

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



F

ENVIRONMENTAL HEALTH SERVICES

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

September 21, 2007

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

Rodney and Janet Kwan
1834 Alameda Ave.
Alameda, CA 94501

Subject: Fuel Leak Case No. RO0000145 and Geotracker Global ID T0600101876, Shell/Auto Tech West, 2703 Martin Luther King, Jr. Way, Oakland, CA 94612

Dear Mr. Brown and Mr. and Ms. Kwan:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the recently submitted document entitled, "Plume Delineation and Soil Vapor Sampling Report," dated August 27, 2007, which was prepared on Shell's behalf by Conestoga-Rovers & Associates. The "Plume Delineation and Soil Vapor Sampling Report," presents the results from three off-site CPT borings and sampling of on-site and off-site soil vapor probes. The report recommends installation of additional monitoring wells, quarterly sampling of off-site soil vapor probes, and preparation of a Corrective Action Plan. We generally concur with these recommendations but request additional soil vapor probes as discussed in the technical comments below.

We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

TECHNICAL COMMENTS

1. **Monitoring Well Installation.** We concur with the proposed locations for additional monitoring wells. Please present plans for well installation in the Work Plan requested below.
2. **Additional Soil Vapor Probe North of VP-6.** Benzene was detected in soil vapor collected from probe SV-6 at a concentration exceeding the Environmental Screening Level (ESL) for potential vapor intrusion from soil vapor to indoor air. We request that you install a soil vapor probe north of VP-6 to evaluate the extent of elevated benzene in soil vapor between VP-6 and the nearest residence to the north. Please present plans for soil vapor probe installation and sampling in the Work Plan requested below.
3. **Additional Soil Vapor Probe in Area of CPT-10.** Benzene was detected in shallow groundwater collected from CPT-10 at a concentration of 1,100 micrograms per liter, which

exceeds the ESL for potential vapor intrusion from groundwater to indoor air. We request that you install a soil vapor probe in the area of boring CPT-10 to evaluate soil vapor concentrations in this area. Please present plans for soil vapor probe installation and sampling in the Work Plan requested below.

4. **Sampling of Off-site Soil Vapor Probes.** We concur with the proposal to sample off-site soil vapor probe pairs on a quarterly basis for at least one year. Please present the results in the Quarterly Monitoring Reports requested below.
5. **Corrective Action Plan.** Based on the levels of residual soil and groundwater contamination at this site, remediation is required. We request that you submit a Corrective Action Plan (CAP) that evaluates a minimum of three active remedial alternatives (in addition to a no action or monitored natural attenuation alternative) to meet target cleanup goals for on-site contamination. The CAP must propose verification monitoring to confirm the effectiveness of the remediation. Please prepare a Draft CAP for regulatory review as requested below.
6. **Request for Identification of Adjacent Property Owners.** Public participation is a requirement for the Corrective Action Plan process. In order to provide notification to potentially affected members of the public, please provide a list of all properties within approximately 500 feet of the site, which are currently or may in the future be directly or indirectly affected by the petroleum release from your site or the proposed corrective action. The list is to identify the properties by street address, parcel number, and property owner name. Please also provide a map showing the street address for each of the listed properties and mailing labels with current mailing addresses for each property owner. ACEH will notify each of the property owners on the list of the proposed corrective action.

TECHNICAL REPORT REQUEST

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

- **November 19, 2007** – Work Plan for Monitoring Well and Soil Vapor Probe Installation
- **December 12, 2007** – Draft Corrective Action Plan
- **30 days following the end of each quarter** – Quarterly Monitoring Reports

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

ELECTRONIC SUBMITTAL OF REPORTS

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no

longer be accepted. The electronic copy replaces the paper copy and will be used for all public 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).

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.

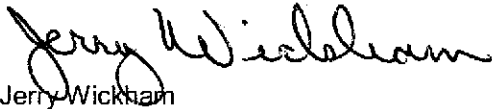
Denis Brown
Rodney and Janet Kwan
RO0000145
September 21, 2007
Page 4

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

Scott Merillat
664 27th Street
Oakland, CA 94612

Monique Oatis
670 27th Street
Oakland, CA 94612

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

Wickham, Jerry, Env. Health

To: Friel, Ana
Cc: denis.l.brown@shell.com
Subject: RE: 2703 MLK, Oakland; Status Update and Request for Extension

Ana,

Based upon your request, the schedule for report submittal for case R00145 is extended 60 days to August 28, 2007.

Regards,
Jerry Wickham
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
510-567-6791 phone
510-337-9335 fax
jerry.wickham@acgov.org

From: Friel, Ana [<mailto:afriel@croworld.com>]
Sent: Monday, June 18, 2007 10:47 AM
To: Wickham, Jerry, Env. Health
Cc: denis.l.brown@shell.com
Subject: 2703 MLK, Oakland; Status Update and Request for Extension

June 18, 2007

Dear Jerry,

On behalf of Shell Oil Products US (Shell), CRA is providing an update of the completion of field activities, and a request for extension for the submittal of the report of findings. Currently, are report documenting outstanding field activities is due to your agency on June 29, 2007.

For the record, the following field activities have been completed on the dates shown:

- CPT borings within 27th Street (CPT-6 and CPT-7) were completed May 17, 2007
- Purging of water from onsite existing vapor probe pairs (VP-1 through VP-6) was performed on May 16, 2007
- The installation of a vapor probe pair (VP-8) on private property located at 664 27th Street (Merillat) was completed on May 29, 2007
- The onsite vapor probes that did not contain water were sampled on May 30, 2007
- The installation of a vapor probe pair (VP-7) on private property located at 670 27th Street (Oates) was completed on June 6, 2007
- The installation of the offsite CPT probe at Foster School (CPT-10) was completed on June 8, 2007
- The purging and sampling of the two offsite vapor probe pairs on private properties was conducted on June 13, 2007.

Owing to difficulties with access negotiations and scheduling field work on private properties, some of the field activities were delayed, resulting in receipt of laboratory results shortly before the current document due date. Based on the completion date of the field activities and in anticipation of a significant effort for report preparation, we respectfully request a 60-day extension for submittal of the report of finding from June 29 to **August 28, 2007**.

6/19/2007

The report will provide recommendations for additional investigation and remediation necessary for the site.

We appreciate your consideration of this request. Please let me know if you have any questions or wish to discuss the project.

Ana Friel, PG
Conestoga-Rovers & Associates

408 7th Street, Suite A, Eureka, CA 95501

p (707) 268-3812

f (707) 268-8180

c (707) 845-4066

afriel@croworld.com

Conestoga-Rovers & Associates has acquired the former Cambria Environmental Technology
Visit us at www.croworld.com

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20145

GUY A. BRYANT
MEREDITH E. BROWN
TAMIZA A. HOCKENHULL

THE LAW OFFICES OF
BRYANT BROWN

- SPECIALIZING IN
- PUBLIC ENTITY LAW
 - CONSTRUCTION LAW
 - LABOR & EMPLOYMENT
 - EDUCATION LAW
 - PUBLIC CONTRACTS
 - SCHOOL FACILITIES
 - & RELATED MATTERS

June 4, 2007

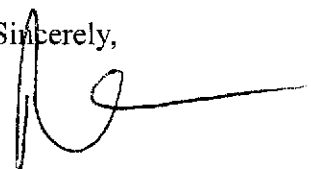
VIA FEDERAL EXPRESS

Anna Friel
Associate Geologist
Conestoga-Rovers & Associates
408 7th Street, Suite A
Eureka, California 95501

Re: Marcus Foster Elementary School
Oakland Unified School District
Request for Access to Property Located at 2850 West Street, Oakland, Ca

Dear Ms. Friel:

Enclosed please find a fully executed original counterpart of the Request for access to the Oakland Unified School District's ("District") Marcus Foster Elementary School Campus, located at 2850 West Street in Oakland, California. This document permits Shell Oil to enter the District's property and perform testing to determine if hydrocarbons originating from the former Shell service station are present on the Marcus Foster Campus, and to remediate such hydrocarbons as may be required by applicable law.

Sincerely,

Meredith E. Brown
Bryant and Brown Law Office

Encl.

RECEIVED
JUN 06 2007
ENVIRONMENTAL HEALTH SERVICES

Wickham, Jerry, Env. Health

From: Friel, Ana [afriel@cambria-env.com]
Sent: Tuesday, March 13, 2007 12:28 PM
To: Tadashi.Nakadegawa@ousd.k12.ca.us
Cc: denis.l.brown@shell.com; Wickham, Jerry, Env. Health
Subject: Shell's Request for access to Foster School for one boring
Importance: High

Dear Mr. Nakadegawa,

On behalf of Shell Oil Products, US (Shell), Cambria forwarded to you an access agreement to install one CPT boring in the southeast corner of the Foster School grounds in **September 2006**. Cambria has followed up with your office on **November 20, 2006** and again on **January 22, 2007**. As of this date, we have received no indication from the OUSD as to the status of that request; only that it was forwarded to "legal counsel".

In accordance with the latest correspondence from the Alameda County Environmental Health Department (copy attached), obtaining data from that location is still necessary to Shell's investigation.

We would appreciate some sort of response from you and/or your legal department to which you forwarded Shell's request several months ago. The ACEH is requesting that Shell submit a report of findings, including data from the boring proposed at Foster School, in June. In order to meet the agency's report deadline, we must proceed with permitting and scheduling that work without further delay; however, we cannot proceed unless we have authorization to access the property.

Please respond at your earliest convenience. If there is another party to whom we should direct this request, please let us know.

Regards,

Ana Friel, PG
Associate Geologist
Cambria Environmental Technology, Inc.

408 7th Street, Suite A, Eureka, CA 95501
afriel@cambria-env.com
p (707) 268-3812
f (707) 268-8180
c (707) 845-4066

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ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



F

May 2, 2007

Mr. Tadashi Nakadegawa
Acting Director
Facilities Planning and Management
Oakland Unified School District
955 High Street
Oakland, CA 94601

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 RO0000145 and Geotracker Global ID T0600101876; Property at 2703 Martin Luther King, Jr. Way, Oakland, – Request for Access Agreement for Off-Site Investigation

Dear Mr. Nakadegawa:

In correspondence dated April 4, 2007, Alameda County Environmental Health (ACEH) previously requested that you complete an access agreement with Shell Oil Products US by April 25, 2007 that (i) enables Shell Oil Products US and their consultants, Conestoga-Rovers & Associates (formerly Cambria Environmental Technology, Inc.), to perform the necessary work and (ii) is signed by all relevant parties. It is my understanding that to date, no access agreement has been received by Shell Oil Products US.

Under the direction of this office, Shell Oil Products US is conducting an environmental investigation for a property located at 2703 Martin Luther King, Jr. Way in Oakland. The extent of groundwater contamination extending from the site is currently unknown. Conestoga-Rovers & Associates, on behalf of Shell Oil Products US, previously submitted an access agreement to you to allow Shell to advance one exploratory boring in the southeast corner of the Foster School grounds. 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 as soon as possible that (i) enables Shell Oil Products US and their consultants, Conestoga-Rovers & Associates, to perform the necessary work and (ii) is signed by all relevant parties. This request 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. 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

Tadashi Nakadegawa

RO0000145

May 2, 2007

Page 2

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

Ana Friel
Cambria Environmental Technology, Inc.
270 Perkins Street
Sonoma, CA 95476

Donna Drogos, ACEH
Jerry Wickham, ACEH
File RO0145

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

F

April 4, 2007

Mr. Tadashi Nakadegawa
Acting Director
Facilities Planning and Management
Oakland Unified School District
955 High Street
Oakland, CA 94601

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 RO0000145; Property at 2703 Martin Luther King, Jr. Way, Oakland, -
Request for Access Agreement for Off-Site Investigation

Dear Mr. Nakadegawa:

Under the direction of this office, Shell Oil Products US is conducting an environmental investigation for a property located at 2703 Martin Luther King, Jr. Way in Oakland. Groundwater contamination has been detected in a monitoring well west of the property. The extent of the groundwater contamination is currently unknown. Alameda County Environmental Health (ACEH) is requiring Shell Oil Products US to characterize the extent of contamination from their site. Cambria Environmental Technology, Inc., on behalf of Shell Oil Products US, previously submitted an access agreement to you to allow Shell to advance one exploratory boring in the southeast corner of the Foster School grounds. 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 April 25, 2007 that (i) enables Shell Oil Products US and their consultants, Cambria Environmental Technology, 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. 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

Tadashi Nakadegawa
RO0000145
April 4, 2007
Page 2

Ana Friel
Cambria Environmental Technology, Inc.
270 Perkins Street
Sonoma, CA 95476

Donna Drogos, ACEH
Jerry Wickham, ACEH
File RO0145

Wickham, Jerry, Env. Health

To: 'Brown, Denis L SOPUS-OP-COR-H'

Cc: Friel, Ana

Subject: RO0145 2703 Martin Luther King Oakland work plan and soil vapor sampling

Denis,

In correspondence dated February 14, 2007, ACEH requested that an Interim Remediation Work Plan be submitted by May 9, 2007. Based on discussions during our meeting on March 29, 2007, we agreed that submittal of an Interim Remediation Work Plan was not required at this time. During the March 29, 2007 meeting, we also discussed the installation and sampling of an additional soil vapor probe at 664 or 668 27th Street, purging and sampling of the on-site soil vapor probes, and moving the proposed boring locations in 27th Street further south. The results from these activities are to be presented in the Subsurface Investigation Report, which was previously requested by June 29, 2007.

Regards,

Jerry Wickham

Alameda County Environmental Health

1131 Harbor Bay Parkway

Alameda, CA 94502-6577

510-567-6791 phone

510-337-9335 fax

jerry.wickham@acgov.org

3/30/2007

Wickham, Jerry, Env. Health

From: Friel, Ana [afriel@croworld.com]
Sent: Tuesday, May 08, 2007 10:04 AM
To: Wickham, Jerry, Env. Health; denis.l.brown@shell.com
Cc: Kennerknecht, Matthias
Subject: RE: 2703 MLK; Oakland - school CPT boring/SV probe at 664 27th St, Oakland

Jerry/Denis,

I just got off the phone with her myself. She will be sending an amendment to the access agreement that specifies what is required by the school district in terms of fencing of construction areas. It sounds very straight forward, but I will need to read it to be sure we comply. I will route that to Denis and once signed by Shell, it will be returned to the school district for final execution of the agreement. Then we can schedule the work at the school. It is very unlikely that this will all be achieved in time for our field event next Friday, but, possible.

Also, FYI, I received a response back from Scott Merillat at 664 27th Street, Oakland, and it sounds like he is going to be ok with the installation of a vapor probe pair in his backyard, with access for approximately one year/quarterly for sampling. I need to get a revised agreement with him, too.

Denis Brown is out of the state all week and will not be available to review/sign documents until next week. We will complete the work currently scheduled next week, including the purging of the on-site soil vapor probes. We may need to schedule separate events for the school CPT boring and for Merillat's SVprobe, if agreements are not all in hand in time, but I would not expect a significant delay.

