

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
02-14-06

February 10, 2006

Mr. Richard Corbett
1459 First Street
Livermore, CA 94550

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

Subject: Fuel Leak Case RO0002744; Property at 8999 San Ramon Road, Dublin – Request for Access Agreement for Off-Site Investigation

Dear Mr. Corbett:

Under the direction of this office, Shell Oil Products US is conducting an environmental investigation for a property located at 8999 San Ramon Road in Dublin. Groundwater contamination has been detected in a monitoring well near your property. The extent of the groundwater contamination is currently unknown but potentially could extend beneath your property. Alameda County Environmental Health (ACEH) is requiring Shell Oil Products US to characterize the extent of contamination from their site. Delta Environmental Consultants, Inc., on behalf of Shell Oil Products US, previously submitted an access agreement to you to allow exploratory borings and monitoring wells at the San Ramon Village Plaza at 8931 to 8951 San Ramon Road. It is imperative that this access agreement be resolved promptly and reasonably in order to define the extent of contamination and prevent future contaminant migration.

ACEH requests you complete the access agreement with Shell Oil Products US by **March 10, 2006** that (i) enables Shell Oil Products US and their consultants, Delta Environmental Consultants, Inc., to perform the necessary work and (ii) is signed by all relevant parties. This request for a technical report is made pursuant to Water Code Section 13267, which allows ACEH to require technical reports from persons whose activities may have an impact on water quality. You may be subject to administrative civil liability of up to \$1,000 per day pursuant to Water Code Section 13268 if you fail to respond, respond late, or submit an inadequate response. Any extension in the above deadline must be confirmed in writing by ACEH staff.

Please contact me at (510) 567-6791 or via email at jerry.wickham@acgov.org with any questions regarding this case.

Sincerely,

Jerry Wickham, P.G.
Hazardous Materials Specialist

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

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

Donna Drogos, ACEH
Jerry Wickham, ACEH
File RO2744

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
10-5-05

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

October 4, 2005

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

Subject: Fuel Leak Case No. RO0002744, Shell#13-5244, 8999 San Ramon Road, Dublin, CA –
Work Plan Approval

Dear Mr. Brown:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site, which included a Work Plan dated September 27, 2005 and an electronic site conceptual model (SCM), dated September 27, 2005. The Work Plan and SCM were prepared on Shell's behalf by Delta Environmental Consultants, Inc. The Work Plan proposes a scope of work to assess the lateral and vertical extent of soil and groundwater contamination at the site. The Work Plan also proposes remediation testing in well MW-1. ACEH concurs with the scope of work presented in the Work Plan. ACEH requests that you address the following technical comments in the Subsurface Investigation Report requested below.

ACEH requests 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 COMMENTS

1. **Groundwater Flow Direction.** The hydraulic gradient discussed in the Work Plan did not appear to be consistent with the text and figures in the SCM. As discussed in the SCM, the hydraulic gradient on May 5 and May 19 was to the southeast. In addition, please check the date shown on the groundwater elevation contour map for May 5 and include any corrections or clarifications in the updated SCM requested below.
2. **Interim Remediation.** ACEH concurs with the proposed remediation testing in well MW-1. Please include a discussion in the Subsurface Investigation Report requested below of the effectiveness of vacuum-aided groundwater extraction and potential effectiveness of other applicable technologies for interim remediation at the site.

TECHNICAL REPORT REQUEST

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

- **November 15, 2006** – Quarterly Report for the Third Quarter 2005

- **February 15, 2006** – Quarterly Report for the Fourth Quarter 2005
- **February 28, 2006** – Subsurface Investigation Report and Updated Site Conceptual Model

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) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy 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 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, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board 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

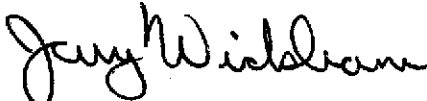
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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.

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: Lee Dooley
Delta Environmental Consultants, Inc.
175 Bernal Road
San Jose, CA 95119

Colleen Winey, QIC 80201
Zone 7 Water Agency
100 North Canyons Parkway
Livermore, CA 94551

Donna Drogos, ACEH
Jerry Wickham, ACEH

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
7-26-05

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

July 25, 2005

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

Subject: Fuel Leak Case No. RO0002744, Shell#13-5244, 8999 San Ramon Road, Dublin, CA –
Comments on Initial Site Conceptual Model and Investigation Results

Dear Mr. Brown:

Alameda County Environmental Health (ACEH) staff has reviewed the case file and the "Initial Site Conceptual Model," dated July 2005 for the above referenced site. The Initial Site Conceptual Model (SCM) incorporates historical sampling results and the results of a recent soil and groundwater investigation. Elevated concentrations of MTBE and TBA were detected in shallow groundwater (approximately 25 feet bgs). The lateral extent of MTBE and TBA in shallow groundwater has not been defined. In addition, the vertical extent of contamination and the potential for the contamination to affect deeper aquifers has not been defined for the site.

