



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

July 12, 2012

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

Mr. Richard Burge
Burge-Pacific Enterprises, Inc.
490 Grand Avenue, Suite 200
Oakland, CA 94610

Subject: Landowner Notification for Case Closure Consideration for Fuel Leak Case No. RO0000505 and GeoTracker Global ID T0600102237, 7-Eleven #20009, 2350 Harrison Street, Oakland, CA 94612

Dear Mr. Brown and Mr. Burge:

Alameda County Environmental Health (ACEH) is reviewing the fuel case file for the above referenced site for potential case closure. Site investigation and groundwater monitoring from underground storage tank leaks have been performed at the subject property to which you are named as the primary or active responsible party. Pursuant to Section 25297.15 (a), ACEH, the local agency, shall not consider cleanup or site closure proposals from the primary or active responsible party, issue a closure letter, or make a determination that no further action is required with respect to a site upon which there was an unauthorized release of hazardous substances from an underground storage tank subject to this chapter unless all current record owners of fee title to the site of the proposed action have been notified of the proposed action by the primary or active responsible party. ACEH is required to notify the primary or active responsible party of their requirement to certify in writing to the local agency that the notification requirement in the above-mentioned regulation has been satisfied and to provide the local agency with a complete mailing list of all record fee title owners.

To satisfy the above-mentioned requirement, please complete the enclosed "List of Landowners Form," and mail it back to ACEH within thirty (30) days from the date of this letter. Also your comments must be considered prior to the proposed cleanup or closure. Please respond within 30 days from the date of this letter for your comments to be considered.

ACEH will review the case for possible closure under a commercial land use scenario with the following site management requirements:

"Case closure for this fuel leak site is granted for the current commercial land use and the existing building only. If a change in land use to any residential or conservative land use, or if any re-development, or if additions to the site building occur, Alameda County Environmental Health (ACEH) must be notified as required by Government Code Section 65850.2.2. Due to the potential for vapor intrusion to indoor air for future buildings, ACEH will re-evaluate the case upon receipt of approved development/construction plans. This site is to be entered into the City of Oakland Permit Tracking System due to the residual contamination on site."

."

Public participation is a requirement for the Corrective Action Plan and case closure process. In order to notify potentially affected members of the public of the potential fuel leak case closure, we request that you distribute the attached Notification of Potential Case Closure to the addresses shown on the attached mailing list **no later than July 20, 2012**. The Notification of Potential Case Closure requests that landowners or residents submit any comments or questions to ACEH regarding potential case closure by August 21, 2012. Notifications to duplicate addresses may be omitted. Following distribution by U.S. Mail to the attached mailing list, please submit written verification of the date that the Notification of Potential Case Closure was distributed. ACEH will consider all comments from the public prior to potential case closure.

TECHNICAL REPORT REQUEST

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

- **July 20, 2012** – Verification that the Notification of Potential Case Closure was distributed to the attached mailing list

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org. Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>. If your email address does not appear on the cover page of this notification, ACEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case

Sincerely,

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

Attachments: Public Notification of Potential Case Closure (for distribution)
Mailing List
List of Landowners Form

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032
2032 (*Sent via E-mail to: lgriffin@oaklandnet.com*)

Peter Schaefer, Conestoga-Rovers & Associates, 5900 Hollis Street, Suite A
Emeryville, CA 94608 (*Sent via E-mail to: pschaefer@croworld.com*)

Donna Drogos, ACEH (*Sent via E-mail to: donna.drogos@acgov.org*)
Jerry Wickham, ACEH (*Sent via E-mail to: jerry.wickham@acgov.org*)

GeoTracker, File

LIST OF LANDOWNERS FORM

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

CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR:

Site Name: 7-Eleven #20009
Address: 2350 Harrison Street
City, State, Zip: Oakland, CA 94607
Record ID #: RO0000505

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

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

Name: Mr. Richard Burge, Burge-Pacific Enterprises, Inc.
Address: 490 Grand Avenue, Suite 200
City, State, Zip: Oakland, CA 94612
E-mail Address: _____

