



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

October 21, 2013

Perry Pineda
Shell Oil Products US
20945 S. Wilmington Ave.
Carson, CA 90810-1039
(Sent via E-mail to: perry.pineda@shell.com)

Betty Patton Trust and Mary Biggs Trust
c/o Douglas Patton
5314 Proctor Avenue
Oakland, CA 94618-2732

Betty Patton Trust and Mary Biggs Trust
c/o Greg Biggs
3640 Valley Road
Casper, WY 82604-4982

Subject: Landowner and Public Notification for Fuel Leak Case No. RO0000121 and GeoTracker Global ID T0600101277, Shell#13-5037, 999 San Pablo Avenue, Albany, CA 94706

Dear Mr. Pineda, Mr. Patton, and Mr. Biggs:

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 60 days from the date of this letter for your comments to be considered.

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 attached mailing list and the cc list to this correspondence **no later than October 29, 2013**. We also request that you distribute the attached notification to any persons, corporations, or government agencies you are aware of that may have an interest in this fuel leak case. The Notification of Potential Case Closure requests that landowners or residents submit any comments or questions to ACEH regarding potential case closure by December 29, 2013. 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.

This case is expected to be closed with the following site management requirements:

“This fuel leak case has been evaluated for closure consistent with the State Water Resources Control Board Low-Threat Underground Storage Tank Closure Policy (LTCP). Separate phase hydrocarbons (SPH) were recovered within an area of the site until as recently as 2011. The SPH likely is present within the capillary fringe approximately 5 to 9 feet below ground surface. Because the site is an active commercial fueling station, the LTCP does not require evaluation of the potential for vapor intrusion to indoor air and does not consider the potential for vapor intrusion if land use changes in the future. No soil vapor sampling has been conducted and the site has not been evaluated for vapor intrusion to indoor air. Under the current land use as an active fueling station, the site is not required to meet media-specific criteria for vapor intrusion to indoor air. Therefore, case closure is granted for the current commercial land use as an active fueling station.

If a change in land use to any residential, commercial other than as a commercial fueling station, or conservative land use, or if any redevelopment occurs, 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.

Excavation or construction activities in areas of residual contamination require planning and implementation of appropriate health and safety procedures by the responsible party prior to and during excavation and construction activities.”

Groundwater monitoring may be suspended at this time. In order to expedite the closure process, you may schedule well decommissioning for one to two weeks after the end of the public comment period. If public comments require a longer period of time for responses, it may be necessary to postpone well decommissioning.

TECHNICAL REPORT REQUEST

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

- **October 29, 2013** – 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

Responsible Parties
RO0000173
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Attachments: Public Notification of Potential Case Closure (for distribution)
Mailing List
List of Landowners Form

cc: 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

MAILING LIST FOR FACT SHEET (3 PAGES)

Thomas Francis
East Bay Municipal Utility District
375 11th Street, M.S.407
Oakland, CA 94607-1055

Cherie McCaulou
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612
San Francisco Bay Regional Water Quality