The SCM summarizes site conditions, identifies data gaps, and includes recommendations for additional investigation. The electronic SCM was concise and well written. In general, ACEH concurs with the data gaps identified and recommendations presented. We request preparation of a work plan based on the data gaps and recommendations presented in the SCM. We also request minor improvements to the SCM based on the technical comments below. The changes requested to the SCM do not require major revisions and can be readily incorporated into an updated SCM using the electronic SCM format. Therefore, please address the following technical comments, perform the proposed work, and send us the reports described below.

TECHNICAL COMMENTS

1. **Work Plan.** Please prepare a Work Plan to address the data gaps identified and the recommendations for additional work presented in the SCM. We recommend that the Work Plan be submitted as a separate document attached to the electronic SCM so that the Work Plan can reference graphics and tables within the SCM.
2. **Dispenser and Piping Upgrade and Over Excavation Sampling Report.** The SCM presents the soil analytical data tables and soil sample location maps from the October 31, 2004 report entitled, "Dispenser and Piping Upgrade and Over Excavation Sampling Report." The text from this report includes a chronologic description of the sampling events and descriptions of free product observations. Please include the text from this report in the updated SCM requested below.
3. **Site Geology.** The SCM indicates the following data gap for Site Geology: "Extent of clay layer not defined." Please revise the text to "clay layers" or expand the discussion to identify

the specific clay layer that is being discussed. Please make this change to the updated SCM requested below.

4. **May 19 Groundwater Elevation Contour Map.** The May 19 Groundwater Elevation Contour Map referenced in the SCM was not included in the graphics presented. Please incorporate a contour map for the May 19, 2005 water level data into the updated SCM requested below.
5. **Cross Sections.** Please prepare two geologic cross sections, one that is parallel to the contaminant plume axis and one that is roughly to the plume axis that includes well MW-1. The cross sections are to include subsurface geologic features, depth to groundwater, man-made conduits, soil boring and sampling locations, monitoring well construction, and an interpretive drawing of the vertical extent of soil and groundwater contamination. Please include these cross sections in the updated SCM requested below.
6. **Source Area and Dissolved Plume.** The SCM notes that, "the high concentrations of MTBE and TBA detected in well MW-1 are not consistent with the shallow groundwater flow direction." Please consider in the updated SCM requested below, the observations of free product in the area of the USTs upgradient from well MW-1 and the potential for the area upgradient of MW-1 to be a source area. The Work Plan is to propose sampling to assess whether the area upgradient of MW-1 contains a large mass of petroleum hydrocarbons and may require interim remediation.
7. **Quarterly Monitoring.** Quarterly groundwater monitoring is to be implemented for the site. Please include plans for quarterly sampling and analysis in the Work Plan requested below.

TECHNICAL REPORT REQUEST

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

- **September 27, 2005** –Updated Site Conceptual Model and Work Plan for Soil and Groundwater Investigation
- **November 15, 2005** - Quarterly Report for the Third Quarter 2005
- **February 15, 2006** - Quarterly Report for the Fourth Quarter 2005

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.

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

Mr. Denis Brown
July 25, 2005
Page 3

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

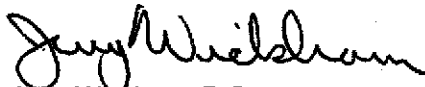
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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.