Regards,

Ana Friel, PG
Conestoga-Rovers & Associates

408 7th Street, Suite A, Eureka, CA 95501
 p (707) 268-3812
 f (707) 268-8180
 c (707) 845-4066
afriel@croworld.com

Conestoga-Rovers & Associates has acquired the former Cambria Environmental Technology
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From: Wickham, Jerry, Env. Health [mailto:jerry.wickham@acgov.org]
Sent: Tuesday, May 08, 2007 9:32 AM
To: denis.l.brown@shell.com; Friel, Ana
Subject: RE: 2703 MLK; Oakland - no response from Oakland USD

I spoke with Meredith Brown of Oakland USD - 510-836-7563 phone and 510-693-7828 cell. She is interested in moving ahead with access and will contact Ana directly.

From: denis.l.brown@shell.com [mailto:denis.l.brown@shell.com]

5/8/2007

Sent: Wednesday, May 02, 2007 4:15 PM
To: afriel@croworld.com; Wickham, Jerry, Env. Health
Subject: RE: 2703 MLK; Oakland - no response from Oakland USD

Ok, we'll proceed with what we have.

Thanks

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

*707-865-0251
707-290-9101 (cell)
707-865-2542 (fax)*

-----Original Message-----

From: Friel, Ana [mailto:afriel@croworld.com]
Sent: Wednesday, May 02, 2007 1:45 PM
To: Wickham, Jerry, Env. Health
Cc: Brown, Denis L SOPUS-LSDR/SE-W
Subject: RE: 2703 MLK; Oakland - no response from Oakland USD

All right. Thanks.

Ana Friel, PG
Conestoga-Rovers & Associates

408 7th Street, Suite A, Eureka, CA 95501
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From: Wickham, Jerry, Env. Health [mailto:jerry.wickham@acgov.org]
Sent: Wednesday, May 02, 2007 1:31 PM
To: Friel, Ana
Cc: denis.l.brown@shell.com
Subject: RE: 2703 MLK; Oakland - no response from Oakland USD

Hi Ana,

5/8/2007

Not much more can be done with the school district. I will remind them that they have missed the deadline for an access agreement.

Regards,
Jerry Wickham
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
510-567-6791 phone
510-337-9335 fax
jerry.wickham@acgov.org

From: Friel, Ana [<mailto:afriel@croworld.com>]
Sent: Tuesday, May 01, 2007 11:25 AM
To: Wickham, Jerry, Env. Health
Cc: denis.l.brown@shell.com
Subject: 2703 MLK; Oakland - no response from Oakland USD

Hi Jerry,

I just wanted to let you know that we have not received any response from the Oakland Unified School District. We are scheduled to do the other CPT borings May 16 – 18, and would really like to include the one at the school during this same mobilization, if possible. Since the ACEH letter (April 4, 2007) did not result in a response from the school district, do you have any other suggestions?

Thanks.

Ana Friel, PG
Conestoga-Rovers & Associates

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5/8/2007

Wickham, Jerry, Env. Health

To: Friel, Ana
Cc: denis.l.brown@shell.com
Subject: RE: 2703 MLK; Oakland - no response from Oakland USD

Hi Ana,

Not much more can be done with the school district. I will remind them that they have missed the deadline for an access agreement.

Regards,
Jerry Wickham
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
510-567-6791 phone
510-337-9335 fax
jerry.wickham@acgov.org

From: Friel, Ana [<mailto:afriel@croworld.com>]
Sent: Tuesday, May 01, 2007 11:25 AM
To: Wickham, Jerry, Env. Health
Cc: denis.l.brown@shell.com
Subject: 2703 MLK; Oakland - no response from Oakland USD

Hi Jerry,

I just wanted to let you know that we have not received any response from the Oakland Unified School District. We are scheduled to do the other CPT borings May 16 – 18, and would really like to include the one at the school during this same mobilization, if possible. Since the ACEH letter (April 4, 2007) did not result in a response from the school district, do you have any other suggestions?

Thanks.

Ana Friel, PG
Conestoga-Rovers & Associates

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5/2/2007

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



F

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

February 14, 2007

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

Rodney and Janet Kwan
1834 Alameda Ave.
Alameda, CA 94501

Subject: Fuel Leak Case No. RO0000145 and Geotracker Global ID T0600101876, Shell/Auto Tech West, 2703 Martin Luther King, Jr. Way, Oakland, CA

Dear Mr. Brown and Mr. and Ms. Kwan:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site and the document entitled, "CPT Investigation and Vapor Probe Installation Report," dated January 31, 2007, which was prepared on Shell's behalf by Cambria Environmental Technology, Inc. The "CPT Investigation and Vapor Probe Installation Report," presents the results from five on-site borings and one off-site soil boring. Four proposed off-site soil borings could not be advanced due to potential property damage, conflicts with subsurface utilities, and lack of access. Proposed soil vapor sampling was not conducted due to water in the probes. Collection of an air sample from the above-ground basement of the residence at 664 27th Street was also not conducted. The report recommends completing much of the previously proposed scope of work with the exception of the indoor air sampling at 664 27th Street.

We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

TECHNICAL COMMENTS

1. **Soil Vapor Sampling.** We concur with the installation of a vapor probe pair in the area of existing well MW-14 in order to assess soil vapor concentrations in the downgradient area. Soil vapor sampling from all existing probes and the probe pair to be installed near well MW-14 is to be conducted as soon as water is not present in the probes to allow soil vapor sampling. Please present the results in the Subsurface Investigation Report requested below.
2. **Proposed CPT Borings.** We concur with the recommendations to re-locate proposed CPT-6 and CPT-7 to locations within 27th Street based upon utility clearances. Please continue to work with the Oakland Unified School District to allow access for installation of CPT-10. Please present the results from these borings in the Subsurface Investigation Report requested below.

3. **Vertical Delineation.** Based on results from depth-discrete groundwater samples collected in the CPT borings, the "CPT Investigation and Vapor Probe Installation Report," concludes that the concentration of dissolved hydrocarbons attenuates with depth and that the highest concentrations of dissolved fuel hydrocarbons are within the upper 20 feet. Further vertical delineation is not required at this time.
4. **664 27th Street Residence Inspection.** Because of obvious ventilation between the above-ground basement and outside air, no vapor sampling was conducted within the above-ground basement at 664 27th Street. Due to the low potential for indoor vapor intrusion due to the construction of the residence, we concur that no vapor sampling within the above-ground basement is needed at this time.
5. **Source Area Remediation.** The report indicates that some attenuation of petroleum attenuation has occurred within the source area over time; however, the rate at which the petroleum hydrocarbons in the source area are attenuating is slow. Although the fuel release occurred more than 20 years ago, the concentrations of fuel hydrocarbons detected in soil, soil vapor, and groundwater samples collected within the source area and downgradient of the source area remain elevated. Based on the highly elevated concentrations of fuel hydrocarbons remaining over a large area of the site, source area remediation is required. The results from a dual phase extraction (DPE) pilot test conducted in January 2006 using two on-site wells indicated that DPE was feasible (Pilot Test Report dated March 14, 2006). However, DPE was not considered feasible in the target area and therefore, was not recommended for the site. Please propose alternatives for interim remediation in the source area in the Interim Remediation Work Plan requested below.

TECHNICAL REPORT REQUEST

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

- **May 9, 2007** – Interim Remediation Work Plan
- **June 29, 2007** – Subsurface Investigation Report
- **45 days following the end of each quarter** – Quarterly Monitoring Reports

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

ELECTRONIC SUBMITTAL OF REPORTS

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public

information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

UNDERGROUND STORAGE TANK CLEANUP FUND

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

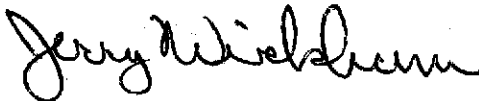
Denis Brown
Rodney and Janet Kwan
February 14, 2007
Page 4

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: Ana Friel
Cambria Environmental Technology, Inc.
270 Perkins Street
Sonoma, CA 95476

Scott Merillat
664 27th Street
Oakland, CA 94612

Monique Oatis
670 27th Street
Oakland, CA 94612

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

From: Scott E. Merillat [mailto:smerillat@yahoo.com]
Sent: Friday, November 03, 2006 12:19 PM
To: Friel, Ana
Cc: denis.l.brown@shell.com; Wickham, Jerry, Env. Health; Evans, Charlotte
Subject: Re: Site Reconnaissance, 664 27th Street, Oakland

Greetings Ana,
November 14th will work good with my schedule.
I will be available all business (7am to 5:30pm). My schedule will be flexible. Please schedule the time that is convenient with your team (Charlotte Evans).

Thank you in advance.
Regards,
Scott Merillat

"Friel, Ana" <afriel@cambria-env.com> wrote:

Hi Scott,

We are gearing up to perform the vapor sampling previously discussed at your property (664 27th Street), in conjunction with sampling the soil vapor probes installed at the former Shell station at 2703 MLK, next door, on November 1, 2006.

We would like to perform the site reconnaissance visit on either *Monday or Tuesday, November 13 or 14th*, at a time which is convenient for you. This initial visit should take no more than 2 hours – possibly quite a bit less. As specified in your access agreement with Shell, Cambria provide a check to you at the time of our visit. Charlotte Evans of Cambria's Emeryville office will be the one to meet with you and perform the reconnaissance activities, as wells as the subsequent sampling activities.

Please let us know what would be a good time to meet you at your property on either of those dates?

Ana Friel, PG
Associate Geologist
Cambria Environmental Technology, Inc.

408 7th Street, Suite A, Eureka, CA 95501
afriel@cambria-env.com
p (707) 268-3812
f (707) 268-8180
c (707) 845-4066

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[Check out the New Yahoo! Mail](#) - Fire up a more powerful email and get things done faster.

R0145

Wickham, Jerry, Env. Health

From: denis.l.brown@shell.com
Sent: Friday, November 03, 2006 3:06 PM
To: afriel@cambria-env.com; smerillat@yahoo.com
Cc: Wickham, Jerry, Env. Health; Cevans@cambria-env.com
Subject: RE: Site Reconnaissance, 664 27th Street, Oakland

Thanks Scott, and we will keep lines of communications open so everyone can be "on first" at the same time.

Thanks

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

707-865-0251
707-290-9101 (cell)
707-865-2542 (fax)

-----Original Message-----

From: Friel, Ana [mailto:afriel@cambria-env.com]
Sent: Friday, November 03, 2006 12:22 PM
To: Scott E. Merillat
Cc: Brown, Denis L SOPUS-OP-COR-H; Wickham, Jerry, Env. Health; Evans, Charlotte
Subject: RE: Site Reconnaissance, 664 27th Street, Oakland

Thanks, Scott.

Charlotte, please email Scott a time that works for you on November 14th. Also, please give him your phone numbers – and perhaps Scott and provide his contact phone number to you, too.

Regards,

Ana Friel, PG
Associate Geologist
Cambria Environmental Technology, Inc.

408 7th Street, Suite A, Eureka, CA 95501
afriel@cambria-env.com
p (707) 268-3812
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11/3/2006

20145

Wickham, Jerry, Env. Health

From: Friel, Ana [afriel@cambria-env.com]
Sent: Tuesday, October 17, 2006 8:51 AM
To: denis.l.brown@shell.com; Wickham, Jerry, Env. Health
Subject: RE: 2703 MLK Oakland, clarification re: vapor probes

OK, I just spoke with the field geologist at length about what was observed in the vapor probe borings, and as it turns out, instead of measuring VP-1 and VP-2, he checked out V-1 and V-2 (these are small diameter monitoring wells – which of course have water).

He will double check the correct locations this morning (VP-1 through VP-6) and call me back with details, but from what he said, it appears that some of the VP's are open to 5 feet still, and they are dry! So, if this holds true, we will be able to install the vapor probes afterall.

Sorry for the confusion and misinformation yesterday....and I'm glad to get it cleared up. After we do the CPT work this week – we will try to get the VPs installed by end of next week.

Ana Friel, PG
Associate Geologist
Cambria Environmental Technology, Inc.

408 7th Street, Suite A, Eureka, CA 95501
afriel@cambria-env.com
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c (707) 845-4066

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From: denis.l.brown@shell.com [mailto:denis.l.brown@shell.com]
Sent: Tuesday, October 17, 2006 8:38 AM
To: Friel, Ana; jerry.wickham@acgov.org
Subject: RE: 2703 MLK Oakland, 2nd status update for 10/16/06

Thanks for the update Ana. Things not going well here.

Interesting that water remains so high, but that also would give credence, seems to me, that vapor would not be such an issue if water is that high. Any chance of grabbing a sample and running a test on it, just to see what is in it?????

Thanks

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

10/20/2006

Wickham, Jerry, Env. Health

From: Friel, Ana [afriel@Cambria-env.com]
Sent: Monday, October 16, 2006 11:41 AM
To: denis.l.brown@shell.com
Cc: Wickham, Jerry, Env. Health; Dalie, Stewart; Kennerknecht, Matthias
Subject: 2703 MLK, Oakland - field activities - update.

Hi Denis and Jerry,

I just wanted to keep you both posted on some activities related to the proposed work at this site. As you know, we had proposed installing 10 CPT borings; 5 on site and 5 at offsite locations. Permitting and pre-field work has been intense and challenging. The following provides an update of some work that will not be able to be completed either at this time, or at all:

- The ROE for the offsite CPT location at the school has not been executed, and thus, CPT-10 will not be installed during this field event. The school district has not identified any problems, but, we have not received the executed agreement yet.
- The utility clearance work performed last week identified so many utilities in the vicinity of proposed borings CPT-6 and CPT-7 that we will need to arrange different locations for those borings. New encroachment permits, traffic control plans, and utility clearance will need to be done within different lanes of 27th Street in order to re-locate those proposed borings. Thus, CPT-6 and CPT-7 will not be installed at this time.
- Because of the extremely limited access to the property located at 670 27th Street, we are using mobile equipment to install CPT-8 and CPT-9. This morning, after hand clearing the boring to 5 fbg, the RAM-Set Rig was bolted to the concrete at CPT-9 to secure the rig, for safety. While extending the direct push equipment, the downward push of the equipment is supposed to be countered by the equipment being bolted to the concrete. However, while extending boring CPT-9, the concrete in the area began to lift, and it was apparent that additional pushing would result in breaking of the concrete and possible injury to nearby crew. Thus, the work at CPT-9 was discontinued. A similar experience may occur at CPT-8. I am currently waiting to hear from the field staff. Thus, borings CPT-8 and CPT-9 may not be able to be completed at all.
- The onsite borings are planned for installation beginning tomorrow (Tuesday, 10/17). At this time, it appears that all five borings (CPT-1 through CPT-5) will be installed.
- While we are on site this week, we will confirm whether the borings for proposed vapor probes (VP-1 through VP-6) are free of standing water. If the area is still saturated, it would seem unlikely that installation of soil vapor probes at this site will be successful, especially given that we are now entering the new rainy season, and the borings have been saturated virtually since the last rainy season. I will let you know as soon as I hear from the field crew.
- On an up note, we have received an executed access agreement with the owner of property at 664 27th Street, thus, vapor sampling beneath that structure will be performed as part of this round of field activities.

Please let me know if you have any questions or concerns, or if you would like to discuss any of these issues.

Regards,

Ana Friel, PG
Associate Geologist
Cambria Environmental Technology, Inc.

