarbons exceed applicable Environmental Screening Level for vapor intrusion to indoor air (San Francisco Bay Regional Water Quality Control Board, updated May 2008) in several of the soil vapor samples. Although re-sampling of the on-site probes is proposed based on leak test results, we do request re-sampling of the probes at this time. Since the soil vapor sampling results are generally similar to previous sampling results relative to screening levels, re-sampling is not required prior to proposing additional assessment. Therefore, we request that you present plans in the Work Plan requested below for more direct assessment of potential vapor intrusion by methods such as subslab or indoor air sampling inside the buildings.

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2. **Off-site Monitoring Wells.** We concur with the proposal to install and sample the off-site monitoring wells. We request that you present the results from off-site monitoring well installation 60 days after well installation or if off-site access issues are not resolved, present a status update for the installation of the three off-site groundwater monitoring wells in the Quarterly Monitoring Reports requested below.

### TECHNICAL REPORT REQUEST

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

- **February 16, 2009** – Fourth Quarter 2008, Groundwater Monitoring Report
- **February 26, 2009** – Work Plan for Soil Vapor Intrusion Assessment
- **May 18, 2009** – First Quarter 2009, Groundwater Monitoring Report
- **August 18, 2009** – Second Quarter 2009, Groundwater Monitoring Report
- **November 18, 2009** – Third Quarter 2009, Groundwater Monitoring Report

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

### ELECTRONIC SUBMITTAL OF REPORTS

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

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#### PERJURY STATEMENT

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

#### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

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

#### UNDERGROUND STORAGE TANK CLEANUP FUND

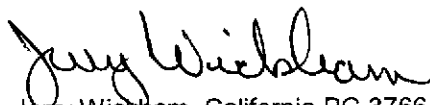
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

#### AGENCY OVERSIGHT

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

If you have any questions, please call me at 510-567-6791 or send me an electronic mail message at [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org).

Sincerely,



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

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Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Peter Schaefer, Conestoga-Rovers & Associates, 5900 Hollis Street, Suite A, Emeryville, CA 94608

Bill Phua c/o Jay Phares, 10700 MacArthur Boulevard, Suite 200, Oakland, CA 94605-5260

Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341  
Oakland, CA 94612-2032

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File