Sincerely,



Jerry Wickham, P.G.
Hazardous Materials Specialist

cc: Lee Dooley
Delta Environmental Consultants, Inc.
175 Bernal Road
San Jose, CA 95119

Colleen Winey, Zone 7 Water Agency, QIC 80201
Donna Drogos, ACEH
Jerry Wickham, ACEH
File RO0002744

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



scw
03-09-05

March 8, 2005

Karen Petryna
Shell Oil Products US
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

Subject: Fuel Leak Case No. RO0002744, Shell #13-5244, Active Service Station at 8999 San Ramon Road, Dublin, California – Workplan Approval

Dear Ms. Petryna:

Alameda County Environmental Health (ACEH) has reviewed your December 17, 2004 *Work Plan* prepared by Delta Environmental Consultants, Inc., for the above-referenced site. We concur with your workplan provided the following conditions are met:

1. Proposed borings GP-3, GP-8 and GP-13 will be hand-augered or otherwise cored with samples collected beginning at ground surface. Your October 13, 2004, *Dispenser and Piping Upgrade and Over-Excavation Sampling Report* identified a relatively higher permeability gravel and silty sand layer that was "heavily stained" and exhibited PID readings up to 1,100 ppm between approximately 0.6 and 4.5 ft bgs. This lithologic unit is underlain by stiff to very stiff clay, and it appeared to have provided a conduit for lateral migration of petroleum hydrocarbons. Soil samples from GP-3, GP-8 and GP-13 will be collected and analyzed based on observations of staining and odor within the gravel and silty sand unit.
2. Due to concerns about 1) sample dilution, 2) the effects of vertical gradients on observed groundwater levels, and 3) cross-screening of multiple water-bearing zones, the ACEH LOP program approves a maximum well sand-pack interval of 5 ft. The proposed wells will be screened to conform with this requirement. To provide a water table monitoring point at sites with seasonal depth-to-groundwater fluctuation, well clusters have been proposed at other sites. Of note, ACEH has not yet required "an on-going groundwater sampling and analysis program." At your discretion and with consideration of project costs, monitoring wells may be installed as part of the current effort or after additional site data is collected. To determine the groundwater flow direction, ACEH frequently approves installation of piezometers or temporary wells (1 or 2 inch diameter) with short screens. One-inch diameter piezometers may be constructed using a dual-tube system on the Geoprobe drill rig proposed under workplan Task 2.
3. If deemed necessary by your geologist or engineer to fully define the vertical and lateral extent of contamination, additional soil or groundwater samples will be collected as part of the current investigation efforts. ACEH will be informed via telephone or email of any additions to the sampling and analysis plan. Any additional work will follow the workplan-specified procedures. Dynamic investigations are consistent with USEPA protocol for expedited site assessments, which are scientifically valid and offer a cost-effective approach to fully define a plume and to help progress a case toward closure.
4. 72-hr advance written notification (email preferred) will be provided to ACEH prior to field sampling activities.

Please implement the proposed investigation and submit technical reports following the schedule below.

REPORT REQUEST

Please submit your *Soil and Water Investigation Report*, which addresses the comments above by **July 8, 2004**. ACEH makes this request pursuant to California Health & 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 a reportable unauthorized release from a petroleum UST system, and require your compliance with this request.

Professional Certification and Conclusions/Recommendations

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that workplans 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.

Perjury Statement

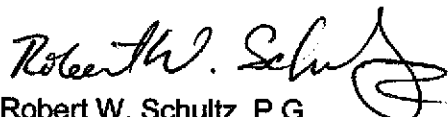
All workplans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or 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.

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

Please call me at (510) 567-6719 or contact me via email at robert.schultz@acgov.org with any questions regarding this case.

Sincerely,



Robert W. Schultz, P.G.
Hazardous Materials Specialist

Ms. Petryna
March 8, 2005
RO-2744

cc: R. Lee Dooley, Delta Environmental Consultants, Inc., 175 Bernal Rd., Ste. 200, San
Jose, CA 95119
Matt Katen, Zone 7 Water District, QIC 80201
Donna Drogos, ACEH
Robert W. Schultz, ACEH

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ENT 11-08-04

November 3, 2004

Karen Petryna
Shell Oil Products US
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

Subject: Fuel Leak Case No. RO0002744, Shell #13-5244, Active Service Station at 8999 San Ramon Road, Dublin, California – Workplan Request

Dear Ms. Petryna:

Alameda County Environmental Health (ACEH) has reviewed your October 13, 2004 *Dispenser and Piping Upgrade and Over-Excavation Sampling Report* prepared by Cambria Environmental Technology, Inc., for the above-referenced site. Separate phase hydrocarbons (SPH) and petroleum hydrocarbon impacted soils were observed during underground storage tank (UST) system upgrades at the site. In partial compliance with the initial abatement action, initial site characterization, and free product removal requirements outlined in 23 CCR 2653 through 2655, the report presents the results of soil sampling performed beneath the UST piping and dispensers, and it summarizes the initial corrective action taken by Shell in response to ACEH's September 1, 2004 and September 3, 2004 requests. Cambria concludes that additional soil investigation is necessary to determine the extent of petroleum hydrocarbon contamination. Please submit a workplan for soil and groundwater investigation which addresses the technical comments below.