10/20/2006

707-865-0251
707-290-9101 (cell)
707-865-2542 (fax)

-----Original Message-----

From: Friel, Ana [mailto:afriel@cambria-env.com]
Sent: Monday, October 16, 2006 4:29 PM
To: Brown, Denis L SOPUS-OP-COR-H; Wickham, Jerry, Env. Health
Cc: Dalie, Stewart; Kennerknecht, Matthias
Subject: 2703 MLK Oakland, 2nd status update for 10/16/06

Denis and Jerry,

Just to follow up from this morning's email:

At CPT-8, when we were hand clearing the boring to 5 fbg, we identified a metal pipe (not identified during the utility clearance process). We were unable to re-locate the boring a safe distance away from this pipe, especially given the tight access in the driveway. Also, using the RAM-Set rig to extend a CPT boring near MW-14 would likely have resulted in damaging the seal of that well if the cement were to lift as it did at CPT-9. Thus, we were unable to obtain a soil gas sample from this address, and we collected no soil samples or groundwater samples today.

Upon inspection of VP-1 and VP-2 onsite we observed several feet of water in each of these borings, even after the entire summer the water did not dissipate. This does not bode well for vapor probe installations. Cambria will attempt to bail the water during the field activities tomorrow, and will check the recharge on Wednesday.

Regards,

Ana Friel, PG
Associate Geologist
Cambria Environmental Technology, Inc.

408 7th Street, Suite A, Eureka, CA 95501
afriel@cambria-env.com
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September 25, 2006

Tadashi Nakadegawa
Acting Director
Facilities Planning and Management
Oakland Unified School District
955 High Street
Oakland, CA 94601

Re: Request for Access to Property Located at
2850 West St, Oakland CA

Dear Mr. Nakadegawa:

As a result of an ongoing environmental assessment at the Former Shell service station located at 2703 Martin Luther King Jr. Way, Shell Oil Products US ("Shell") has been advised that there may hydrocarbons (gasoline, oil, etc.) in or about your property located at 2850 West St, Oakland, in the vicinity of the service station. Therefore, on behalf of Shell we request permission to enter your property and perform the work outlined below to determine if hydrocarbons originating from the Former Shell service station are present and remediate such hydrocarbons as may be required by applicable law.

The work to be performed may include the installation of monitoring well(s) and periodic monitoring of such wells, tests, inspections, borings, engineering studies, surveys, appraisals, environmental studies, remediation operations and/or other activities that Shell deems necessary to comply with all applicable federal, state and local statutes, regulations, ordinances, directives, orders and standards governing underground storage tank systems and the assessment or remediation of petroleum hydrocarbons. The proposed sample location is indicated on the attached site map.

A licensed contractor retained by Shell will perform the above work. This work is being performed on behalf of Shell to comply with the environmental requirements of the State of California.

The work may result in minor disruptions of the normal use of your property. The property will be restored to its approximate former condition as soon as possible after we have ascertained if hydrocarbons from the Former Shell service station are present and, to the extent required, such hydrocarbons have been remediated. Shell agrees to indemnify you from any and all claims by third parties arising out of the work performed by Shell under this agreement.

R0145

Cambria
Att: Ana Friel
270 Perkins Street
Sonoma, CA 95476
(707) 268 3812

Tuesday, August 29, 2006

Re: Request for Property Access
(Residence of Scott E. Merillat)
APN 009-0691-007
664 27th Street
Oakland CA 94612

Dear Ms. Friel

I have updated the homeowners terms to access to the property site identified above. Shell will need to approve the below terms:

- 1) Shell, associated contractors and subcontractors, who need access to referenced property must provide proof of insurance that will cover onsite employees and property damages up to \$600,000.
- 2) Shell, associated contractors and subcontractors, agree that the homeowner will not be held liable for any injuries or damages to employees or materials related to onsite activities.
- 3) Shell, associated contractors and subcontractors, must receive advance written permission for each access occasion to the property.
 - a. Access to the referenced property is available when:
 - i. Written agreement of work date / times
 - ii. Minimum of 72 hour notice is provided
 - iii. Homeowner is on site while work is performed
 - b. Permission to access the referenced property may be obtained through:
 - i. coordinating a date / time via telephone or email with a minimum 72 hr notification (email is preferred).
 - ii. Notification will include: on-site date and activities to be performed.
- 4) Shell, associated contractors and subcontractors, agree to disclose (in conjunction with access permission as noted in Section 3), all possible activities to be performed during the onsite occurrence.
- 5) Shell, associated contractors and subcontractors, agree to perform only the testing and activities that are pre-approved by the homeowner.
 - a. Any unexpected or unplanned activities that occur from a discovery processes will be communicated immediately with all parties involved.
- 6) Shell, associated contractors and subcontractors, agree that the owner reserves the right to stop any and all activities at the owners discretion without retaliation or retribution.
- 7) Shell, associated contractors and subcontractors, agree that all test results will be made available (via mail, email, or other agreed means) to the homeowner within thirty days following every testing occurrence.
 - a. Failure to provide test results may constitute as an inability to obtain approval to access the property to perform further tests.

- 8) Property access fee of \$300.00 will be charged to Shell per access occurrence.
 - a. Any considerations for fee waiver will be resolved before the onsite occurrence.
- 9) Homeowner for the property is indemnified from all claims arising out of the work performed.
 - a. Shell, associated contractors and subcontractors, agrees to 'clean up' any contamination found on the property by means approved by the owner.
- 10) Within sixty days from when initial testing is completed, Shell will provide an outline report to identify how Shell plans to address the findings for the site location.
 - a. Any contamination found that requires a "cleanup effort" should not exceed twenty four months from the date of discovery.

SHELL APPROVAL:

SIGN

PRINT

TITLE

DATE

Fax signed form with Shell coversheet to:

Attn: Scott Merillat
925-901-0401

Sincerely,

Scott E. Merillat
Owner 664 27th Street
APN 009-0691-007
(work day: 925-242-6931)
(email: smerrillat@yahoo.com)
(alt tel: 510-499-5812)

CC: Jerry Wickham ACEH
(t:510-567-6791)
(f: 510-337-9335)

Wickham, Jerry, Env. Health

From: Scott E. Merillat [smerillat@yahoo.com]
Sent: Wednesday, September 20, 2006 10:30 PM
To: denis.l.brown@shell.com; afriel@cambria-env.com
Cc: Wickham, Jerry, Env. Health
Subject: RE: Access Agreement - another option

Hi All

My apologies for not responding over the past two weeks. Your offer, Denis, to have me identify the objectionable language is very accomodating. Unfortunately, this offer is one more item on my already overloaded to-do list.

I just finished some major projects at work. I will have more time later this week.

I assure you all, I will read all of the emails and get a response to you by COB on friday. Sorry for the delay. Life has gotten the better of me recently. I expect that once we are all on the same page, we will move forward swiftly.

Regards,
Scott

denis.l.brown@shell.com wrote:

Scott,

Have no issues with payment for access, issues of having you on-site, informing you when and where we schedule this, and your right to not allow us to come on to property. That is always your choice, however, we must inform regulator if is the case, what he chooses to do at that point is up to him or County. Since you stipulated that "Shell would not retaliate" should you not give us access, I am reticent to include this as part of agreement until you understand by making this disclosure to regulator, you would not view as retaliatory. It would be our requirement. Otherwise, we have no issue with this "retaliatory" issue as this is something we (Shell) would never do.

We are simply trying to assess plume issues. If you don't want to know how this may or may not affect your property is always your decision.

Also, Cambria and our contractors have the highest regard for property owners, risks in conducting their business, and safety always being a top priority when ever they are on site. That is why Shell uses only certain contractors because they meet our rigid safety and meet our professional needs/requirements. They are the highest caliber.

Thanks

Denis L. Brown

Project Manager

Shell Oil Products US

20945 S. Wilmington Ave.

Carson, CA 90810-1039

707-865-0251

707-290-9101 (cell)

707-865-2542 (fax)

9/21/2006

-----Original Message-----

From: Friel, Ana [mailto:afriel@cambria-env.com]
Sent: Wednesday, September 20, 2006 4:03 PM
To: Scott E. Merillat
Cc: Brown, Denis L SOPUS-OP-COR-H; Wickham, Jerry, Env. Health
Subject: Access Agreement - another option

Scott,

Per Denis Brown, I am forwarding to you a copy of what is referred to as the "Long Form" for right of entry agreements. It has additional language than the previous form we sent to you (the "short form").

Denis Brown's message to me about forwarding this form to you was as follows: *I wanted for him to understand indemnity issues; we will protect him from 3rd party claims, but would not be responsible for his gross or negligence that could or did cause injury or property damage. Regulator and us will determine type and length of remediation, and that both parties have to act in good faith. We can cut and paste indemnities issues to long or short form, whatever his preference. You can send him this e-mail as well.*

We have field work coming up in October, and would like to be able to collect vapor samples from your 'basement area' in late October or early November, to keep project on track.

Regards,

Ana Friel, PG
Associate Geologist
Cambria Environmental Technology, Inc.

408 7th Street, Suite A, Eureka, CA 95501
afriel@cambria-env.com
p (707) 268-3812
f (707) 268-8180
c (707) 845-4066

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How low will we go? Check out Yahoo! Messenger's low PC-to-Phone call rates.

Wickham, Jerry, Env. Health

From: Scott E. Merillat [smerillat@yahoo.com]
Sent: Thursday, September 21, 2006 6:03 PM
To: denis.l.brown@shell.com; afriel@cambria-env.com
Cc: Wickham, Jerry, Env. Health
Subject: RE: Access Agreement - another option

My apologies for the prior email. This one is spell checked.

Hi Ana,

The attachment in the email below is the "long form". This attachment from the August 30th email (zip file) is the same as the long form on the September 20th email.

I have read through the "long form" and I do have concerns with this standardized form. I did not see my concerns highlighted, noted, or specifically address in this document.

In an earlier email, Denis offered "Let me know what you object in the language to the agreement forwarded and we can work out the details."

In response to the emails from September 5th:

Thank you for clarifying my insurance issue.

Thank you for restating / clarifying my indemnity concerns.

You had addressed my concerns for work stoppage, if I deemed a situation not approved or unreasonably unsafe conditions, at which I would then also notify the 'agencies' of such occurrences.

Thank you for these clarifications.

Respectfully to everyone who does this type of work day in and day out, I appreciate your time and energy. I do understand that you will do the best work necessary for the situation. Like I had stated in the email on 9/4/06, my primary concern is "In the event that testing does not produce a perfect situation, I do need to protect my interests in my home and property". In the same email, I had worded (in plain English) my concerns and expectations as the homeowner. The response was not approved because the information was received as "dictating when we needed to get info. to you vs. the agency, and how long any remediation efforts would need to take." Dictation was not my intentions, providing a outline of reasonable expectations were my intentions. I would like a reasonable expectations of what to expect in the event that results are less than satisfactory, however, I also understand everyone's hesitancy.

I reviewed the "Long Form". I do not believe that I ever received a "Short form".

Either case, after my review, my concerns are:

#1. sentence 1: define the word license in (license from the date of this ...)

#1. The paragraph reads as though you can do whatever and whenever to address the "corrective action" of the UST's. We have agreed via email that we would work together, including notifications, scheduling, advance notice of work to be completed, etc. I see a potential conflict where my involvement can be overridden, which would not be an acceptable situation.

#1 sentence 3. I cannot agree because I do not understand the true repercussions of this statement.

#2 part 2 of sentence 1. My concern is that something unsatisfactory may be identified. In the event that 'something is identified', if the test conducted by shell identified something unsatisfactory, then the

situation must be reconciled. I feel as though items that are identified by shell's testing should be the responsibility of shell to correct. However, I understand that shell may feel that the 'discovered item' is (in good fairness) not related to the situation, then shell should not pay for correction. I foresee a potential conflict over determining who is responsible - a) Item would not be discovered if not for shell's tests b) shells must test due to UST's. I do not know if there is a 'common ground' for this topic. Do you have any suggestions that would be fair to both sides?

#3 sentence 2 - who is the agency(ies) - specifically in this situation?

#3 as a whole: I see this clause is totally outside of my control. I have several what if's... What if shell considers the issue terminated and the agency doesn't respond, only to find that the tanks are still leaking at a later date. I see a potential issue. One year, though it seems like a long time, I am finding out is short for a these types of situations. Can someone give me more information about understanding "termination"?

#4 sentence 3. seems contradictory to the items that we discussed. I have stated previously that I do need to reserve the right to intervene for specific times (ie. courtesy hours, safety, non-agreed work). This sentence seems to 'bully' more than cooperate.

#6 I just received my first statement on September 6, a letter to my neighbor. I have received no other reports or testing findings. I would like to be added to the test find distribution (email is okay). My concern with number six is non-timely reporting. Can I get some feedback or reassurance that somewhere there are checks and balances in this system that will provide some type of timely reporting based on the testing that is completed?

#7 Site restoration - generally speaking, I agree. Keeping in mind that I am informed of work to be completed before the work is actually done. A potential conflict may result from "in accordance with applicable law" verses a reasonable expectation to return / restore the site to its prior condition as determined by the homeowner (meaning fair and reasonable condition, not expecting exactness).

#9. I cannot agree as I do not understand the true repercussions of this paragraph.

#10 - We haven't discussed any amount that you will pay me for executing any variation of the "long form" agreement.

#10 sentence 1. I had no idea that the government will help pay for some of the costs. No action item to address, simply acknowledging my absolute surprise that my tax dollars have the potential to be used to clean up Shell's potentially leaky UST's.

#13 as a whole, has too much lawyer talk and I cannot figure out what it says in plain English.

You have my response to the "long form".

In review of the form that you sent me and it's lack of fairness to both sides, I feel as though we have not advanced. From my email on 9.4.06, I stated "in the event that additional work is needed, the document sent by Shell strips away my rights". I need something that is more fair to both parties.

I have invested another six hours into your project.

Is it possible to do a mini form? Or maybe the above changes are made in the long form and we push it through? Or maybe we have a conference call? Or maybe we just keep emailing? What options do we have to expedite this process so that we can find a common ground?

Thanks
Scott

denis.l.brown@shell.com wrote:

Scott,

Have no issues with payment for access, issues of having you on-site, informing you when and where we schedule this, and your right to not allow us to come on to property. That is always your choice, however, we must inform regulator if is the case, what he chooses to do at that point is up to him or County. Since you stipulated that "Shell would not retaliate" should you not give us access, I am reticent to include this as part of agreement until you understand by making this disclosure to regulator, you would not view as retaliatory. It would be our requirement. Otherwise, we have no issue with this "retaliatory" issue as this is something we (Shell) would never do.

We are simply trying to assess plume issues. If you don't want to know how this may or may not affect your property is always your decision.

Also, Cambria and our contractors have the highest regard for property owners, risks in conducting their business, and safety always being a top priority when ever they are on site. That is why Shell uses only certain contractors because they meet our rigid safety and meet our professional needs/requirements. They are the highest caliber.

Thanks

Denis L. Brown

Project Manager

Shell Oil Products US

20945 S. Wilmington Ave.

Carson, CA 90810-1039

707-865-0251

707-290-9101 (cell)

707-865-2542 (fax)

-----Original Message-----

From: Friel, Ana [mailto:afriel@cambria-env.com]

Sent: Wednesday, September 20, 2006 4:03 PM

To: Scott E. Merillat

Cc: Brown, Denis L SOPUS-OP-COR-H; Wickham, Jerry, Env. Health

Subject: Access Agreement - another option

Scott,

Per Denis Brown, I am forwarding to you a copy of what is referred to as the "Long Form" for right of entry agreements. It has additional language than the previous form we sent to you (the "short form").