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

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

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

Sincerely,

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



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

NOTIFICATION OF POTENTIAL CASE CLOSURE
SHELL
July 12, 2012

Site Location: 2350 Harrison Street, Oakland, CA 947612
Fuel Leak Case RO0000505 and GeoTracker Global ID T0600102237

Summary – This fact sheet has been prepared to inform community members and other interested parties of potential case closure for a fuel leak case at the 7-Eleven store located at 2350 Harrison Street at the intersection of Harrison Street and Bay Place in Oakland, California (see attached map on back). The site was previously a Shell gas station and auto repair facility equipped with three underground storage tanks (USTs), which were removed from the center of the property in March 1977.

During a light pole installation at the site in 1992, petroleum impacted soil was discovered. Soil samples, collected from soil stockpiled during the light pole installation, contained 540 parts per million (ppm) Total Petroleum Hydrocarbons as gasoline (TPHg) as well as other heavier petroleum hydrocarbons such as mineral spirits, lubricating oil, and oil and grease. Soil and groundwater investigations conducted between 2009 and 2011 at the site detected petroleum hydrocarbons in soil, soil vapor, and groundwater. The investigations indicated that the highest concentrations of residual petroleum hydrocarbons are in soils near the former UST area.

Off-site borings were advanced along Harrison Street to define the down-gradient extent of petroleum hydrocarbon contamination. Groundwater from the off-site borings contained concentrations of up to 14,000 parts per billion (ppb) TPHg, 58,000 ppb Total Petroleum Hydrocarbons as diesel (TPHd), and 715,000 ppb oil and grease. On-site groundwater was most recently sampled in December 2011 and contained up to 3,500 ppb TPHg and 631 ppb TPHd. Since the maximum concentrations within the plume were detected approximately 175 feet south of the site and the types of petroleum hydrocarbons are not consistent with the dissolved phase hydrocarbons detected on site, the plume is most likely from an off-site source and not related to fuel releases from the former service station.