TECHNICAL COMMENTS

1. Compliance with 23 CCR Article 5

Shell detected a gasoline and diesel release beneath the product dispensers on July 30, 2004, and submitted an unauthorized release form (URF) dated August 3, 2004. 23 CCR Section 2652(c) requires i) a description of the corrective actions which were undertaken and will be conducted, ii) proposed cleanup actions, and iii) a time schedule for implementation. The URF indicates that the proposed cleanup method was "other" with no further elaboration. Shell provided no time schedule for implementation of the proposed action, as required by Section 2652(c)(8). Further, 23 CCR Sections 2653(a)(5) and 2654(b)(1 and 2) require that owners and operators investigate to determine the possible presence of free product and that they promptly gather information about the site and the nature of the release. Shell appears to have failed to comply with these requirements.

On August 25, 2004, Shell detected free product within a piping trench and submitted a second URF for the site on August 26, 2004. Shell proposed cleanup via over-excavation, coordinated the cleanup action with ACEH and performed initial work on August 27, 2004. 23 CCR sections 2652 through 2655 outline the reporting investigation, initial response, initial abatement, initial characterization and free product removal requirements in response to this release. Sections 2652 (c)(7 and 8) and 2653(a)(5) require specific investigation and reporting tasks within 5 days of detecting an unauthorized release. Shell did not inspect the site tank backfill wells for free product until October 4, 2004. 23 CCR section 2652 (c)(7 and 8) require that you propose: 1)

corrective actions, and 2) a time schedule for implementation. Contrary to these requirements, the October 13, 2004 report states:

"[Shell's consultant] will not prepare a workplan until after receipt of comments on this report."

23 CCR Article 5 outlines the requirements of owners and operators and we request that you comply with its provisions with or without additional directive from ACEH. We encourage you to be proactive in response to discovery of unauthorized releases.

We request that you report all items (1 through 7) required under 23 CCR 2655(e). We request that you include documentation of the total volume of free product recovered, including copies of waste manifests. Please submit this information in the workplan requested below.

2. Regional Geologic and Hydrogeologic Study

We request that you perform a study of the regional geologic and hydrogeologic setting of your site by reviewing the available technical literature for the area. References for your review need to include regional geologic maps, United States Geological Survey (USGS) technical reports and documents, Department of Water Resources (DWR) Bulletins, Regional Water Quality Control Board reports on the groundwater basin, data from contaminant investigations in the area, etc. Please provide: 1) a concise narrative discussion of the regional geologic and hydrogeologic setting, 2) figure(s) summarizing your findings, and 3) synthesis and interpretation of regional data with the site-specific data. We request that you appropriately reference your findings, and that you present photocopies of regional geologic maps, groundwater contour maps, cross-sections, etc., to illustrate your results. Please report your results in the workplan requested below.

3. Soil and Water Investigation

We request that you propose investigation tasks to define the extent of contamination in both soil and groundwater. As suggested in your report, your soil investigation needs to evaluate the vertical extent of soil contamination near the dispensers and in the vicinity of TX-8-4.5, and the lateral extent of contamination east of SW-6. Due to the regionally shallow depth to groundwater and detection of SPH and MTBE, we request that you evaluate the potential impact to groundwater. Also, we request that you evaluate the potential for lateral migration via the sanitary sewer trench backfill, which intersects the piping trench near the station kiosk.

Because petroleum hydrocarbons, MTBE and TBA were detected in soil, we will require that your workplan propose investigation methods which are suitable to the various chemical properties represented by these compounds. Due to the presence of MTBE and TBA, we recommend that you propose an investigation which will identify potential preferential pathways for contaminant migration. Recommended methods include continuous core drilling, depth discrete groundwater sampling, transects of borings, geophysical subsurface profiling, etc.

We also recommend that your investigation incorporate expedited site assessment techniques. Expedited site assessment tools and methods are a scientifically valid and cost-effective approach to fully define the three-dimensional extent of the plume. Technical protocol for expedited site assessments are provided in the U.S. Environmental Protection Agency's (EPA) *Expedited Site Assessment Tools for Underground Storage Tank Sites: A Guide for Regulators* (EPA 510-B-97-001), March 1997; ASTM E 1912-98 *Standard Guide for Accelerated Site Characterization for Confirmed or Suspected Petroleum Releases*; and ITRC *Technical and*

Regulatory Guidance for the Triad Approach: A New Paradigm for Environmental Project Management, December 2003.