Denis Brown's message to me about forwarding this form to you was as follows: *I wanted for him to understand indemnity issues; we will protect him from 3rd party claims, but would not be responsible for his gross or negligence that could or did cause injury or property damage. Regulator and us will determine type and length of remediation, and that both parties have to act in good faith. We can cut and paste indemnities issues to long or short*

form, whatever his preference. You can send him this e-mail as well.

We have field work coming up in October, and would like to be able to collect vapor samples from your "basement area" in late October or early November, to keep project on track.

Regards,

Ana Friel, PG
Associate Geologist
Cambria Environmental Technology, Inc.

408 7th Street, Suite A, Eureka, CA 95501
afriel@cambria-env.com
p (707) 268-3812
f (707) 268-8180
c (707) 845-4066

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ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



f

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

September 5, 2006

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

Rodney and Janet Kwan
1834 Alameda Ave.
Alameda, CA 94501

Subject: Fuel Leak Case No. [REDACTED] 45, Shell/Auto Tech West, 2703 Martin Luther King, Jr. Way, Oakland, CA – Work Plan Approval

Dear Mr. Brown and Mr. and Ms. Kwan:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site and the document entitled, "Subsurface Investigation Work Plan," dated August 31, 2006, which was prepared on Shell's behalf by Cambria Environmental Technology, Inc. The "Subsurface Investigation Work Plan," proposes 10 cone penetrometer test (CPT) borings, collection of shallow soil gas samples near existing monitoring well MW-14, groundwater sample collection from the CPT borings at multiple depths, installation and sampling of soil vapor probes along the western property boundary, and collection of an air sample from the above-ground basement area at 664 27th Street. This proposed scope of work was discussed during a meeting between Shell, ACEH, and Cambria during an August 2, 2006 meeting. The proposed scope of work replaces the previously proposed off-site scope of work that could not be completed or was delayed due to site access and encroachment issues. We concur with the proposed scope of work provided that the technical comments below are addressed during the field investigation.

We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

TECHNICAL COMMENTS

1. **Selection of Intervals for Grab Groundwater Sampling.** The Work Plan indicates that depth-discrete groundwater samples will be collected at first encountered groundwater at approximately 8 to 12 feet bgs, approximately 20 to 25 feet bgs, and approximately 35 to 40 feet bgs, depending upon results from the CPT borings. We concur with the general approach of using the CPT data to identify coarse-grained zones that may be preferential pathways for groundwater sampling. Specifically, we request that the CPT data be used to delineate the extent of a silty gravel layer identified between 13 and 14.5 feet bgs in boring MW-14 and to assess whether the silty gravel layer is a preferential pathway. Relatively high concentrations of TPHg and BTEX were detected in groundwater samples from well MW-14, which is approximately 80 feet west of the site. Therefore, please use the CPT data to

identify the silty gravel layer on and off-site and collect depth-discrete samples from this interval. The depth discrete groundwater sample proposed from first encountered groundwater may be collected from the silty gravel layer or an additional sample to those proposed in the Work Plan is to be collected from the silty gravel, as appropriate.

2. **Soil Vapor Analyses.** Analyzing the proposed soil vapor samples for TPH and BTEX by Method TO-15 and analyzing the proposed groundwater samples for TPHg and BTEX by EPA Method 8260M is acceptable.

TECHNICAL REPORT REQUEST

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

- **November 15, 2006** – Quarterly Monitoring Report for the Third Quarter 2006
- **January 31, 2007** – Subsurface Investigation Report
- **February 15, 2007** – Quarterly Monitoring Report for the Fourth Quarter 2006

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).

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

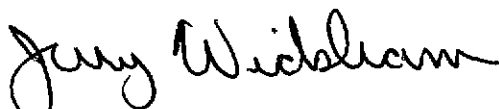
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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

Denis Brown
Rodney and Janet Kwan
September 5, 2006
Page 4

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Ana Friel
Cambria Environmental Technology, Inc.
270 Perkins Street
Sonoma, CA 95476

Scott Merillat
664 27th Street
Oakland, CA 94612

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



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

June 7, 2006

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

Rodney and Janet Kwan
1834 Alameda Ave.
Alameda, CA 94501

Subject: Fuel Leak Case No. RO0000145, Shell/Auto Tech West, 2703 Martin Luther King, Jr. Way, Oakland, CA

Dear Mr. Brown and Mr. and Ms. Kwan:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site and the document entitled, "Subsurface Investigation Report," dated May 25, 2006, which was prepared on Shell's behalf by Cambria Environmental Technology, Inc. The "Subsurface Investigation Report," documents the installation of two off-site monitoring wells and sampling results from an April 19, 2006 site visit. Installation of additional off-site monitoring wells and soil vapor probes has been delayed due to issues related to access agreements. The report recommends the use of utility locating and geophysical methods onsite to locate a sewer line along the west side of the building and a geophysical survey of the northwestern portion of the property. Additional subsurface investigation is also recommended in several on-site areas. Soil vapor probes are to be installed when shallow water levels drop sufficiently to allow installation and sampling of the probes. ACEH concurs with the proposed scope of work and requests the preparation of a Work Plan for the additional on-site investigation.

We request that you perform the proposed work and send us the reports described below.

TECHNICAL REPORT REQUEST

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

- **July 28, 2006** – Work Plan for On-site Investigation and Update on Access Agreements and Completion of Off-site Investigation
- **August 15, 2006** – Quarterly Report for the Second Quarter 2006

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](http://www.swrcb.ca.gov/ust/cleanup/electronic%20reporting)).

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.

Denis Brown
Rodney and Janet Kwan
June 7, 2006
Page 3

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: Ana Friel
Cambria Environmental Technology, Inc.
270 Perkins Street
Sonoma, CA 95476

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 6, 2005
	REVISION DATE: December 16, 2005
	PREVIOUS REVISIONS: October 31, 2005
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

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.

REQUIREMENTS

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- 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)

Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

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 dehloptoxic@acgov.org
or
 - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of Alicia Lam-Finneke.
 - 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 and Firefox browsers will not open the FTP site.
 - b) Click on File, then on Login As.
 - 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 dehloptoxic@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 at 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)

R0145

Wickham, Jerry, Env. Health

From: Friel, Ana [afriel@cambria-env.com]
Sent: Friday, July 07, 2006 2:41 PM
To: smerillat@yahoo.com
Cc: denis.l.brown@shell.com; Wickham, Jerry, Env. Health
Subject: Regarding your response to Shell's request for access to 664 27th Street, Oakland, CA
Importance: High

Dear Mr. Merillat,

I just received your fax responding to Shell's previous request for access to your property that was transmitted to you by Cambria in December 2005. Thank you very much for the response. I apologize if the lack of contact from me gave you the impression that this issue is a low priority for Cambria or Shell, because that is not at all the case. After our discussion in December you told me that you would get back to me with any other questions or issues concerning the request for access. Also, I heard from Jerry Wickham of ACEH that you were conversing about the issue of access/investigation with him, and I therefore did not want to 'nag' you for a response. Perhaps I should have touched bases with you in the interim.

Item 9.d. refers to an 'access fee' to be charged to Cambria. It should be noted that Cambria is not requesting the access, rather Equilon dba Shell Oil Products is requesting access. This also applies to your other statements directed to Cambria, as we are consulting for Shell. In order for Shell to determine whether or not your terms are acceptable, they will likely want to know what amount you intend to charge them for access.

Now that Cambria has received your terms and conditions for access to your property, we will forward that information to Shell, for their consideration. By the way, should Shell decide to conduct air sampling in the enclosed basement beneath the living quarters of your property, no evacuation of residents or pets would be necessary. This option (as mentioned in 9.a.vi) may be a viable approach for the next step, which I will discuss with Shell.

Regards,

Ana Friel, PG
Associate Geologist
Cambria Environmental Technology, Inc.

afriel@cambria-env.com
p (707) 268-3812
f (707) 268-8180
c (707) 845-4066

7/10/2006

R0145

Cambria
Att: Ana Friel
270 Perkins Street
Sonoma, CA 95476

Thursday, July 6, 2006

T: (707) 268-3812
F: 707-268-9180

Re: Request for Property Access
(Residence of Scott E. Merillat)
APN 009-0691-007
664 27th Street
Oakland CA 94612

Dear Ms. Friel

Our last conversation was in December, 2005 (before the holiday vacation). During this conversation, we discussed the documentation that you had supplied in the December 12th, 2005 mailing (from Cambria, Equilon). We discussed the notification mailing from the Alameda County Health Care Services (ACEH). And we verbally completed the questionnaire regarding my foundation (hard copy attached).

I apologize for the delay in my response. This issue is extremely unsettling for me. It has caused many nights of insomnia, stress, and consumed many hours of general research. I believe that I am now able to address these issues in efforts to move this topic forward. Since December, you (Ana Friel) has not contacted me via telephone, email, or mail. Jerry Wickham has contacted me on three separate occasions by phone. I have had no other contacts regarding this topic. The lack of interaction does lead me to believe that this is a low priority issue.

This document is the written reply in response to the documentation that I received from Ana Friel in the December 12th 2005 mailing.

- 1) Equilon Enterprises LLC ("Equilon") **does not** have "At Will", unrestricted, or unsupervised authorization to access referenced property.
- 2) Equilon will not be provided keys to access the referenced property.
- 3) Equilon must provide advance written permission for every access occasion to the property.
 - a. Access to the referenced property is available if and only if:
 - i. Owner is on site while work is performed
 - ii. Minimum of 72 hour notice is provided
 - iii. Written agreement of work date / times
 - b. Permission to access the referenced property may be obtained through:
 - i. coordinating a date / time via telephone (minimum 72 hr notification)
 - ii. on-site date and activities are confirmed in writing (email is acceptable)
- 4) All work performed must be disclosed, discussed, and agreed to in advance.
- 5) Owner reserves the right to stop any and all activities at the owners discretion without retaliation or retribution.

- a. Example: Any attempt to perform work that is not agreed to or is unsafe or is after hours may be justification to immediately cease all activities. No repercussions will be made to the owner of the property for stopping unauthorized or unsafe or after-hours (8 AM to 6 PM) activities.
- 6) No permanent items may be created, installed, or monitored on the referenced property without written permission from the owner.
- 7) At this time, the owner does not grant nor imply written permission to create, install, or monitor any permanent objects, systems, holes, machinery, etc on referenced property.
- 8) Owner is willing to work with companies / persons to perform initial testing in efforts to scope the magnitude of the leakage project associated with the former shell station.
- 9) Approved Testing:
 - a. Testing approved by owner is limited to non-intrusive, non-permanent tests.
 - i. Acceptable items include air testing and some soil sampling if non-intrusive to the property (i.e. no boring, no well monitoring installations, no vapor monitoring installations, no concrete cutting, no bulldozers, no well drills).
 - ii. VP7, VP8, VP9 (at this time) are not approved.
 - iii. MW12 & MW13 (at this time) are not approved
 - iv. VP7 is a soil exposed location. Owner is open to discuss a one-time non-permanent soil sampling from this location.
 - v. VP 8 and VP 9 are under concrete and not approved for one-time soil sampling. Owner is open to discuss a one-time non-permanent soil sampling from an alternative soil exposed location.
 - vi. Air Quality tests (above ground) under the house may be approved only if evacuation of the house and pets are not required.
 - b. Test results will be made available (via mail, email, or other agreed means) to the owner within thirty days following every testing occurrence.
 - c. Failure to provide test results may constitute as an inability to obtain approval to access the property to perform further tests.
 - d. Property access fee will be charged to Cambria per access occurrence.
- 10) Owner of the property is indemnified from all claims arising out of the work performed.
 - a. Cambria agrees to 'clean up' (subcontracted approved) any contamination found on the property by means approved by the owner.
- 11) Companies requesting access to referenced property must provide proof of insurance that cover damage to property and that covers employees.
 - a. The owner will not be liable for any injuries received by any employees, contractors, or sub contractors related to the testing and clean up efforts.
- 12) As owner of the property, I have disagreed with many of the items identified in the "Right of Entry Agreement" letter from Equilon Enterprises LLC (Denis Brown, Shell), therefore I am not signing the document nor implying that it is indirectly approved.
 - a. The verbiage in the letter from Denis Brown is not approved.
 - b. I hope to continue discussions with intent to agree towards the initial non-invasive testing.

After initial testing is completed, I do expect a follow-up plan (within a reasonable time period) of how the agencies plan to proceed to clean up the above site location within a specific time period not to exceed twenty four months.

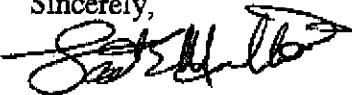
Additional suggested :

The owner of the contaminated property (2703 Martin Luther King Jr. Way) has been trying to sell the six parcels of land for over a year.

The financial gains by the oil industry over the past several years should enable SHELL to use a "Best Foot Forward" approach. I believe it would be in the best interest of SHELL, ACEH, and our neighborhood if you purchased the contaminated property. After the purchase, remove the wells, clean up the site, and end further contamination from your tanks. Once the contamination is removed, sell the property. Yes, it may be an initial investment, but it will eliminate further contamination of our neighborhood, Lake Merritt, and the San Francisco Bay.

If you use this approach, all parties will be able to resolve this issue faster, more efficiently, and improve the neighborhood.

Sincerely,



Scott E. Merrillat
Owner 664 27th Street
APN 009-0691-007
(work day: 925-242-6931)
(email: smerillat@yahoo.com)
(alt tel: 510-499-5812)

Enclosure:

Cambria property assessment form dated 12/5/2005

CC: Jerry Wickham ACEH

(t: 510-567-6791)

(f: 510-337-9335)

CAMBRIA

Please Return by December 20, 2005

December 5, 2005

Dear Resident:

The following is an independent public health questionnaire to identify basements, building foundation construction, fuel storage tanks, and wells (municipal, domestic, irrigation, or other type of wells) near the intersection of 27th Street and Martin Luther King Jr. Way, Oakland, California. The Alameda County Environmental Health Services is requesting that we identify these features as part of an ongoing environmental investigation in the area.

Please fill out the following information to the best of your knowledge. If you do not know, just mark it "UNKNOWN". Even if there is no well or basement, etc. at the address listed, please complete item 1 and return the survey in the postage-paid envelope provided. Should you have any questions, please contact the Cambria Environmental Technology, Inc. project manager listed below, or Mr. Jerry Wickham of Alameda County at (510) 567-6791. This information can be submitted by mail, by facsimile or verbally by phone.

Thank you for your cooperation.

CAMBRIA ENVIRONMENTAL TECHNOLOGY, INC. Ana Friel, Sr. Project Manager
Phone (707) 268-3812 Fax (707) 268-8180 270 Perkins Street, Sonoma, California 95476

(1) PROPERTY ADDRESS: 664 27th St, Oakland, California

OWNER NAME: Scott Merilla

DAYTIME PHONE: 925-242-6931

TENANT NAME: (if not owner) _____

DAYTIME PHONE: _____

(2) Are there any basements at the address listed in item 1: (circle one)

YES

UNKNOWN

NO

If yes, please describe whether basement is finished, unfinished, occupied, dirt floor, etc: _____

Unfinished above ground basement.

(3) Is this structure on a slab or perimeter foundation?

perimeter foundation.

