

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
04-28-06

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

April 27, 2006

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

Subject: Fuel Leak Case No. RO0002523, Shell #13-5444, 4530 Las Positas Road, Livermore, CA – Work Plan Approval

Dear Mr. Brown:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site and the document entitled, "Work Plan for Soil and Groundwater Assessment," dated April 17, 2006. The Work Plan proposes the collection of soil and grab groundwater samples from five soil borings to detect potential fuel hydrocarbon source areas at the site. ACEH concurs with the proposed scope of work.

We request that you 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 REPORT REQUEST

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

- **September 19, 2006** – Soil and Groundwater Investigation 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

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 jerry.wickham@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.

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.

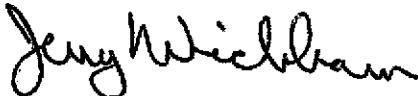
Denis Brown
April 27, 2006
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AGENCY OVERSIGHT

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.

Sincerely,



Jerry Wickham
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Matt Katen, QIC 80201
Zone 7 Water Agency
100 North Canyons Parkway
Livermore, CA 94551

Danielle Stefani
Livermore-Pleasanton Fire Department
3560 Nevada Street
Pleasanton, CA 94566

R. Lee Dooley
Delta Environmental Consultants, Inc.
175 Bernal Road, Suite 200
San Jose, CA 95119

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

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March 27, 2006

Mr. Dana Thurman
Chevron
6001 Bollinger Canyon Rd., K2236
P.O. Box 6012
San Ramon, CA 94583-2324

Dear Mr. Thurman:
Subject: SLIC Case RO0002535, Former Chevron Asphalt Plant and Terminal #20-6265
1520 Powell Street, Emeryville, CA

Our office has received the March 23, 2006 Site Conceptual Model and Request for Site Closure by Cambria Environmental. However, our records indicate that the current balance on the above-referenced SLIC oversight account is -\$471.00. In order to continue to provide regulatory oversight we are requesting the submittal of a check made payable to Alameda County Environmental Health in the amount of \$ 4000.00. Please send your check to the attention of our Finance Department.

This deposit may or may not be sufficient to provide all necessary regulatory oversight. ACEH will deduct actual costs incurred based upon the hourly rate specified below. If these funds are insufficient, additional deposit will be requested. Otherwise, any unused monies will be refunded to you or your designee.

The deposit is authorized in Section 6.92.040L of the Alameda County Ordinance Code. Work on this project is being debited at the Ordinance specified rate, currently \$166.00 per hour.

Please write "SLIC" (the type of project), the site address and the AR# 0309164 on your check.

If you have any questions, please contact me at (510) 567-6862.

Sincerely,


Ariu Levi
Division Chief

cc: D. Drogos, J. Jacobs, B. Chan

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



03-26-03

RO0002523

March 25, 2003

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

ENVIRONMENTAL HEALTH SERVICES
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1131 Harbor Bay Parkway, Suite 250
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RE: Shell Station, 4530 Las Positas Road, Livermore, CA

Dear Ms. Petryna:

The case file for the referenced site was recently reviewed, up to and including the December 4, 2002 KHM Environmental Management, Inc sampling report.

At this time, please continue to sample the existing wells on a quarterly schedule, and comply with the report submittal schedule presented, below:

April 15, 2003 – Quarterly Report for the First Quarter 2003

July 15, 2003 – Quarterly Report for the Second Quarter 2003

October 15, 2003 – Quarterly Report for the Third Quarter 2003

January 15, 2004 – Quarterly Report for the Fourth Quarter 2003

In addition, please add analyses for lead scavengers (EDB and 1,2-DCA / EDC) and the oxygenates (methanol and ethanol) to the current suite of target compounds using EPA Method 8260.

These reports and work plans are being requested pursuant to the Regional Board's authority under Section 13267(b) of the California Water Code. **Each technical report shall include conclusions and recommendations for the next phases of work required at the site should more appear necessary to refine the SCM.** We request that all required work be performed in a prompt and timely manner, as suggested by the noted schedule, above. Revisions to this schedule shall be requested in writing with appropriate justification for anticipated delays.

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that all work plans and technical reports containing professional geologic or engineering evaluations and/or judgments be completed under the direction of an appropriately-registered or certified professional. This registered or certified professional shall sign and wet stamp all such reports and work plans.

All reports and work plans are to be submitted under cover, signed under penalty of perjury, by the Responsible Party(ies) who have taken a lead role in compliance with corrective action directives.

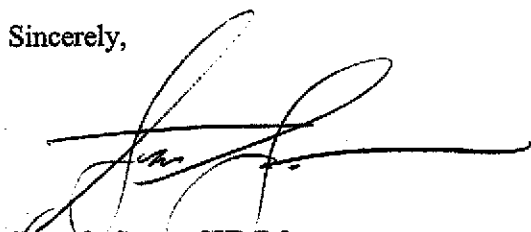
Karen Petryna
Re: 4530 Las Positas Road, Livermore
March 25, 2003
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AGENCY OVERSIGHT

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 Alameda County District Attorney, for possible enforcement follow up. Enforcement follow up may include administrative action or monetary penalties of up to \$10,000 per day for each day of violation of the California Health and Safety Code, Division 20, Chapter 6.76.

If you have any questions, I can be reached at (510) 567-6783.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott O. Seery", written over a horizontal line.

Scott O. Seery, CHMM
Hazardous Materials Specialist

c: Betty Graham, RWQCB
Dave Charter, SWRCB UST Fund
Matt Katen, Zone 7 Water Agency
Danielle Stefani, Livermore-Pleasanton Fire Department
Donna Drogos, ACDEH LOP