Please describe your proposal for performing this investigation in the workplan requested below.

4. Well Survey

ACEH requests that you locate all wells (monitoring and production wells: active, inactive, standby, decommissioned, abandoned and dewatering, drainage and cathodic protection wells) within 2,000 ft of the subject site. We recommend that you obtain well information from both Zone 7 Water Agency and the State of California Department of Water Resources, at a minimum. We require that you provide location addresses and copies of DWR driller's reports for all wells identified in your survey. Please report the results of your surveys in the workplan requested below.

REPORT REQUEST

Please submit your *Soil and Water Investigation Workplan*, which addresses the comments above by **December 18, 2004**. ACEH makes this request pursuant to California Health & 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 a reportable unauthorized release from a petroleum UST system, and require your compliance with this request.

Professional Certification and Conclusions/Recommendations

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that workplans 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.

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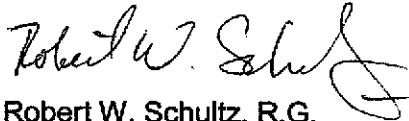
AGENCY OVERSIGHT

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Ms. Petryna
November 3, 2004
RO-2744

Please call me at (510) 567-6719 or contact me via email at robert.schultz@acgov.org with any questions regarding this case.

Sincerely,



Robert W. Schultz, R.G.
Hazardous Materials Specialist

cc: Matt Derby, Cambria Environmental Technology, Inc., 5900 Hollis St., Ste. A, Emeryville,
CA 94608
Matt Katen, Zone 7 Water District, QIC 80201
Donna Drogos, ACEH
Robert W. Schultz, ACEH

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



08-02 01

R02744

August 1, 2001

STID 4110 / PR0501205

Bruce Marubashi
Equilon Enterprises, LLC
3468 Claremont
Modesto, CA 95350

Carl Cox
C & J Cox Corporation
8999 San Ramon Road
Dublin, CA 94568

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

NOTICE OF VIOLATION

Re: Inspection of Shell Station, 8999 San Ramon Road, Dublin

Dear Messrs. Marubashi and Cox:

A regulatory compliance inspection was performed at the subject facility on July 26, 2001. A representative of Service Station Systems, Inc. facilitated the inspection. The purpose of the inspection was to determine compliance with conditions of the facility underground storage tank (UST) operating permit, as well as provisions of Title 23, California Code of Regulations (CCR) and California Health and Safety Code (HSC) Chapter 6.7.

The following is a summary of non-compliant and other conditions noted at the time of the inspection:

- 89 and diesel product fill overspill bucket drains were broken
- 89 product vapor riser cap was broken
- All dispenser containment pans were dirty, with several float trip mechanisms sticky due to debris wedged between float and amplifier wells
- All chains connecting float trip mechanisms to shear valves in dispenser containment were too loose
- Dispensers #3 and 11 had accumulations of product; the float trip mechanism was buoyed completely out of amplifier well due to the amount of product accumulated, yet the shear valve did not trigger
- Employee training records were not available for review at the time of the inspection
- Monthly tank ATG leak reports were not available for review at the time of the inspection
- Monthly line leak detector test reports were not available for review at the time of the inspection
- Annual ATG/monitoring system certification records were not available at the time of the inspection

Messrs. Marubashi and Cox
Re: 8999 San Ramon Road, Dublin
August 1, 2001
Page 2 of 3

Violations of provisions of HSC have been identified, as follows:

- HSC Sec. 25293 – The operator of the underground tank system shall monitor the tank system using the method specified on the permit for the tank system. Records of monitoring....shall be kept in sufficient detail to enable the local agency to determine whether the underground tank system is in compliance with the applicable provisions of [HSC Chapter 6.7], the regulations....., and the permit issued for the operation of the tank system.

Dispensers were not being monitored due to loose float trip chains. Records documenting monthly tank and product line tests were not available for review at the time of the inspection. Records documenting annual ATG/monitoring system certifications were not available for review at the time of the inspection. These are violation of the conditions of your permit to operate the tanks at this site.