(4) Is there an underground fuel or heating oil storage tank at this location (please describe):

no

(5) Are there any wells at the address listed in item 1: (circle one)

YES

UNKNOWN

NO

(6) Are there any wells in the vicinity of the address listed in item 1: (circle one)

YES

UNKNOWN

NO

(7) Are there any abandoned wells at the address listed in item 1: (circle one)

YES

UNKNOWN

NO

Comments: _____

If you answered "YES" to 5 or 6 above, please provide the following details, if possible. If there is more than one well, please indicate which well you are describing.

WELL ADDRESS: _____

WELL OWNER: _____

WELL WATER USE: _____

FREQUENCY OF USE: _____

WELL DIAMETER: _____

WELL DEPTH: _____

WELL MATERIAL: (circle one) PVC plastic

steel brick/clay other _____

SCREENED INTERVAL(S) OR PUMP DEPTH: _____

DATE OF INSTALLATION: _____

Wickham, Jerry, Env. Health

From: Wickham, Jerry, Env. Health
Sent: Tuesday, June 06, 2006 4:43 PM
To: Friel, Ana; 'Brown, Denis L SOPUS-OP-COR-H'
Subject: Access to 664 27th Street

Ana and Denis,

Today, 6/6/06, I spoke with Scott Merillat, the owner and resident at 664 27th Street, which is the residence immediately west of 2703 MLK in Oakland. To date, he has not been willing to give access to his property. Today, he indicated that he will give Shell access for "testing" but not permanent installations of equipment. I asked him to contact Ana to complete the access agreement and he indicated he will do so. If there is no follow through on the access agreement within the next week or two, please let me know and I will call him again.

Regards,

Jerry Wickham

Hazardous Materials Specialist
Alameda County Environmental Health
1131 Harbor Bay Parkway
Suite 250
Alameda, CA 94502-6577
510-567-6791 phone
510-337-9335 Fax
jerry.wickham@acgov.org

6/14/2006

Wickham, Jerry, Env. Health

To: Friel, Ana
Cc: Brown, Denis L SOPUS-OP-COR-H
Subject: RE: 2703 MLK, Oakland (SAP 129449) REQUEST FOR EXTENSION

Ana,

Based on the request for time extension, the schedule for submittal of the subsurface investigation report of wells MW-6 through MW-8 and SB-23 is extended to April 15, 2006. Thanks for the status update on other activities.

Regards,

Jerry Wickham

Hazardous Materials Specialist
Alameda County Environmental Health
1131 Harbor Bay Parkway
Suite 250
Alameda, CA 94502-6577
510-567-6791 phone
510-337-9335 Fax
jerry.wickham@acgov.org

From: Friel, Ana [mailto:afriel@cambria-env.com]
Sent: Thursday, March 09, 2006 4:08 PM
To: Wickham, Jerry, Env. Health
Cc: Brown, Denis L SOPUS-OP-COR-H
Subject: 2703 MLK, Oakland (SAP 129449) REQUEST FOR EXTENSION
Importance: High

Jerry,

We have a technical report due to you on March 15, 2006 which was to include the results of:

- Installation of onsite wells MW-6 – MW-8
- Installation of B-23
- Performance of DPE pilot test
- Installation and sampling of vapor probes (VP-1 through VP-6)

The first three bullet items were completed and installation of the vapor probes was attempted; however, due to the rainy season, too much infiltration of water was occurring to install the vapor probes.

The report of the pilot test activities has been completed and will be submitted by March 15, 2006; however, due to problems with analytical laboratory reports, the subsurface investigation report will not be ready by March 15, 2006. Therefore, on behalf of Shell, Cambria respectfully requests an **extension to April 15, 2006** for submittal of the technical report of findings for installation of MW-6 through MW-8 and SB-23. This document will also include the first quarter 2006 monitoring results.

As a status update for other activities, Cambria installed two offsite wells (@ 2727-2729 MLK and 670 27th Street) the last week of February. We are still awaiting receipt of encroachment permits to install wells MW-9 through MW-11 and will schedule the installation of those wells once encroachment permits have been received. We are checking the VPs for water level regularly, and will install soil vapor probes once the shallow zone is no longer saturated. As of this date, no access agreements have been received from the remaining offsite properties.

3/9/2006

We appreciate your consideration. Let me know if you have any questions concerning this project.

Ana Friel, PG
Associate Geologist
Cambria Environmental Technology, Inc.

afriel@cambria-env.com

p (707) 268-3812

f (707) 268-8180

c (707) 845-4066

Wickham, Jerry, Env. Health

From: Griffin, Leroy [LGriffin@oaklandnet.com]
Sent: Friday, March 03, 2006 5:33 PM
To: Wickham, Jerry, Env. Health
Subject: Re: 2703 MLK site in Oakland

I will have one of my staff look in this issue

Sent from my BlackBerry Wireless Handheld

-----Original Message-----
From: Wickham, Jerry, Env. Health
To: lgriffin@oaklandnet.com
CC: Drogos, Donna, Env. Health
Sent: Fri Mar 03 17:31:02 2006
Subject: 2703 MLK site in Oakland

Mr. Griffin,

I am working on a leaking underground fuel case at a former Shell station at 2703 Martin Luther King Jr. Way in Oakland. With Shell as the primary responsible party, site investigation and remediation have been ongoing under LOP oversight. The site is currently owned by Rodney Kwan who operates an auto repair facility on the site. The site has several housekeeping issues including batteries stored improperly. In addition, a green liquid was observed in a "posthole" (shown in attached photos) for a yet to be constructed fence. The green liquid was observed by Shell's contractor on 2/29/06. The green liquid was not observed during previous visits to the site (the postholes have been open for some time) or in other "postholes" at the site. Would you be able to have an inspector visit the site to check on storage and disposal issues?

Please call me with any questions.

Regards,
Jerry Wickham
Hazardous Materials Specialist
Alameda County Environmental Health
1131 Harbor Bay Parkway
Suite 250
Alameda, CA 94502-6577
510-567-6791 phone
510-337-9335 Fax
jerry.wickham@acgov.org

RO 145

Wickham, Jerry, Env. Health

To: Friel, Ana
Cc: Brown, Denis L SOPUS-OP-COR-H
Subject: RE: 2703 MLK, Oakland - Door to door survey - extension request

Ana and Denis,

An extension for the door-to-door survey to January 20, 2006 is fine.

Regards,

Jerry Wickham

Hazardous Materials Specialist
Alameda County Environmental Health
1131 Harbor Bay Parkway
Suite 250
Alameda, CA 94502-6577
510-567-6791 phone
510-337-9335 Fax
jerry.wickham@acgov.org

From: Friel, Ana [<mailto:afriel@Cambria-env.com>]
Sent: Thursday, January 05, 2006 1:13 PM
To: Wickham, Jerry, Env. Health
Cc: Brown, Denis L SOPUS-OP-COR-H
Subject: 2703 MLK, Oakland - Door to door survey - extension request
Importance: High

Jerry,

In correspondence to Shell, you have requested the results of the door-to-door survey be submitted by January 10, 2006. Because of significant problems with our Sonoma office server following the storm events on New Year's weekend, I have been unable to access the information I need to generate the report. Repairs have been made and they are testing the system today, so I expect that I will be able to access the information soon.

Because you have also requested a status update regarding the Access Agreements and Schedule for Offsite Investigation by January 20, 2006, I would like to request an extension for submittal of the door-to-door survey to January 20, 2006.

Thank you for your consideration.

Ana Friel
Senior Project Geologist
Cambria Environmental Technology, Inc.
(707) 268-3812
fax (707) 268-8180
afriel@Cambria-env.com

1/5/2006

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



7

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

December 29, 2005

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

Rodney and Janet Kwan
1834 Alameda Ave.
Alameda, CA 94501

Subject: Fuel Leak Case [REDACTED] Shell/Auto Tech West, 2703 Martin Luther King, Jr. Way, Oakland, CA – Work Plan Approval

Dear Mr. Brown and Mr. and Ms. Kwan:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site and the documents entitled, "Feasibility Study Work Plan," dated November 22, 2005, "Plume Delineation Work Plan," dated December 20, 2005, and "Groundwater Monitoring Report – Fourth Quarter 2005," dated December 27, 2005. These documents were prepared on Shell's behalf by Cambria Environmental Technology, Inc. The "Feasibility Study Work Plan," presents plans to install two wells and conduct a dual-phase extraction (DPE) feasibility study using the two wells. ACEH concurs with the proposed scope of work for the DPE feasibility study.

The "Plume Delineation Work Plan," presents plans to delineate the on-site and off-site extent of soil, soil gas, and groundwater contamination. Fuel hydrocarbons have been detected at elevated concentrations in soil vapor and groundwater at the property boundaries. The "Plume Delineation Work Plan," proposes soil borings, soil vapor probes, and monitoring wells to define the extent of contamination both on-site and off-site. ACEH concurs with the proposed scope of work for the plume delineation provided that the technical comments below are addressed during the field investigation.

ACEH requests that you address the following technical comments, perform the proposed work, and send us the reports described below.

TECHNICAL COMMENTS

1. **Soil Vapor Sampling.** ACEH requests that soil vapor samples be collected from the on-site soil vapor probes both prior to and within one week following the DPE test. We request that preliminary laboratory results from the initial soil vapor sampling be provided **by February 15, 2006**. Please present the complete soil vapor sampling results in the On-site Soil and Groundwater Investigation and DPE Feasibility Study Reports requested below.

2. **Site Access, Permitting, and Schedule.** Based on the schedule provided by Shell, the on-site borings, wells, and soil vapor probes will be installed during the week of January 3, 2006. Performance of the DPE test is anticipated during January 2006. The off-site borings, soil vapor probes, and wells are to be installed upon completion of encroachment permits and access agreements with nearby property owners. We request that you provide a status update regarding encroachment permits and access agreements along with a proposed schedule for the off-site investigation **by January 20, 2006.**

TECHNICAL REPORT REQUEST

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

- **January 10, 2006** – Results of Door-to-Door Survey
- **January 20, 2006** – Status of Access Agreements and Schedule for Off-site Investigation
- **February 15, 2006** – Preliminary Laboratory Results from Initial Soil Vapor Sampling
- **March 15, 2006** – On-site Soil and Groundwater Investigation and DPE Feasibility Study Reports
- **April 15, 2006** – Quarterly Report for the First Quarter 2006

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.

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.

Denis Brown
December 29, 2005
Page 4

If you have any questions, please call me at (510) 567-6791.

Sincerely,

A handwritten signature in cursive script that reads "Jerry Wickham". The signature is written in black ink and is positioned above the printed name.

Jerry Wickham
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Ana Friel
Cambria Environmental Technology, Inc.
270 Perkins Street
Sonoma, CA 95476

Donna Drogos, ACEH
Jerry Wickham, ACEH

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



7

ENVIRONMENTAL HEALTH SERVICES

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

December 14, 2005

Loc Trinh and Amy Pham
1537 Mann Drive
Pinole, CA 94564-2522

Subject: Property Access for the Investigation and Cleanup of Petroleum Contamination at Fuel Leak Case No. [REDACTED], Former Shell, 2703 Martin Luther King Jr. Way, Oakland, CA

Dear Loc Trinh and Amy Pham:

Alameda County Environmental Health is overseeing the investigation and cleanup of gasoline and gasoline additives released from underground storage tanks formerly located at 2703 Martin Luther King Jr. Way (northwest corner of 27th Street and Martin Luther King Jr. Way) in Oakland. Groundwater and soil vapor contamination have been detected along the western and northern boundaries of the property at 2703 Martin Luther King Jr. Way. The extent of that contamination is currently unknown but potentially could extend beneath your property.

Alameda County Environmental Health (ACEH) is requiring Shell Oil Products US to investigate and cleanup contaminated soil, soil vapor, and groundwater to prevent the contamination from spreading further and to reduce the potential threat to human health and the environment. To properly determine the extent of soil, soil vapor, and groundwater contamination, Shell Oil Products US must perform additional off-site investigation. Therefore, we will need your help in allowing access to your property to properly define the extent of contamination.

If you have any questions, please contact me at (510) 567-6791 or via email at jerry.wickham@acgov.org.

Sincerely,

Jerry Wickham, P.G.
Hazardous Materials Specialist

cc: Denis Brown, Shell Oil Products US, 20945 S. Wilmington Ave., Carson, CA 90810-1039
Rodney and Janet Kwan, 1834 Alameda Ave., Alameda, CA 94501
Ana Friel, Cambria Environmental Technology, Inc., 270 Perkins Street, Sonoma, CA 95406

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

December 14, 2005

Monique Oatis
670 27th Street
Oakland, CA 94612

Subject: Property Access for the Investigation and Cleanup of Petroleum Contamination at Fuel Leak Case No. [REDACTED] Former Shell, 2703 Martin Luther King Jr. Way, Oakland, CA

Dear Ms. Oatis:

Alameda County Environmental Health is overseeing the investigation and cleanup of gasoline and gasoline additives released from underground storage tanks formerly located at 2703 Martin Luther King Jr. Way (northwest corner of 27th Street and Martin Luther King Jr. Way) in Oakland. Groundwater and soil vapor contamination have been detected along the western and northern boundaries of the property at 2703 Martin Luther King Jr. Way. The extent of that contamination is currently unknown but potentially could extend beneath your property.

Alameda County Environmental Health (ACEH) is requiring Shell Oil Products US to investigate and cleanup contaminated soil, soil vapor, and groundwater to prevent the contamination from spreading further and to reduce the potential threat to human health and the environment. To properly determine the extent of soil, soil vapor, and groundwater contamination, Shell Oil Products US must perform additional off-site investigation. Therefore, we will need your help in allowing access to your property to properly define the extent of contamination.

If you have any questions, please contact me at (510) 567-6791 or via email at jerry.wickham@acgov.org.

Sincerely,

Jerry Wickham, P.G.
Hazardous Materials Specialist

cc: Denis Brown, Shell Oil Products US, 20945 S. Wilmington Ave., Carson, CA 90810-1039
Rodney and Janet Kwan, 1834 Alameda Ave., Alameda, CA 94501
Ana Friel, Cambria Environmental Technology, Inc., 270 Perkins Street, Sonoma, CA 95406

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

December 14, 2005

Jemal Saeed
668 27th Street
Oakland, CA 94612

Subject: Property Access for the Investigation and Cleanup of Petroleum Contamination at Fuel Leak Case No. [REDACTED] Former Shell, 2703 Martin Luther King Jr. Way, Oakland, CA

Dear Mr. Saeed:

Alameda County Environmental Health is overseeing the investigation and cleanup of gasoline and gasoline additives released from underground storage tanks formerly located at 2703 Martin Luther King Jr. Way (northwest corner of 27th Street and Martin Luther King Jr. Way) in Oakland. Groundwater and soil vapor contamination have been detected along the western and northern boundaries of the property at 2703 Martin Luther King Jr. Way. The extent of that contamination is currently unknown but potentially could extend beneath your property.

Alameda County Environmental Health (ACEH) is requiring Shell Oil Products US to investigate and cleanup contaminated soil, soil vapor, and groundwater to prevent the contamination from spreading further and to reduce the potential threat to human health and the environment. To properly determine the extent of soil, soil vapor, and groundwater contamination, Shell Oil Products US must perform additional off-site investigation. Therefore, we will need your help in allowing access to your property to properly define the extent of contamination.

If you have any questions, please contact me at (510) 567-6791 or via email at jerry.wickham@acgov.org.