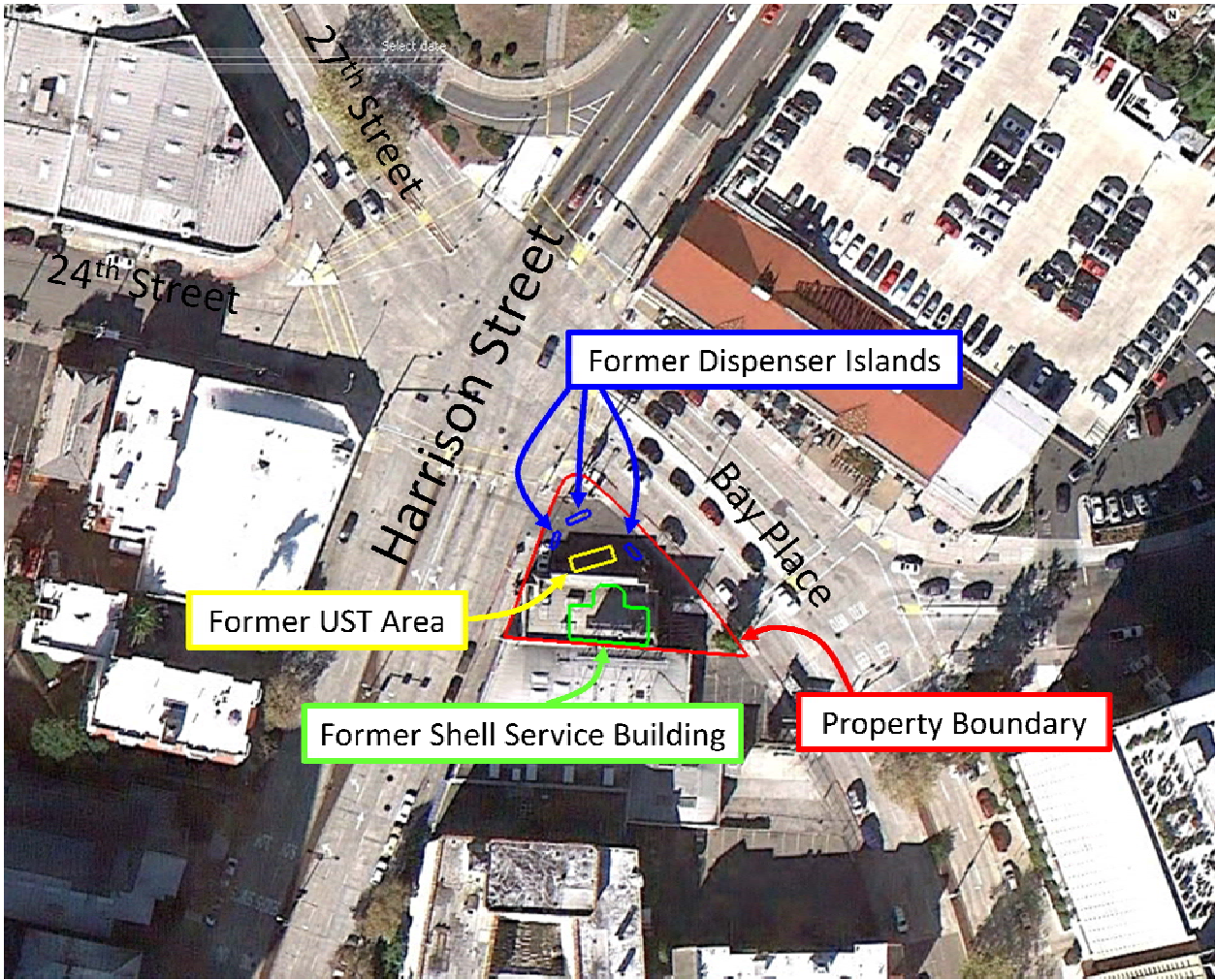
Elevated concentrations of TPHg and benzene were detected in soil vapor samples collected at a depth of 5 feet near the former USTs. Vapor probes were installed adjacent to the current convenience store building (near sub-slab) to determine if soil vapor from the former UST area was intruding into the site building. During the most recent soil vapor sampling event, near sub-slab soil vapor samples collected adjacent to the building did not contain TPHg or benzene at concentrations that present a risk for vapor intrusion to the convenience store building.

The on-site groundwater plume and residual petroleum hydrocarbons in soil are expected to biodegrade over time. Site investigation activities have been completed and it does not appear that the site's fuel release presents a risk to human health for nearby residents or site workers. Therefore, ACEH is considering closure of the fuel leak case.

Next Step – The public is invited to review and comment on the potential closure of the fuel leak case. The entire case file can be viewed over the Internet on the ACEH website (<http://www.acgov.org/aceh/lop/ust.htm>) or the State of California Water Resources Control Board GeoTracker website (<http://geotracker.swrcb.ca.gov>). Please send written comments to Jerry Wickham at the address below; all comments will be forwarded to the responsible parties.

Comments received by August 21, 2012 will be considered and responded to prior to a final determination on the proposed case closure.

Additional information: Contact Jerry Wickham of the Alameda County Department of Environmental Health, 1131 Harbor Bay Parkway, Alameda, CA 94502 at 510-567-6791 or by email at jerry.wickham@acgov.org



Aerial View of Property (Google, 2012)