ATLANTIC RICHFIELD
Parcel #: 65-2662-53
PO BOX 5015
BUENA PARK CA 90622

BECTON SIMMIE
Parcel #: 65-2661-28
1612 HELTINGS AVE
RICHMOND CA 94801

CALAFIURA PAOLO & SOLERI
Parcel #: 65-2662-62
1012 KAINS AVE #A
ALBANY CA 94706

CAMPBELL LLC
Parcel #: 65-2660-33
924 RAMONA AVE
ALBANY CA 94706

CHANG ELBERT & WU SAU Y
Parcel #: 65-2661-27
988 KAINS AVE
ALBANY CA 94706

CHOU ROBERT C & JEAN J TRS
Parcel #: 65-2660-32
995 KAINS AVE
ALBANY CA 94706

CITY OF ALBANY PUBLIC
Parcel #: 66-2692-2-2
1000 SAN PABLO AVE
ALBANY CA 94706

FREEMAN LAWRENCE &
Parcel #: 65-2662-1
1340 COUNTRY COMMONS
LAKE OSWEGO OR 97034

FURUYA ALYCE K TR
Parcel #: 65-2661-32-1
1833 GANGES AVE
EL CERRITO CA 94530

HUANG JEAN J & MEIRUNG
Parcel #: 65-2662-4
12 CHARLES HILL RD
ORINDA CA 94563

LAWRENCE EDWARD H JR TR
Parcel #: 65-2662-2
1905 MAR WEST ST
TIBURON CA 94920

LONGPRE RAMONA M TR
Parcel #: 65-2661-26
986 KAINS AVE
ALBANY CA 94706

MOFFAT SUSAN K
Parcel #: 65-2662-60
1012 KAINS AVE
ALBANY CA 94706

NEMATPOUR MOHAMMED A
Parcel #: 65-2662-3
1164 SOLANO AVE
ALBANY CA 94706

PATTON BETTY L TR & BIGGS
Parcel #: 65-2661-34
5314 PROCTOR AVE
OAKLAND CA 94618

PATTON BETTY L TR & BIGGS
Parcel #: 65-2661-33
3640 VALLEY RD
CASPER WY 82604

PHILLIPS EUGENE &
Parcel #: 65-2661-29
994 KAINS AVE
ALBANY CA 94706

RAGO BASIL
Parcel #: 65-2660-34
P.O. BOX 528
DIABLO CA 94528

REGENTS OF THE
Parcel #: 66-2692-2-11
1111 FRANKLIN ST #6
OAKLAND CA 94607

RESIDENT
Parcel #: 65-2659-1
1124 MARIN AVE
ALBANY CA 94706

RESIDENT
Parcel #: 65-2660-33
985 KAINS AVE
ALBANY CA 94706

RESIDENT
Parcel #: 65-2661-28
990 KAINS AVE
ALBANY CA 94706

RESIDENT
Parcel #: 65-2661-32-1
1111 MARIN AVE
ALBANY CA 94706

RESIDENT
Parcel #: 65-2661-34
999 SAN PABLO AVE
ALBANY CA 94706

RESIDENT
Parcel #: 65-2660-34
977 KAINS AVE
ALBANY CA 94706

RESIDENT
Parcel #: 65-2661-36
985 SAN PABLO AVE
ALBANY CA 94706

RESIDENT
Parcel #: 65-2661-38-1
979 SAN PABLO AVE
ALBANY CA 94706

RESIDENT
Parcel #: 65-2662-2
1110 MARIN AVE
ALBANY CA 94706

RESIDENT
Parcel #: 65-2661-30
1115 MARIN AVE
ALBANY CA 94706

RESIDENT
Parcel #: 65-2661-33
999 SAN PABLO AVE
ALBANY CA 94706

RESIDENT
Parcel #: 65-2661-35
987 SAN PABLO AVE
ALBANY CA 94706

RESIDENT
Parcel #: 65-2662-1
1001 SAN PABLO AVE
ALBANY CA 94706

RESIDENT
Parcel #: 65-2662-3
1002 KAINS AVE
ALBANY CA 94706

RESIDENT
Parcel #: 65-2662-4
1008 KAINS AVE
ALBANY CA 94706

RESIDENT
Parcel #: 65-2662-53
1009 SAN PABLO AVE
ALBANY CA 94706

RESIDENT
Parcel #: 65-2662-63
1010 KAINS AVE
ALBANY CA 94706

RESIDENT
Parcel #: 65-2662-60
1010 KAINS AVE
ALBANY CA 94706

RESIDENT
Parcel #: 65-2662-62
1010 KAINS AVE
ALBANY CA 94706

RESIDENT
Parcel #: 66-2692-2-11
BUCHANAN ST
ALBANY CA 94706

SIERRA PILAR K TR
Parcel #: 65-2661-30
3138 CAFETO DR
WALNUT CREEK CA 94598

TABATABAEE HASHEM TR
Parcel #: 65-2661-36
1742 SOLANO AVE
V CA 90017

TABATABAEE HASHEM TR
Parcel #: 65-2661-38-1
1742 SOLANO AVE
BERKELEY CA 94707

TONG SINTSUEN & GILMORE
Parcel #: 65-2659-1
2001 STUART ST
BERKELEY CA 94703

TRAVIS ALAN M
Parcel #: 65-2662-63
1010 A KAINS AVE
ALBANY CA 94706

WONG WESLEY W & MOK
Parcel #: 65-2662-61
1010 KAINS AVE
ALBANY CA 94706

Z RENTALS LP
Parcel #: 65-2661-35
2503 SAN PABLO AVE #D
PINOLE CA 94564



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Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

INVITATION TO COMMENT – POTENTIAL CASE CLOSURE

**SHELL #13-5037
999 SAN PABLO AVENUE
FUEL LEAK CASE RO0000121
GEOTRACKER GLOBAL ID T0600101277**

OCTOBER 21, 2013

The above referenced site is a fuel leak case that is under the regulatory oversight of the Alameda County Environmental Health (ACEH) Local Oversight Program for the investigation and cleanup of a release of petroleum hydrocarbons from an underground storage tank system. Site investigation and cleanup activities have been completed and the site has been evaluated in accordance with the State Water Resources Control Board Low-Threat Closure Policy. The site appears to meet all of the criteria in the Low-threat Closure Policy. Therefore, ACEH is considering closure of the fuel leak case. Due to the residual contamination on site, the site would be closed with site management requirements that require further evaluation if the site is to be redeveloped in the future.

This notice is being sent to the current landowner in compliance with Health and Safety Code Section 25295.40. It is also being sent to the current occupants and landowners of adjacent properties and known interested parties for this site.

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 December 29, 2013** will be considered and responded to prior to a final determination on the proposed case closure.

If you have comments or questions regarding this site, please contact the ACEH caseworker, Jerry Wickham at 510-567-6791 or by email at jerry.wickham@acgov.org. Please refer to ACEH case RO0000121 in any correspondence.

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: Shell#13-5037

Address: 999 San Pablo Avenue

City, State, Zip: Albany, CA 94706

Record ID #: RO0000121

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: Betty Patton Trust and Mary Biggs Trust c/o Douglas Patton

Address: 5314 Proctor Avenue

City, State, Zip: Oakland, CA 94618-2732

E-mail Address: _____

Name: Betty Patton Trust and Mary Biggs Trust c/o Greg Biggs

Address: 3640 Valley Road

City, State, Zip: Casper, WY 82604-4982

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