Sincerely,

Jerry Wickham, P.G.
Hazardous Materials Specialist

cc: Denis Brown, Shell Oil Products US, 20945 S. Wilmington Ave., Carson, CA 90810-1039
Rodney and Janet Kwan, 1834 Alameda Ave., Alameda, CA 94501
Ana Friel, Cambria Environmental Technology, Inc., 270 Perkins Street, Sonoma, CA 95406

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

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DAVID J. KEARS, Agency Director



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

December 14, 2005

Tesfa Solomon
484 Lake Park Avenue, #288
Oakland, CA 94610-2730

Subject: Property Access for the Investigation and Cleanup of Petroleum Contamination at Fuel Leak Case No. [REDACTED], Former Shell, 2703 Martin Luther King Jr. Way, Oakland, CA.

Dear Tesfa Solomon:

Alameda County Environmental Health is overseeing the investigation and cleanup of gasoline and gasoline additives released from underground storage tanks formerly located at 2703 Martin Luther King Jr. Way (northwest corner of 27th Street and Martin Luther King Jr. Way) in Oakland. Groundwater and soil vapor contamination have been detected along the western and northern boundaries of the property at 2703 Martin Luther King Jr. Way. The extent of that contamination is currently unknown but potentially could extend beneath your property.

Alameda County Environmental Health (ACEH) is requiring Shell Oil Products US to investigate and cleanup contaminated soil, soil vapor, and groundwater to prevent the contamination from spreading further and to reduce the potential threat to human health and the environment. To properly determine the extent of soil, soil vapor, and groundwater contamination, Shell Oil Products US must perform additional off-site investigation. Therefore, we will need your help in allowing access to your property to properly define the extent of contamination.

If you have any questions, please contact me at (510) 567-6791 or via email at jerry.wickham@acgov.org.

Sincerely,

Jerry Wickham, P.G.
Hazardous Materials Specialist

cc: Denis Brown, Shell Oil Products US, 20945 S. Wilmington Ave., Carson, CA 90810-1039
Rodney and Janet Kwan, 1834 Alameda Ave., Alameda, CA 94501
Ana Friel, Cambria Environmental Technology, Inc., 270 Perkins Street, Sonoma, CA 95406

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

December 14, 2005

Scott Merillat
664 27th Street
Oakland, CA 94612

Subject: Property Access for the Investigation and Cleanup of Petroleum Contamination at Fuel Leak Case No. [REDACTED] Former Shell, 2703 Martin Luther King Jr. Way, Oakland, CA

Dear Mr. Merillat:

Alameda County Environmental Health is overseeing the investigation and cleanup of gasoline and gasoline additives released from underground storage tanks formerly located at 2703 Martin Luther King Jr. Way (northwest corner of 27th Street and Martin Luther King Jr. Way) in Oakland. Groundwater and soil vapor contamination have been detected along the western and northern boundaries of the property at 2703 Martin Luther King Jr. Way. The extent of that contamination is currently unknown but potentially could extend beneath your property.

Alameda County Environmental Health (ACEH) is requiring Shell Oil Products US to investigate and cleanup contaminated soil, soil vapor, and groundwater to prevent the contamination from spreading further and to reduce the potential threat to human health and the environment. To properly determine the extent of soil, soil vapor, and groundwater contamination, Shell Oil Products US must perform additional off-site investigation. Therefore, we will need your help in allowing access to your property to properly define the extent of contamination.

If you have any questions, please contact me at (510) 567-6791 or via email at jerry.wickham@acgov.org.

Sincerely,

Jerry Wickham, P.G.
Hazardous Materials Specialist

cc: Denis Brown, Shell Oil Products US, 20945 S. Wilmington Ave., Carson, CA 90810-1039
Rodney and Janet Kwan, 1834 Alameda Ave., Alameda, CA 94501
Ana Friel, Cambria Environmental Technology, Inc., 270 Perkins Street, Sonoma, CA 95406

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

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

December 14, 2005

Majoria Dickey, Executor
1847 Fillmore Street
San Francisco, CA 94115

Subject: Property Access for the Investigation and Cleanup of Petroleum Contamination at Fuel Leak Case No. [REDACTED], Former Shell, 2703 Martin Luther King Jr. Way, Oakland, CA

Dear Ms. Dickey:

Alameda County Environmental Health is overseeing the investigation and cleanup of gasoline and gasoline additives released from underground storage tanks formerly located at 2703 Martin Luther King Jr. Way (northwest corner of 27th Street and Martin Luther King Jr. Way) in Oakland. Groundwater and soil vapor contamination have been detected along the western and northern boundaries of the property at 2703 Martin Luther King Jr. Way. The extent of that contamination is currently unknown but potentially could extend beneath your property.

Alameda County Environmental Health (ACEH) is requiring Shell Oil Products US to investigate and cleanup contaminated soil, soil vapor, and groundwater to prevent the contamination from spreading further and to reduce the potential threat to human health and the environment. To properly determine the extent of soil, soil vapor, and groundwater contamination, Shell Oil Products US must perform additional off-site investigation. Therefore, we will need your help in allowing access to your property to properly define the extent of contamination.

If you have any questions, please contact me at (510) 567-6791 or via email at jerry.wickham@acgov.org.

Sincerely,

Jerry Wickham, P.G.
Hazardous Materials Specialist

cc: Denis Brown, Shell Oil Products US, 20945 S. Wilmington Ave., Carson, CA 90810-1039
Rodney and Janet Kwan, 1834 Alameda Ave., Alameda, CA 94501
Ana Friel, Cambria Environmental Technology, Inc., 270 Perkins Street, Sonoma, CA 95406

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

December 14, 2005

Thanh Phung and Mytien Pham
669 28th Street
Oakland, CA 94612

Subject: Property Access for the Investigation and Cleanup of Petroleum Contamination at Fuel Leak Case No. [REDACTED] Former Shell, 2703 Martin Luther King Jr. Way, Oakland, CA

Dear Thanh Phung and Mytien Pham:

Alameda County Environmental Health is overseeing the investigation and cleanup of gasoline and gasoline additives released from underground storage tanks formerly located at 2703 Martin Luther King Jr. Way (northwest corner of 27th Street and Martin Luther King Jr. Way) in Oakland. Groundwater and soil vapor contamination have been detected along the western and northern boundaries of the property at 2703 Martin Luther King Jr. Way. The extent of that contamination is currently unknown but potentially could extend beneath your property.

Alameda County Environmental Health (ACEH) is requiring Shell Oil Products US to investigate and cleanup contaminated soil, soil vapor, and groundwater to prevent the contamination from spreading further and to reduce the potential threat to human health and the environment. To properly determine the extent of soil, soil vapor, and groundwater contamination, Shell Oil Products US must perform additional off-site investigation. Therefore, we will need your help in allowing access to your property to properly define the extent of contamination.

If you have any questions, please contact me at (510) 567-6791 or via email at jerry.wickham@acgov.org.

Sincerely,

Jerry Wickham, P.G.
Hazardous Materials Specialist

cc: Denis Brown, Shell Oil Products US, 20945 S. Wilmington Ave., Carson, CA 90810-1039
Rodney and Janet Kwan, 1834 Alameda Ave., Alameda, CA 94501
Ana Friel, Cambria Environmental Technology, Inc., 270 Perkins Street, Sonoma, CA 95406

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



7

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

December 14, 2005

Wilfred Kintonouza
729 31st Street
Oakland, CA 94609

Subject: Property Access for the Investigation and Cleanup of Petroleum Contamination at Fuel Leak Case N [REDACTED] Former Shell, 2703 Martin Luther King Jr. Way, Oakland, CA

Dear Mr. Kintonouza:

Alameda County Environmental Health is overseeing the investigation and cleanup of gasoline and gasoline additives released from underground storage tanks formerly located at 2703 Martin Luther King Jr. Way (northwest corner of 27th Street and Martin Luther King Jr. Way) in Oakland. Groundwater and soil vapor contamination have been detected along the western and northern boundaries of the property at 2703 Martin Luther King Jr. Way. The extent of that contamination is currently unknown but potentially could extend beneath your property.

Alameda County Environmental Health (ACEH) is requiring Shell Oil Products US to investigate and cleanup contaminated soil, soil vapor, and groundwater to prevent the contamination from spreading further and to reduce the potential threat to human health and the environment. To properly determine the extent of soil, soil vapor, and groundwater contamination, Shell Oil Products US must perform additional off-site investigation. Therefore, we will need your help in allowing access to your property to properly define the extent of contamination.

If you have any questions, please contact me at (510) 567-6791 or via email at jerry.wickham@acgov.org.

Sincerely,

Jerry Wickham, P.G.
Hazardous Materials Specialist

cc: Denis Brown, Shell Oil Products US, 20945 S. Wilmington Ave., Carson, CA 90810-1039
Rodney and Janet Kwan, 1834 Alameda Ave., Alameda, CA 94501
Ana Friel, Cambria Environmental Technology, Inc., 270 Perkins Street, Sonoma, CA 95406

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



7

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

December 14, 2005

Jack Chang
559 9th Avenue
San Francisco, CA 94118-3716

Subject: Property Access for the Investigation and Cleanup of Petroleum Contamination at Fuel Leak Case No. F [REDACTED] Former Shell, 2703 Martin Luther King Jr. Way, Oakland, CA

Dear Mr. Chang:

Alameda County Environmental Health is overseeing the investigation and cleanup of gasoline and gasoline additives released from underground storage tanks formerly located at 2703 Martin Luther King Jr. Way (northwest corner of 27th Street and Martin Luther King Jr. Way) in Oakland. Groundwater and soil vapor contamination have been detected along the western and northern boundaries of the property at 2703 Martin Luther King Jr. Way. The extent of that contamination is currently unknown but potentially could extend beneath your property.

Alameda County Environmental Health (ACEH) is requiring Shell Oil Products US to investigate and cleanup contaminated soil, soil vapor, and groundwater to prevent the contamination from spreading further and to reduce the potential threat to human health and the environment. To properly determine the extent of soil, soil vapor, and groundwater contamination, Shell Oil Products US must perform additional off-site investigation. Therefore, we will need your help in allowing access to your property to properly define the extent of contamination.

If you have any questions, please contact me at (510) 567-6791 or via email at jerry.wickham@acgov.org.

Sincerely,

Jerry Wickham, P.G.
Hazardous Materials Specialist

cc: Denis Brown, Shell Oil Products US, 20945 S. Wilmington Ave., Carson, CA 90810-1039
Rodney and Janet Kwan, 1834 Alameda Ave., Alameda, CA 94501
Ana Friel, Cambria Environmental Technology, Inc., 270 Perkins Street, Sonoma, CA 95406

Donna Drogos, ACEH
Jerry Wickham, ACEH
File



December 12, 2005

Rodney & Janet Kwan
1834 Alameda Avenue
Alameda, CA 94501

Alameda County
DEC 16 2005

Re: **Upcoming Onsite Activities – Clear Work Area**
Former Shell Service Station
2703 Martin Luther King Jr. Way
Oakland, CA

Dear Mr. and Mrs. Kwan:

As you are aware, Shell Oil Products US is conducting a number of activities at the subject site and in the vicinity. The purpose of this letter is to provide you with a map showing the proposed location of additional wells (MW-6 – MW-8) and soil vapor probes (VP-1 through VP-6) which are scheduled for installation January 3, 4, and 5, 2006.

In order to access the proposed locations, Shell requests that you have those areas cleared of any equipment, materials, vehicles, etc, that are currently stored there by December 30, 2005. It is extremely important that access be provided so that these wells can be drilled, and it is being requested per our discussions with Alameda County Environmental Health Services.

Please contact me at (707) 865-0251, or Ana Friel of Cambria at (707) 268-3812 if you have any questions, or you can't comply with this request. Your continued cooperation is greatly appreciated.

Sincerely,
Shell Oil Products, US

Denis Brown
Project Manager

Attachment: Proposed Sample Location Map

cc: Ana Friel, Cambria Environmental Technology
Jerry Wickham, Alameda County Environmental Health Services
Rodney and Janet Kwan, 2703 Martin Luther King Jr. Way, Oakland, CA

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

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

November 21, 2005

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

Rodney and Janet Kwan
1834 Alameda Ave.
Alameda, CA 94501

Subject: Fuel Leak Case No. [REDACTED] Shell/Auto Tech West, 2703 Martin Luther King, Jr. Way, Oakland, CA

Dear Mr. Brown and Mr. and Ms. Kwan:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site and the document entitled, "Site Investigation Report," dated November 15, 2005, prepared on Shell's behalf by Cambria Environmental Technology, Inc. The Report presents the results of soil, soil vapor, and groundwater sampling recently conducted at the site from August 28 through 31, 2005. The Report also presents recommendations for additional site investigation and cleanup. ACEH is concerned with the elevated concentrations of fuel hydrocarbons that were detected in soil gas and groundwater at the western and northern property boundaries. Therefore, **ACEH requests that a Work Plan be submitted by December 21, 2005** for additional investigation and a dual-phase extraction (DPE) test.

ACEH requests that you address the following technical comments, perform the proposed work, and send us the reports described below.

TECHNICAL COMMENTS

1. **Door-to-Door Survey.** The "Site Investigation Report," dated November 15, 2005 recommends conducting a door-to-door survey of residential properties within 300 feet of the site for wells, basements, and foundation type to identify potential receptors. A door-to-door survey was previously conducted for this site and presented in the report entitled, "Sensitive Receptor Survey, Geologic Cross Sections and Groundwater Monitoring Report – Fourth Quarter 2003," dated December 16, 2003. However, the previous door-to-door survey did not have results for several properties that are in close proximity to the site. ACEH concurs with conducting an additional door-to-door survey to supplement the results from the 2003 door-to-door survey. In particular, ACEH requests that detailed information be obtained for the residential properties at 664 27th Street, 2719-2723 Martin Luther King Jr. Way, and 665 28th Street. ACEH requests that information on these properties be provided to ACEH as soon as possible. Please include the results of the door-to-door survey in the report requested below.

2. **Additional Investigation.** ACEH concurs with the recommendation to conduct additional investigation to delineate the extent of soil vapor and groundwater contamination. Please present plans to conduct this investigation in the Work Plan requested below.
3. **Dual-Phase Extraction Test.** ACEH concurs with the recommendation to conduct a dual-phase extraction (DPE) test at the site. Please present plans in the Work Plan requested below to install probes, wells and piezometers at the site as needed, to conduct the DPE test.
4. **Permitting and Schedule.** Please plan to obtain permits and schedule the additional investigation and DPE test as soon as possible following completion of the Work Plan and Work Plan approval.
5. **Table 1 – Well/Boring Data.** Table 1 is a useful compilation of soil boring information. ACEH appreciates inclusion of Table 1 as a technical reference. Please include Table 1 in future plans and reports.
6. **Boring GP-4.** Boring GP-4 was advanced to a depth of only 4.5 feet below ground surface. ACEH previously requested in June 6, 2005 correspondence, that boring GP-4 be extended to obtain a groundwater sample. ACEH also requested that total lead analyses be performed for the soil samples collected during the August 2005 investigation but no lead analyses appear to have been conducted. Please include plans in the Work Plan requested below to collect data to address these previous technical comments.

