

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

February 5, 2008

Andrew Saberi  
Sabek, Inc.  
1045 Airport Blvd.  
South San Francisco, CA 94080

Som Gupta  
c/o Carmerlengo & Johnson  
500 Airport Blvd., Suite 230  
Burlingame, CA 94010

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

Subject: Fuel Leak Case No. RO0000433 and Geotracker Global ID T0600101691, Shell/Sabek Inc, 1230 14<sup>th</sup> Street, Oakland, CA 94607

Dear Mr. Saberi, Mr. Brown, and Mr. Gupta:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the recently submitted report entitled, "Draft Corrective Action Plan and Pilot Test Work Plan," dated January 18, 2008 (Draft CAP). The Draft CAP was prepared on behalf of property owner Andrew Saberi by Pangea Environmental Services, Inc. We are also in receipt of correspondence dated November 5, 2007 regarding terms of a settlement agreement between Mr. Andrew Saberi and Shell Oil Products regarding the future lead in implementing site remediation.

As discussed in the technical comments below, we request the installation and monitoring of one additional soil vapor probe during pilot testing and continuous sampling in the three air sparging test wells. Following a public comment period, these changes are to be incorporated into a Final Correction Action Plan (CAP). The requirement for preparation of a Final CAP may be waived if no public comments are received. If preparation of a Final CAP is not required following public comment, the changes requested in the technical comments below are to be incorporated during field implementation of the pilot test. Submittal of a revised Draft CAP is not required at this time.

Public participation is a requirement for the CAP process. Therefore, ACEH will notify potentially affected members of the public who live or own property in the surrounding area of the proposed remediation described in the Draft CAP through mailing of a fact sheet. A copy of the fact sheet is included as Attachment A. Public comments on the proposed remediation will be accepted for a 30-day period. We anticipate that the public comment period will extend from February 15, 2008 to March 15, 2008. After the public comment period has closed, ACEH may request responses to public comments received with revisions to the RAP or may provide approval for implementation of the pilot test.

### TECHNICAL COMMENTS

1. **Additional Soil Vapor Monitoring Well.** We request that you install one additional soil vapor monitoring well in the approximate location shown on Attachment B – Additional Soil Vapor Monitoring Well. The purpose of the additional soil vapor monitoring well is to monitor possible effects from air sparging near the property boundary. A soil vapor monitoring well that complies with the guidance for a permanent/semi-permanent gas probe contained in the California Department of Toxic Substances and California Regional Water Quality Control Board, Los Angeles Region joint guidance document entitled, "*Advisory – Active Soil Gas Investigations*," dated January 28, 2003 is to be installed to a depth of 5 feet bgs at the approximate location shown on Attachment B. The soil vapor monitoring well is to be sampled prior to pilot testing to establish baseline soil vapor concentrations using sampling methods and analyses that are consistent with guidance contained in, "*Advisory – Active Soil Gas Investigations*," dated January 28, 2003. Soil vapor samples are also to be collected following SVE/AS testing and DPE/AS testing. Soil vapor samples are to be analyzed for TPHg, BTEX, and MTBE. Please present the results from the soil vapor sampling in the Pilot Test Report requested below.
2. **Continuous Soil Sampling.** We request that soils be continuously sampled for logging and screening during installation of the three new air sparging wells in order to identify any potential finer-grained layers that may affect the performance of the sparging system. Please present boring logs for the soil borings in the Pilot Test Report requested below.

### TECHNICAL REPORT REQUEST

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

- **Final Corrective Action Plan** – 30 days after end of public comment period (may not be required if no public comments are received)
- **Pilot Test Report** – 120 days following ACEH approval to implement pilot test
- **45 days following the end of each quarter** – Quarterly Monitoring Reports

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

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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](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.

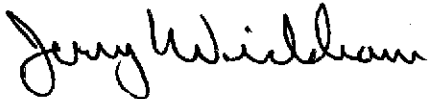
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**AGENCY OVERSIGHT**

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

Attachment A: Fact Sheet

Attachment B: Additional Soil Vapor monitoring Well

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

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

Robert Clark-Ridell, Pangea, 1710 Franklin Street, Suite 200, Oakland, CA 94612

Joan Mack, Caldwell, Leslie, Proctor & Pettit, PC, 1000 Wilshire Blvd., Suite 600, Los Angeles, CA 90017-2463

Ellen Wyrick-Parkinson, 1420 Magnolia Street, Oakland, CA 94607

M. Willingham, 1418-1420 Union Street, Oakland, CA 94607

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File