ASH CO
Parcel #: 10-769-20
385 GRAND AVE #200
OAKLAND CA 94610

BOND CC OAKLAND LLC
Parcel #: 10-795-27-1
5980 HORTON ST #200
EMERYVILLE CA 94608

BURGE RICHARD G TR
Parcel #: 10-768-1
490 GRAND AVE #200
OAKLAND CA 94610

CITY OF OAKLAND
Parcel #: 10-768-4
250 FRANK H OGAWA PLZ #4
OAKLAND CA 94612

EPISCOPAL SENIOR
Parcel #: 10-769-13-1
2185 N CALIFORNIA BLVD
WALNUT CREEK CA 94596

FIRST CONGREGATIONAL
Parcel #: 10-798-2-3
2501 HARRISON ST
OAKLAND CA 94612

HEMMAT EDWARD K &
Parcel #: 8-670-6
2420 SAN PABLO AVE
OAKLAND CA 94612

LIM ANTHONY TR &
Parcel #: 10-769-19-1
3019 PINE ST
SAN FRANCISCO CA 94115

MASRI FAMILY LP A
Parcel #: 8-670-7
290 27TH ST
OAKLAND CA 94612

MASRI FAMILY LP A
Parcel #: 8-670-8
290 27TH ST
OAKLAND CA 94612

MASRI FAMILY LP A
Parcel #: 8-670-17
290 27TH ST
OAKLAND CA 94612

MASRI FAMILY LP A
Parcel #: 8-670-18
290 27TH ST
OAKLAND CA 94612

MASRI FAMILY LP A
Parcel #: 8-670-2
290 27TH ST
OAKLAND CA 94612

MASRI FAMILY LP A
Parcel #: 8-670-3
290 27TH ST
OAKLAND CA 94612

MASRI FAMILY LP A
Parcel #: 8-670-16
290 27TH ST
OAKLAND CA 94612

MASRI FAMILY LP A
Parcel #: 8-670-13
290 27TH ST
OAKLAND CA 94612

MASRI FAMILY LP A
Parcel #: 8-670-5
290 27TH ST
OAKLAND CA 94612

MASRI FAMILY LP A
Parcel #: 8-670-15
290 27TH ST
OAKLAND CA 94612

MASRI FAMILY LP A
Parcel #: 8-670-4
290 27TH ST
OAKLAND CA 94612

MASRI FAMILY LP A
Parcel #: 8-670-14
290 27TH ST
OAKLAND CA 94612

MASRI FAMILY LP A
Parcel #: 8-670-1
290 27TH ST
OAKLAND CA 94612

MAZANDARANI BEHROUZ &
Parcel #: 10-768-3
1524 CAMPUS DR
BERKELEY CA 94708

MCDONALD IAN B & APRIL S
Parcel #: 10-768-2-3
338 CAPRICORN AVE
OAKLAND CA 94611

MCDONALD IAN B & APRIL S
Parcel #: 10-768-2-5
338 CAPRICORN AVE
OAKLAND CA 94611

MULUGETA BENYAM &
Parcel #: 10-768-5
1025 HARKER AVE
PALO ALTO CA 94301

RESIDENT
Parcel #: 8-670-7
2315 HARRISON ST
OAKLAND CA 94612

RESIDENT
Parcel #: 10-768-2-1
2344 HARRISON ST
OAKLAND CA 94612

RESIDENT
Parcel #: 10-769-21
54 VERNON ST
OAKLAND CA 94610

RESIDENT
Parcel #: 10-795-27-1
230 BAY PL
OAKLAND CA 94612

RESIDENT
Parcel #: 8-670-8
2307 HARRISON ST
OAKLAND CA 94612

RESIDENT
Parcel #: 8-670-17
2350 WAVERLY ST
OAKLAND CA 94612

RESIDENT
Parcel #: 10-768-4
200 GRAND AVE
OAKLAND CA 94610

RESIDENT
Parcel #: 10-768-3
123 BAY PL
OAKLAND CA 94610

RESIDENT
Parcel #: 10-769-12
137 MONTECITO AVE
OAKLAND CA 94610

RESIDENT
Parcel #: 10-768-2-3
BAY PL
OAKLAND CA 94612

RESIDENT
Parcel #: 10-768-5
2332 HARRISON ST
OAKLAND CA 94612

RESIDENT
Parcel #: 8-670-6
2333 HARRISON ST
OAKLAND CA 94612

RESIDENT
Parcel #: 8-671-20-1
265 27TH ST
OAKLAND CA 94612

RESIDENT
Parcel #: 10-768-1
2350 HARRISON ST
OAKLAND CA 94612

RESIDENT
Parcel #: 10-768-2-4
2340 HARRISON ST
OAKLAND CA 94612

RESIDENT
Parcel #: 8-670-18
2356 WAVERLY ST
OAKLAND CA 94612

RESIDENT
Parcel #: 10-769-19-1
16 VERNON ST
OAKLAND CA 94610

RESIDENT
Parcel #: 10-768-2-5
2336 HARRISON ST
OAKLAND CA 94612

RESIDENT
Parcel #: 8-670-2
265 24TH ST
OAKLAND CA 94612

RESIDENT
Parcel #: 10-769-13-1
100 BAY PL
OAKLAND CA 94610

RESIDENT
Parcel #: 10-769-20
48 VERNON ST
OAKLAND CA 94610

RESIDENT
Parcel #: 8-670-3
261 24TH ST
OAKLAND CA 94612

RESIDENT
Parcel #: 8-670-16
2346 WAVERLY ST
OAKLAND CA 94612