TECHNICAL REPORT REQUEST

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

- **December 21, 2005** – Work Plan for Additional Investigation and Dual-Phase Extraction Test
- **January 10, 2006** – Results of Door-to-Door Survey
- **February 15, 2006** – Quarterly Report for the Fourth Quarter 2005
- **May 15, 2006** – Quarterly Report for the First Quarter 2006

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.

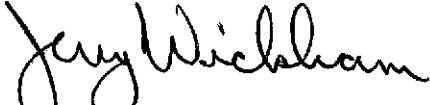
AGENCY OVERSIGHT

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.

Denis Brown
November 21, 2005
Page 4

If you have any questions, please call me at (510) 567-6791.

Sincerely,

A handwritten signature in black ink that reads "Jerry Wickham". The signature is written in a cursive style with a large, looped initial "J".

Jerry Wickham
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Ana Friel
Cambria Environmental Technology, Inc.
270 Perkins Street
Sonoma, CA 95476

Donna Drogos, ACEH
Jerry Wickham, ACEH

Wickham, Jerry, Env. Health

From: Wickham, Jerry, Env. Health
Sent: Tuesday, December 06, 2005 7:22 PM
To: 'Brown, Denis L SOPUS-OP-COR-H'; Friel, Ana
Subject: RE: 2703 MLK, Oakland, Status Update

Ana,

Thanks for the itemized list and proposed locations. Also, thanks to both of you for the quick action on this site. I have just four comments:

1) The proposed monitoring well locations look good; however, I agree with Denis that the area north of the service bays is a data gap since the highest concentration was detected in the water sample from GP-7. Therefore, I would add a well in this area. I would also like to see a soil vapor probe in this area between the service bay and 2719-2723 MLK.

2) The most sensitive receptor, given the data collected to date, is the residence west of the site (664 27th Street). Further investigation is needed to determine whether there is a complete vapor intrusion exposure pathway for this residence. Therefore, please consider the installation of soil vapor probes near GP-2 and GP-3 to be able to monitor soil vapor concentrations over time. It may be advantageous to install probes at these locations to measure soil gas concentrations prior to and following the DPE test since these concentrations are most critical for decisions at the site. It would be especially useful to know how effective the DPE will be in mitigating potential vapor intrusion at this location. A soil vapor probe on the opposite (west) side of 664 27th from GP-3 would also be useful. In addition, please review the steps outlined in the DTSC Interim Final Guidance for Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air (December 15, 2004) regarding potential additional investigation methods. In particular, please take a look at step 6.
http://www.dtsc.ca.gov/AssessingRisk/upload/HERD_POL_Eval_Subsurface_Vapor_Intrusion_interim_final.pdf

3) The concentrations of benzene in soil gas were relatively low in the samples collected near the on-site building. However, given the high TPH concentrations and for GP-7, the high benzene in groundwater in this area and likely beneath the building, it would be good to have the ability to monitor soil vapor concentrations near the building as well. Therefore, please consider one or more soil vapor probes for temporal data collection near the office portion of the building. For the work plan, it would be especially helpful to know which areas are covered by an impervious surface such as asphalt or concrete and which areas are open ground. This may affect VOC off-gassing and aerobic degradation rates.

4) I noticed that at times, the former UST pit seemed to be the location of a groundwater mound. Is the former UST excavation open to surface infiltration?

Please call me with any questions.

Regards

Jerry Wickham

Hazardous Materials Specialist

Alameda County Environmental Health

1131 Harbor Bay Parkway

Suite 250

Alameda, CA 94502-6577

510-567-6791 phone

510-337-9335 Fax

jerry.wickham@acgov.org

12/7/2005

From: Brown, Denis L SOPUS-OP-COR-H [mailto:denis.l.brown@shell.com]
Sent: Tuesday, December 06, 2005 3:52 PM
To: Friel, Ana; Wickham, Jerry, Env. Health
Subject: RE: 2703 MLK, Oakland, Status Update

Ana,

Thanks so much for putting together this update and work on sampling/well locations.

My only question/concern would be is whether a monitoring well or vapor sample well should be placed directly behind station bays and between 2719-2723 MLK? While we have MW-1 and GP-7, we have nothing else in-between and this "seems" or could be a hole.

Just a question and would like your input. Otherwise, looks fine from my end.

Happy Holidays

Denis
Denis Brown
Project Manager

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

707-865-0251
707-865-2542 (Fax)
707-290-9101 (Cell)

-----Original Message-----

From: Friel, Ana [mailto:afriel@Cambria-env.com]
Sent: Tuesday, December 06, 2005 3:31 PM
To: Wickham, Jerry, Env. Health
Cc: Brown, Denis L SOPUS-OP-COR-H; Lescure, Daniel
Subject: 2703 MLK, Oakland, Status Update
Importance: High

Jerry,

Following your conversation this morning, Denis Brown contacted me and requested that I provide this email to document where things stand with the current scope of work and upcoming items.

1 – As recommended in Cambria's *Site Investigation Report* dated November 15, 2005 and approved in your letter to Shell dated November 21, 2005, Cambria submitted the *Feasibility Study Work Plan* on November 22, 2005. The scope included installing two onsite wells and performing a 5-day DPE test.

2 – A permit to install the two proposed wells for the DPE test was submitted and has been received, and the wells will be installed **January 3 and 4, 2006**.

3 – The door to door survey has been initiated and questionnaires have been mailed to the properties specified in our work plan. These were mailed on November 29, 2005.

4 – A site visit has been performed to assess possible property access for offsite delineation activities, and

12/7/2005

a work plan for plume delineation is being developed. Per your November 21, 2005 letter, that work plan is due December 21, 2005; however, we are working to submit the work plan in advance of that deadline.

Attached to this email is a draft of the proposed offsite monitoring well and vapor probe locations. I am requesting your comments on the proposed locations prior to completing the work plan, so that we may initiate access agreements as soon as possible.

5 – A 5-day DPE test is currently being scheduled and we anticipate **performing the DPE test the week of January 16, 2006.**

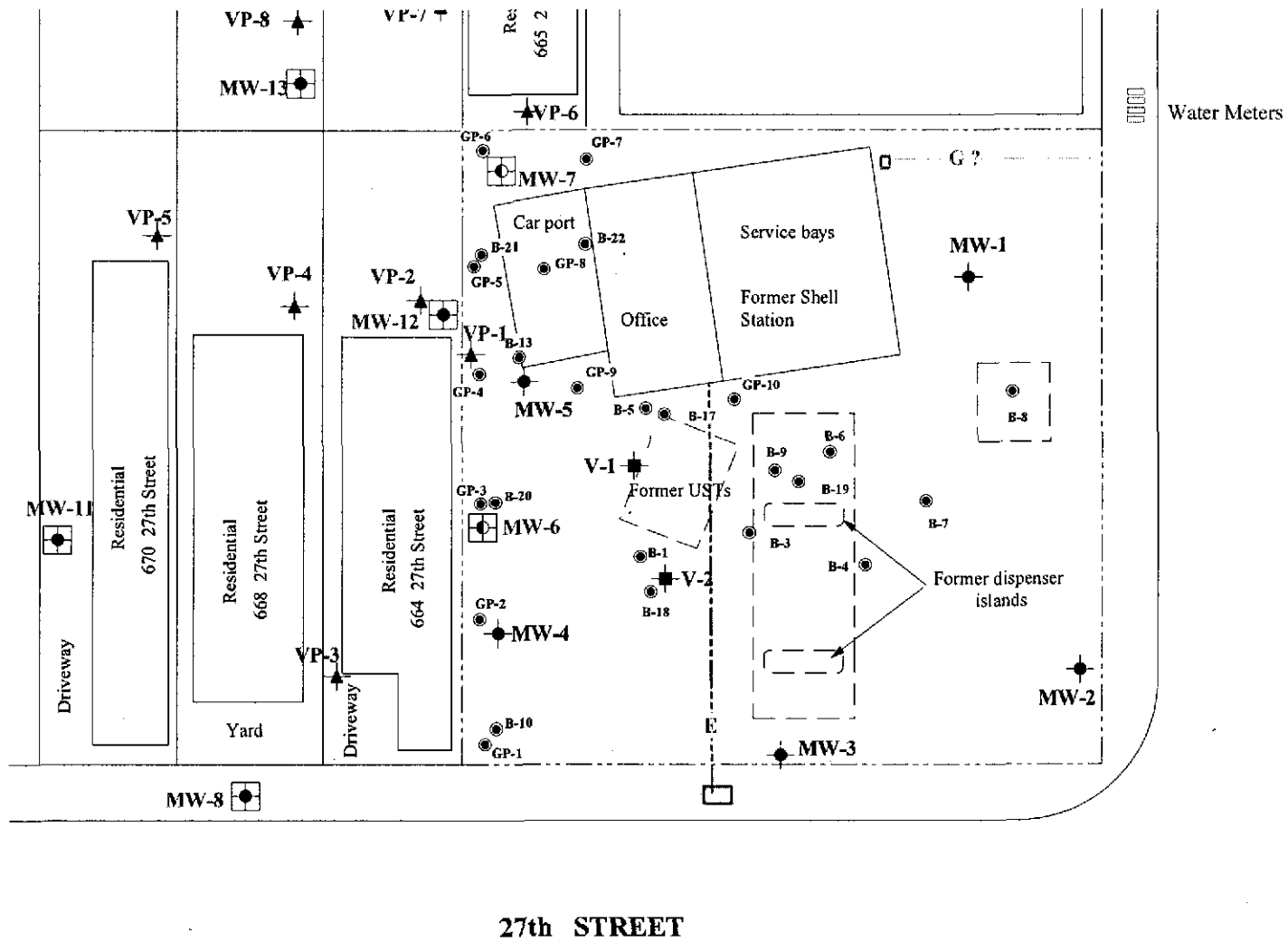
6 – A permit to operate a more permanent DPE system at this site has been initiated with the Bay Area Air Quality Management District, and will be completed/submitted this week.

7 – Batch GWE by Vacuum Truck: To assess whether groundwater extraction from select wells using a vacuum truck (VacOps) is a viable interim remedial measure for groundwater extraction, Shell has requested that Cambria schedule a 1-time event extracting groundwater from wells MW-4, MW-5, and V-2. Upon completion of the first event, subsequent events may or may not be scheduled.

Cambria will provide periodic status updates related to this site. Please contact me if you have any questions, comments, or wish to discuss. Please provide your input regarding the draft propose sample locations at your earliest convenience.

Regards,

Ana Friel
Senior Project Geologist
Cambria Environmental Technology, Inc.
(707) 268-3812
fax (707) 268-8180
afriel@cambria-env.com



MARTIN LUTHER KING J

FIGURE

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



7

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

August 19, 2005

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

Rodney and Janet Kwan
1834 Alameda Ave.
Alameda, CA 94501

Subject: Fuel Leak Case No. [REDACTED], Shell/Auto Tech West, 2703 Martin Luther King, Jr. Way, Oakland, CA

Dear Mr. Brown and Mr. And Ms. Kwan:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site and the correspondence entitled, "Revised Response to Technical Comments, Notification of Field Work, and Request for Extension," dated August 15, 2005, prepared on your behalf by Cambria Environmental Technology, Inc. The correspondence provides responses to ACEH technical comments, discusses scope modifications for the planned field work at the site, provides notification of the schedule for sampling activities, and requests an extension for submittal of the Site Investigation Report. ACEH concurs with the responses to agency comments and has no objection to the proposed scope modifications. **The schedule for submittal of the Site Investigation Report is extended to November 15, 2005.** ACEH requests that you perform the proposed work and send us the reports described below.

TECHNICAL REPORT REQUEST

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

- **October 31, 2005** - Quarterly Report for the Third Quarter 2005
- **November 15, 2005** - Site Investigation Report
- **February 28, 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.

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](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.

Denis Brown, Rodney and Janet Kwan
August 19, 2005
Page 3

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: Ana Friel
Cambria Environmental Technology, Inc.
270 Perkins Street
Sonoma, CA 95406

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



Handwritten signature and initials: "P. J. Kears" and "67-857"

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

June 6, 2005

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

Rodney and Janet Kwan
1834 Alameda Ave.
Alameda, CA 94501

Subject: Fuel Leak Case No. [REDACTED], Shell/Auto Tech West, 2703 Martin Luther King, Jr. Way, Oakland, CA

Dear Mr. Brown and Mr. And Ms. Kwan:

Alameda County Environmental Health (ACEH) staff has reviewed the case file and the report entitled, "Groundwater Monitoring Report – Third Quarter 2004 and Soil Vapor Investigation Work Plan," dated October 11, 2004, prepared on behalf of Shell by Cambria Environmental Technology, Inc. The report presents quarterly monitoring results for groundwater samples collected on July 13, 2004 and includes a soil vapor investigation work plan. Groundwater monitoring at the site has detected elevated concentrations of volatile organic compounds in shallow groundwater. Residential properties are located immediately north and west of the site. Soil vapor sampling was recommended in the work plan to assess potential risk from volatile organic vapors to onsite commercial and off-site residential occupants.

The work plan proposes the collection of vapor samples from 10 Geoprobe borings. In addition, four borings would be extended to sample soil and groundwater. ACEH concurs with the work plan subject to the changes requested in the technical comments below. Based on staff review of the document referenced above, we request that you address the following technical comments, perform the proposed work, and send us the reports described below. The technical comments are to be addressed prior to conducting the work and documentation is to be provided in the Soil and Groundwater Investigation Report requested below. Please provide 72-hour advance notification to ACEH prior to initiating field sampling activities.

TECHNICAL COMMENTS

1. **Proposed Borings GP-4.** The work plan indicates that four borings (GP-1, GP-3, GP-6, and GP-7) will be extended to continuously sample soil and to collect a shallow groundwater sample. ACEH requests that proposed boring GP-4 also be extended to collect soil and a shallow groundwater sample. The purpose of collecting soil and groundwater data from GP-4 is to help assess the representativeness of groundwater monitoring data from well MW-5.

2. **Selection of Soil Samples for Analysis.** The work plan indicates that soil samples will be retained from 5-foot intervals. ACEH requests one soil sample be collected for laboratory analyses immediately above the water table and a soil sample be collected within any other interval where staining, odor, or elevated photoionization readings are observed rather than retaining soil samples for analyses at a fixed interval of five feet. Results from the soil sampling are to be presented in the Site Investigation Report requested below
3. **Soil Analyses.** ACEH requests that all soil samples be analyzed for total lead using EPA Method 6010B in addition to the analytes currently proposed.

TECHNICAL REPORT REQUEST

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

- **July 15, 2005** - Quarterly Report for the Second Quarter 2005
- **September 2, 2005** - Site Investigation Report (to include the results of the soil, soil vapor, and groundwater sampling)
- **October 17, 2005** - Quarterly Report for the Third Quarter 2005
- **January 17, 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 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,

Denis Brown
Rodney and Janet Kwan
June 6, 2005
Page 3

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

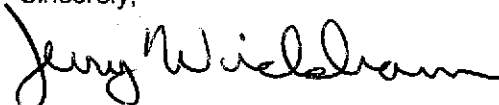
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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: Ana Friel
Cambria Environmental Technology, Inc.
270 Perkins Street
Sonoma, CA 95406

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



7

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

June 6, 2005

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

Subject: Fuel Leak Case No. [REDACTED], Former Shell Service Station, 2703 Martin Luther King, Jr. Way, Oakland, CA

Dear Mr. Brown:

Alameda County Environmental Health (ACEH) staff has reviewed the case file and the report entitled, "Groundwater Monitoring Report – Third Quarter 2004 and Soil Vapor Investigation Work Plan," dated October 11, 2004, prepared on behalf of Shell by Cambria Environmental Technology, Inc. The report presents quarterly monitoring results for groundwater samples collected on July 13, 2004 and includes a soil vapor investigation work plan. Groundwater monitoring at the site has detected elevated concentrations of volatile organic compounds in shallow groundwater. Residential properties are located immediately north and west of the site. Soil vapor sampling was recommended in the work plan to assess potential risk from volatile organic vapors to onsite commercial and off-site residential occupants.