- HSC Sec. 25294 – Any unauthorized release from the primary containment which the operator is able to clean up within 8 hours after the release was detected *or should reasonably have been detected*, and which does not escape from the secondary containment....shall be recorded on the operator's monitoring reports. [emphasis added]

The presence of accumulated product within dispenser containment, the apparent lack of documents recording this release, and the failure to cleanup the release within 8 hours after the release should reasonably have been detected is a violation of this section.

- HSC Sec. 25295(a)(1) – Any unauthorized release... [that] increases the hazard or fire or explosion...shall be reported by the operator to the local agency within 24 hours after the release had been detected *or should have been detected*. A full written report shall be transmitted to the local agency within 5 days. [emphasis added]

Product releases into the dispenser containment were neither cleaned up nor reported.

Please be advised that HSC Sec. 25299(a) provides for civil liabilities imposed on the tank operator of up to \$5000 per tank per day per violation for:

- (2) Violation of any applicable requirement of the permit
- (3) Failure to maintain records
- (6) Violation of any applicable requirements of HSC Chapter 6.7
- (7) Failure to perform any monitoring, testing, and reporting

Please be further advised that HSC Sec. 25299(b)) provides for civil liabilities imposed on the tank owner of up to \$5000 per tank per day per violation for:

Messrs. Marubashi and Cox
Re: 8999 San Ramon Road, Dublin
August 1, 2001
Page 3 of 3

- (4) Knowing failure to take reasonable and necessary steps to assure compliance with HSC Chapter 6.7 by the operator
- (5) Violation of any applicable requirement of the permit
- (6) Violation of any applicable requirements of HSC Chapter 6.7
- (7) Failure to perform any monitoring, testing, and reporting

At this time, Equilon and the operator are required to correct the tank system operation and maintenance, and facility management issues identified in this inspection report, namely:

- Complete and submit the attached updated UST Registration Forms
- Correct the operation and maintenance problems identified during the 7/26/00 inspection
- Maintain copies of employee training, monitoring system annual certification, and monthly tank and line leak detector tests, among others required, at the site at all times

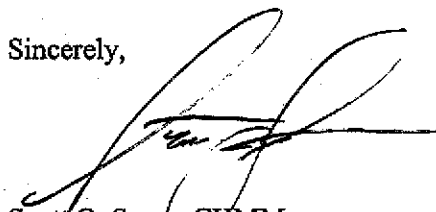
Pursuant to HSC Sec. 25288(d), you are required to submit a *Plan of Correction* **within 60 days**. This plan shall indicate the tasks to be completed, or those that have been completed already, and the schedule for doing so. We will expect that accompanying this plan will be the updated UST Registration Forms.

You must certify, once all the necessary repairs and other tasks have been completed, that the tank systems are in full compliance with HSC Chapter 6.7 and UST regulations. We recommend, therefore, that you employ your own inspectors and engineers to ensure that this requirement is met, and to provide the appropriate level of quality control you will likely need to make this certification.

Please be advised that future violations of your permit conditions will result in permit revocation.

Please contact me at (510) 567-6783 should you have any questions about the content of this letter.

Sincerely,



Scott O. Seery, CHMM
Hazardous Materials Specialist

Attachments (Equilon, only)

cc: Susan Torrence, Alameda County District Attorney's Office
Robert Weston, ACDEH

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0367, R0495
R02744, R0254
R02745, R01042

July 13, 1999

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

Aura Mattis
HS & E Representative
Shell Oil Products
P. O. Box 8080
Martinez CA 94553

Subject: Request for underground storage tank leak detection records for first half of calendar year 1999

Dear Ms. Mattis:

The underground storage tanks (USTs) on the attached list are single wall fiberglass tanks. These tanks are required to be monitored for leaks using an automatic tank gauge. The automatic tank gauge shall test the tank at least once per month after product delivery or when the tank is filled to within 10 % of the highest operating level during the previous month and shall be capable of detecting a release of 0.2 gallon per hour.

This is a formal request for copies of the data from those monthly tests. Please submit all test data for the months of January, February, March, April, May and June of 1999. The reports shall include the calculated leak rate and leak threshold for the automatic tank gauge systems installed after January 1, 1995. Data for all USTs at each site shall be submitted within 10 days of this letter.

Additionally, a year end summary is required to be submitted no later than January 30, 2000.

If you have any questions regarding this letter please contact me at (510) 567-6781.