RESIDENT
Parcel #: 8-670-13
2334 WAVERLY ST
OAKLAND CA 94612

RESIDENT
Parcel #: 8-670-5
2337 HARRISON ST
OAKLAND CA 94612

RESIDENT
Parcel #: 8-670-15
2342 WAVERLY ST
OAKLAND CA 94612

RESIDENT
Parcel #: 8-670-4
2359 HARRISON ST
OAKLAND CA 94612

RESIDENT
Parcel #: 8-670-14
2338 WAVERLY ST
OAKLAND CA 94612

RESIDENT
Parcel #: 8-670-1
271 24TH ST
OAKLAND CA 94612

ROBB DAVID A
Parcel #: 8-671-20-1
277 27TH ST
OAKLAND CA 94612

ROUSE STEVEN P & BARBARA
Parcel #: 10-768-2-4
4280 SHAMROCK WAY
CASTRO VALLEY CA 94546

SCHLENKER RONALD C &
Parcel #: 10-768-2-1
25992 VIA VIENTO
MISSION VIEJO CA 92691

WONG CALVIN C & MELINDA
Parcel #: 10-769-12
200 CREEDON CIR
ALAMEDA CA 94502

YU DAJUN & XUAN JIANAI
Parcel #: 10-769-21
6729 KIT LN
CASTRO VALLEY CA 94552

Attachment 1

Responsible Party(ies) Legal Requirements / Obligations

REPORT REQUESTS

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.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/).

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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	REVISION DATE: July 20, 2010
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

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.

REQUIREMENTS

- **Please do not submit reports as attachments to electronic mail.**
- Entire report including cover letter must be submitted to the ftp site as **a single portable document format (PDF) with no password protection.**
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- **Signature pages and perjury statements must be included and have either original or electronic signature.**
- **Do not password protect the document.** Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:

RO#_Report Name_Year-Month-Date (e.g., RO#5555_WorkPlan_2005-06-14)

Submission Instructions

- 1) Obtain User Name and Password
 - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
 - i) Send an e-mail to deh.loptoxic@acgov.org
 - b) In the subject line of your request, be sure to include "**ftp PASSWORD REQUEST**" and in the body of your request, include the **Contact Information, Site Addresses,** and the **Case Numbers (RO# available in Geotracker) you will be posting for.**
- 2) Upload Files to the ftp Site
 - a) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
 - (i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) Click on Page located on the Command bar on upper right side of window, and then scroll down to Open FTP Site in Windows Explorer.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
 - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
 - a) Send email to deh.loptoxic@acgov.org notify us that you have placed a report on our ftp site.
 - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name @acgov.org. (e.g., firstname.lastname@acgov.org)
 - c) The subject line of the e-mail must start with the RO# followed by **Report Upload.** (e.g., Subject: RO1234 Report Upload) If site is a new case without an RO#, use the street address instead.
 - d) If your document meets the above requirements and you follow the submission instructions, you will receive a notification by email indicating that your document was successfully uploaded to the ftp site.