Sincerely,

Robert Weston
Sr. Hazardous Materials Specialist

enclosure

c: Tom Peacock, ACDEP

Shell Stations with Single Wall Fiberglass USTs

Alcosta Shell 8999 San Ramon Road Dublin CA 94568

Bay Super Shell 1800 Powell Street Emeryville CA 94608

Alameda Shell 1601 Webster Street Alameda CA 94501

Bayview Shell 1784 150th Avenue San Leandro CA 94578

Piedmont Shell 29 Wildwood Avenue Piedmont CA 94610

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

R02744

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

May 21, 1991

Mr. John Murray
Hallenbeck and Associates
1485 Park Avenue
Emeryville, CA 94608

Dear Mr. Murray:

As requested in your letter dated March 28, 1991, the Alameda County Department of Environmental Health, Hazardous Materials Division, has reviewed its facility, underground storage tank (UST), and emergency response files for information relevant to your March 28 request. You may recall that the scope of the Department's search was modified from that originally requested March 28th, following our telephone conversations April 1 and May 17, 1991.

The new scope was to provide a listing of UST and hazardous waste generator sites at addresses on the listed streets within an approximate 1 mile radius from the subject site, and emergency responses occurring in proximity to the subject site; Proposition 65 and UST leak report files were not included in this data search.

The results of this search are presented below, in the order listed in the March 28 request. Only those streets for which information was found are listed:

| STREET / FACILITY NAME | ADDRESS | STATUS |
|--------------------------------|---------|-----------------------|
| <u>Amador Valley Boulevard</u> | | |
| (R0880) Amador Unocal #5366 | 7375 | UST (3), generator |
| Glory's Cleaners | 7988 | generator |
| PIP Printing | 7992 | generator |
| George Gray Shell | 7194 | UST (*), generator |
| Express Gas | 7600 | UST (4) |
| (R0247A) Exxon #7-0210 | 7840 | UST (3) |
| (R0482) Unocal #7176 | 7850 | UST (4) |

* Denotes tanks which have been removed

Mr. John Murray
RE: Site search, Castro Valley, Job 6432.1
May 21, 1991
Page 2 of 3

Dublin Boulevard

| | | |
|--------------------------------|---------|-----------------------|
| Coastal Steel Detail | 11887 A | generator |
| (R0213) Dublin Shell/Food Mart | 11989 | UST (4) |
| (R0290) Unocal #5901 | 11976 | UST (3), generator |
| Standard Meter | 11815 | generator |
| Hexcel Control R & D | 11711 | UST (1), generator |
| Crown Chevrolet | 7544 | UST (2), generator |
| (R02470) Shamrock Ford | 7499 | UST (2), generator |

Dublin Canyon Road

| | | |
|-----------|------|---|
| empty lot | 8555 | abandoned drums of waste oil, one dumped into drainage |
|-----------|------|---|

East Castro Valley Blvd.

| | | |
|---------------|------|-----------|
| Dry Clean USA | 3937 | generator |
|---------------|------|-----------|

San Ramon Road

| | | |
|--------------------------------|------|-----------------------|
| (R0206) Rich's Chevron | 7007 | UST (3), generator |
| Dublin Iceland | 7212 | generator |
| (R02863) Crow Canyon Dry Clean | 7272 | generator |
| Harvey's 1-Hour Dry Clean | 8917 | generator |
| (R02744) Alcosta Shell | 8999 | UST (4) |

Villareal Drive

| | | |
|-----------------------|------|---------|
| C. V. Fire Station #4 | 6901 | UST (1) |
|-----------------------|------|---------|

Mr. John Murray
 RE: Site Search, Castro Valley, Job 6432.1
 May 21, 1991
 Page 3 of 3

EMERGENCY RESPONSE**DATE**

| | |
|---|------------|
| Spill of possible concrete powder on Hwy 580 at Eden Canyon exit | 2/13/91 |
| Paint leak from truck carrying container, westbound Hwy 580 at Eden Canyon | 9/8/90 |
| Clandestine drug lab bust, 18921 Almond Ave., Castro Valley | 7/29-30/90 |

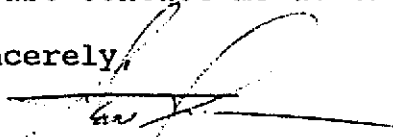
As we discussed on the phone, the vast majority of streets listed in the March 28 correspondence are residential. The number of regulated businesses which may be located in these areas is limited as a result. Further, many areas in proximity to the subject site are still undeveloped; in fact, areas north, south and west of the site are still largely engaged in some form of agricultural activity (e.g., ranches and farms). Underground storage tanks found on ranches and farms are most often exempt from the underground storage tank laws in California. Hence, records pertaining to such tanks are, at best, limited.

This letter contains information limited to files located in this office, and does not reflect data that may be available from other agencies or parties, such as the Regional Water Quality Control Board or other county entities. The information presented herein is further limited by the reduced scope agreed upon during our telephone conversations April 1 and May 17, 1991.

At this time, you will be billed for provision of the current services of this Division at the rate of \$67 per hour; enclosed is a copy of the invoice sent to our Billing Unit.

Please contact me at 415/271-4320 should you have any questions.

Sincerely,


 Scott O. Seery, CHMM
 Hazardous Materials Specialist

cc: Rafat A. Shahid, Assistant Agency Director, Environmental Health
 Edgar Howell, Chief, Hazardous Materials Division
 files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R02744

June 7, 1990

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

Shell Oil Company
P.O. Box 4023
Concord, CA 95424

Attn: Lisa Foster & Jeff Hill

RE: Underground storage tank permit requirements
Mr. Carl Cox, 8999 San Ramon Blvd., Dublin, CA 94568

Dear Ms. Foster:

This letter is in regard to information provided by the above facility on the last four quarterly reports (April 1989-March 1990) which were received by this department. The quarterly inventory reports reflect routine fluctuations in excess of the allowable limits

The following issue needs to be addressed in order to qualify for a five year underground storage tank permit.

What specifically was done to correct the large daily fluctuations leading to the large monthly inventory losses for each of the months mentioned above? In other words how were you able to make the claim on the quarterly report that the inventory loss on each fuel tank over the 3 month period was not due to an unauthorized release?

Section 2644(f)1-8 of the California Code of Regulations specifies certain procedures which must be observed if inventory reconciliation reveals a disparity either over or under the allowable limit specified in Section 2641(5)(B).

This department feels that the impetus for the above regulation is to encourage the tank operator to attain as accurate an inventory reconciliation as is possible. If inventory exceeds the allowable limits the requirements specified above are required to be carried out where the reason for the inventory loss or gain is actively investigated.

Please explain the procedure used at the above facility and address the reason for the large inventory disparities which have been reported on the quarterly inventory reports. We also request a copy of your monthly inventory reconciliation summary for the months of April and May 1990.

Shell Oil Company
June 7, 1990
Page 2 of 2

Please respond to the above requests within 14 days or by June 23, 1990. If you have any questions please direct them to Paul Smith, Hazardous Materials Specialist at 271-4320.

Sincerely,



Edgar B. Howell III, Chief,
Hazardous Materials Division

EBH:PMS:pms

cc: Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Agency
Jeff Hill, Shell Area Manager
Carl Cox, Dealer

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R02744

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

March 30, 1990

Shell Oil Company
P.O. Box 4023
Concord, CA 95424

Attn: Lisa Foster & Ken Lottinger

RE: Underground storage tank permit requirements
Mr. Carl Cox, 8999 San Ramon Blvd., Dublin, CA 94568

Dear Ms. Foster:

This letter is in regards to the inspection which was done at your facility on February 1, 1990 by Paul Smith of our department. The inspection was performed to evaluate whether the conditions for the 5 year underground storage permit were being met. The 5 year permit will be issued upon receipt of the following in accordance with Title 23 of the California Code of Regulations:

Upon inspection of your records, daily inventory swings appeared to be over the allowable limits. If the inventory swings exceed the allowable amount according to Section 2641(5)(b) the operator is required to investigate the reason for these swings and to notify all responsible parties if applicable; [Sect 2644(e&f)].


It is noted that on June 26th, 1989 all tanks at your facility passed the annual precision test. Please explain, in writing, the reason for the large inventory swings which you reported in your quarterly monitoring report and explain how greater accuracy can be attained in the future.

When submitting copies of quarterly reports to this office and when maintaining records at your tank facility please specify the quarter and year on each report form.

Shell Oil Company
March 21, 1990
Page 2 of 2

Please respond within 10 days of the receipt of this letter.
If you have any questions please direct them to Paul Smith with our
department at 271-4320.

Sincerely,



Edgar B. Howell III, Chief,
Hazardous Materials Division

EBH:PMS:pms

Enclosures (2)

cc: Gil Jensen, Alameda County District Attorney, Consumer and
Environmental Protection Agency
Jeff Hill, Shell Area Manager
Carl Cox Dealer