The work plan proposes the collection of vapor samples from 10 Geoprobe borings. In addition, four borings would be extended to sample soil and groundwater. ACEH concurs with the work plan subject to the changes requested in the technical comments below. Based on staff review of the document referenced above, we request that you address the following technical comments, perform the proposed work, and send us the reports described below. The technical comments are to be addressed prior to conducting the work and documentation is to be provided in the Soil and Groundwater Investigation Report requested below. Please provide 72-hour advance notification to ACEH prior to initiating field sampling activities.

TECHNICAL COMMENTS

1. **Proposed Borings GP-4.** The work plan indicates that four borings (GP-1, GP-3, GP-6, and GP-7) will be extended to continuously sample soil and to collect a shallow groundwater sample. ACEH requests that proposed boring GP-4 also be extended to collect soil and a shallow groundwater sample. The purpose of collecting soil and groundwater data from GP-4 is to help assess the representativeness of groundwater monitoring data from well MW-5.
2. **Selection of Soil Samples for Analysis.** The work plan indicates that soil samples will be retained from 5-foot intervals. ACEH requests one soil sample be collected for laboratory analyses immediately above the water table and a soil sample be collected within any other interval where staining, odor, or elevated photoionization readings are observed rather than

retaining soil samples for analyses at a fixed interval of five feet. Results from the soil sampling are to be presented in the Site Investigation Report requested below

3. **Soil Analyses.** ACEH requests that all soil samples be analyzed for total lead using EPA Method 6010B in addition to the analytes currently proposed.

TECHNICAL REPORT REQUEST

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

- **July 15, 2005** - Quarterly Report for the Second Quarter 2005
- **September 2, 2005** - Site Investigation Report (to include the results of the soil, soil vapor, and groundwater sampling)
- **October 17, 2005** - Quarterly Report for the Third Quarter 2005
- **January 17, 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 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.

Mr. Denis Brown
June 6, 2005
Page 3

UNDERGROUND STORAGE TANK CLEANUP FUND

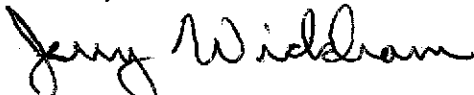
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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: Ana Friel
Cambria Environmental Technology, Inc.
270 Perkins Street
Sonoma, CA 95406

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



02-21-02

February 19, 2002

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

Karen Petryna
Equiva Services LLC
PO Box 7869
Burbank, CA 91501-7869

Dear Ms. Petryna:

Subject: Former Shell Service Station, 2703 M. L. King Jr. Way, Oakland, CA
RO0000145

"Subsurface Investigation Work Plan" dated December 19, 2001 prepared by Cambria Environmental Technology for the aforementioned site was reviewed. The work plan proposes to advance 3 soil borings onsite and collect grab groundwater samples from each boring. The work plan did not specify how soil samples would be selected for sampling. This was clarified by Jacquelyn Jones, Cambria Environmental Technology, Inc., who indicated that soil samples would be collected at 5-foot intervals and in the capillary fringe zone. Additionally, the soil borings need to be continuously logged. The work plan with these modifications is approved.

If you have any questions, please call me at (510) 567-6746.

Sincerely,

Don Hwang
Hazardous Materials Specialist

C: Rodney & Janet Kwan, 1834 Alameda Ave., Alameda, CA 94501

Jacquelyn Jones, Cambria Environmental Technology, Inc., 1144-65th St., Suite B,
Oakland, CA 94608

File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

July 13, 2001

Karen Petryna
Equiva Services LLC
PO Box 7869
Burbank, CA 91501-7869

Dear Ms. Petryna:

Subject: Former Shell Service Station, 2703 M. L. King Jr. Way, Oakland, CA
RO0000145

"1st Quarter 2001 Monitoring Report" dated May 8, 2001, "2nd Quarter 2001 Monitoring Report" dated July 9, 2001, and "Subsurface Investigation Report" dated May 16, 2001, all prepared by Cambria Environmental Technology for the aforementioned site were reviewed. Monitoring well V-2 again had elevated concentrations of Total Petroleum Hydrocarbons-Gasoline (TPPH), Benzene, Toluene, Ethylbenzene, Xylenes (BTEX), and Methyl Tertiary-Butyl Ether (MTBE) which were consistent with recent results. The concentrations on May 3, 2001 were 51,000, 4,000, 1,900, 2,800, 8,200, and <200 ug/l, respectively. Monitoring wells MW-1, MW-2, and V-1, had concentrations that were low or nondetectable, which were historically consistent. Monitoring wells MW-3, MW-4, and MW-5, were installed April 25, 2001 and sampled May 3, 2001. MW-3 was nondetectable for all constituents tested. MW-4's concentrations were 8,000, 3,500, 24, 37, 350, and <200 ug/l, respectively. MW-5's concentrations were 160,000, 12,000, 20,000, 3,600, 23,000, and <500 ug/l, respectively.

"2nd Quarter 2001 Monitoring Report" did not indicate that Oxygen releasing compound (ORC) was used although the previous report stated that it would. State whether ORC was used and if not, when it will be used. In the meantime, please continue with groundwater monitoring & sampling. If you have any questions, please call me at (510) 567-6746.

Sincerely,

Don Hwang
Hazardous Materials Specialist

C: Rodney & Janet Kwan, 1834 Alameda Ave., Alameda, CA 94501

Jacquelyn Jones, Cambria Environmental Technology, Inc., 1144-65th St., Suite B,
Oakland, CA 94608

File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

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

February 23, 2001

Karen Petryna
Equiva Services LLC
PO Box 7869
Burbank, CA 91501-7869

Dear Ms. Petryna:

Subject: Former Shell Service Station, 2703 M. L. King Jr. Way, Oakland, CA
StId 454

"4th Quarter 2000 Monitoring Report" dated February 2, 2001 prepared by Cambria Environmental Technology for the aforementioned site was reviewed. The hydrocarbon concentrations found during this sampling event were consistent with recent results. Monitoring wells, MW-1 and MW-2, were less than the reporting limits for all constituents tested, Total Petroleum Hydrocarbons-Gasoline (TPH-G), Benzene, Toluene, Ethylbenzene, Xylenes (BTEX), and Methyl Tertiary-Butyl Ether (MTBE). Well, V-1, had: 200 ug/l TPH-G, 4.05 ug/l, 0.566 ug/l, <0.500 ug/l, <0.500 ug/l BTEX, respectively, and 7.82 ug/l MTBE. Well, V-2, had: 40,100 ug/l TPH-G, 4,810 ug/l, 1,730 ug/l, 2,960 ug/l, 8,650 ug/l BTEX, respectively, and 734 ug/l MTBE.

We are awaiting the report of the subsurface investigation performed in November 2000. In the meantime, please continue with groundwater monitoring & sampling. If you have any questions, please call me at (510) 567-6746.

Sincerely,

Don Hwang
Hazardous Materials Specialist

C: Rodney & Janet Kwan, 1834 Alameda Ave., Alameda, CA 94501

Troy Buggle, Cambria Environmental Technology, Inc., 1144-65th St., Suite B, Oakland, CA 94608

↓
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

September 1, 2000

Karen Petryna
Equiva Services LLC
P.O. Box 7869
Burbank, CA 91501-7869

Dear Ms. Petryna:

Subject: Former Shell Service Station, 2703 M. L. King Jr. Way, Oakland, CA
94112;
StId 454

"Groundwater Monitoring Report – 2nd Quarter 2000" by Cambria Environmental Technology dated August 23, 2000 was reviewed. Well V-2 contained 45,000 ug/L TPPH, 6,050 ug/L benzene, 2,700 ug/L toluene, 3,340 ug/L ethylbenzene, 12,200 ug/L xylene, and <500 ug/L MTBE (8020). MW-1 (B-11), MW-2 (B-12), and V-1 were all nondetectable for the same contaminants. These concentrations were consistent with those from previous quarterly samples collected since January 8, 1997.

If you have any questions, you may call me at 510/567-6746.

Sincerely,

Don Hwang
Hazardous Materials Specialist

C: Troy Buggle, Cambria Environmental Technology, Inc., 1144-65th St.,
Suite B, Oakland, CA 94608

Rodney & Janet Kwan, 2703 M. L. King Jr. Way, Oakland, CA 94112

files
L.S.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



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

August 24, 2000

Karen Petryna
Equiva Services LLC
P.O. Box 7869
Burbank, CA 91501-7869

Dear Ms. Petryna:

Subject: Former Shell Service Station, 2703 M. L. King Jr. Way, Oakland, CA 94112;
StId 454

The correspondence dated April 14, 2000 by Cambria Environmental Technology proposes to install the two additional soil borings requested by our correspondence of March 15, 2000. The workplan dated January 27, 2000 with this modification is approved for implementation.

If you have any questions, you may call me at 510/567-6746.

Sincerely,

Don Hwang
Hazardous Materials Specialist

C: Troy Buggle, Cambria Environmental Technology, Inc., 1144-65th St.,
Suite B, Oakland, CA 94608

› Rodney & Janet Kwan, 2703 M. L. King Jr. Way, Oakland, CA 94112

✓ Files
L.S.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

March 15, 2000

Karen Petryna
Equiva Services LLC
P.O. Box 7869
Burbank, CA 91501-7869

Dear Ms. Petryna:

Subject: Former Shell Service Station, 2703 M. L. King Jr. Way, Oakland, CA 94112;
StId 454

The correspondence dated January 27, 2000 entitled "Response to ACHCSA Correspondence dated December 28, 1999, Incident #97093397, Cambria Project #241-0781" by Cambria Environmental Technology, which included recommendations for the installation of a soil boring (B-14) and a total of three monitoring wells was reviewed. These recommendations are acceptable. However, contrary to the proposal to implement this phase first and then install additional borings if Separate Phase Hydrocarbons (SPHs) are found, additional borings are needed now to determine if SPHs are still present. Because SPHs were found at B-1 and B-5, additional boring/s are needed in the vicinity of these borings. Submit an amendment showing the proposed location/s for additional borings within 30 days.

If you have any questions, you may call me at 510/567-6746.

Sincerely,

A handwritten signature in black ink that reads "Don Hwang".

Don Hwang
Hazardous Materials Specialist

C: Troy Buggle, Cambria Environmental Technology, Inc., 1144-65th St.,
Suite B, Oakland, CA 94608

Rodney & Janet Kwan, 2703 M. L. King Jr. Way, Oakland, CA 94112

Files

C A M B R I A

ENVIRONMENTAL
PROTECTION

00 FEB -3 PM 3: 17

January 27, 2000

Don Hwang
Alameda County
Health Care Services Agency
1131 Harbor Bay Parkway
Alameda, California 94502-6577

Re: **Response to ACHCSA Correspondence dated December 28, 1999**
Former Shell-branded Service Station
2703 Martin Luther King Jr. Way
Oakland, California 94112
Incident # 97093397
Cambria Project # 241-0781



Dear Mr. Hwang:

On behalf of Equiva Services LLC (Equiva), Cambria Environmental Technology, Inc. (Cambria) has prepared this response to the Alameda County Health Care Services Agency (ACHCSA) correspondence dated December 28, 1999 for the site referenced above. This document, in conjunction with Cambria's December 10, 1999 correspondence to the ACHCSA, will address the request by the ACHCSA for a corrective action plan which addresses separate-phase hydrocarbons (SPHs) discovered during ACC Environmental Consultants' June 1995 Phase II Environmental Site Investigation.

SITE SUMMARY

This former Shell-branded service station is located on the northwest corner of the intersection of Martin Luther King Way and Twenty Seventh Street in Oakland, California. The site is surrounded primarily by residential dwellings, but includes some light commercial development


The Shell service station operated on the property from approximately 1959 to 1979. The underground storage tanks (USTs) associated with the former Shell service station were removed after Shell terminated operations at the site.

In 1979, Acme West Ambulance Company (Acme) purchased the site and installed a 2,000 gallon UST for gasoline storage. Acme sold the property to Auto-Tech West (ATW) in 1986. ATW reportedly never used the UST and it is not likely that petroleum products were stored in the UST after 1986.

Oakland, CA
Sonoma, CA
Portland, OR
Seattle, WA

**Cambria
Environmental
Technology, Inc.**

1144 65th Street
Suite B
Oakland, CA 94608
Tel (510) 420-0700
Fax (510) 420-9170



UST Removal and Over-excavation: The 2,000 gallon UST was removed on October 11, 1994 by KTW & Associates and two soil samples (TP-1-N and TP-2-S) were collected from beneath the tank. Chemical analysis of the soil samples identified the presence of total petroleum hydrocarbons. The tank pit remained open until March 19, 1996, a period of approximately 17 months, when the excavation was back-filled by a Shell contractor. The excavation, originally left open to 9 feet below grade (fbg), was over-excavated to approximately 11 fbg. Two soil samples (TP-3-W and TP-4-E) were collected from the bottom of the over-excavated former UST area, both of which contained petroleum hydrocarbons. The excavation was back-filled with clean imported fill material. Soil sampling and back-filling activities are documented in the Enviro Inc. (Enviros) May 10, 1996 correspondence.

1995 SPH Discovery: A site assessment was performed by ACC Environmental Consultants (ACC) on May 23, 1995. This included drilling nine soil borings (B-1 through B-9) in the vicinity of the former USTs and product dispenser islands with a pneumatic sampling tool and collecting soil and groundwater samples for chemical analysis (Figure 1). Total petroleum hydrocarbons as gasoline (TPHg), benzene, and SPHs were detected onsite. Results from a fuel fingerprint characterization and organic lead analysis on sample B-5 indicated the product to be leaded gasoline manufactured before 1984. The details of this investigation are summarized in ACC's June 1995 *Phase II Environmental Site Assessment*.

1996 Subsurface Investigation: In July, 1996, Enviro performed additional site assessment activities. Six exploratory borings (B-10, B-11, B-12, B-13, V-1, and V-2) were drilled and sampled using a hollow-stem auger drill rig. TPHg and/or benzene were detected in soil samples collected from all borings except B-11, B-12 and B-13. Borings B-11 and B-12 were completed as groundwater monitoring wells MW-1 and MW-2 and borings V-1 and V-2 were completed as soil vapor extraction wells V-1 and V-2, respectively (Figure 1). No SPHs were discovered during this investigation. This investigation is summarized in Enviro's October 30, 1996 *Soil Boring and Well Installation Report*.

Ground Water Monitoring: Quarterly ground water monitoring has been on-going at the site since August 1996. Historically, groundwater depth onsite has ranged from approximately 4.5 to 10 fbg. Groundwater flow direction has fluctuated from southeast to southwest. While the groundwater contamination plume related to this site is currently undefined, the monitoring data suggests that the highest petroleum hydrocarbon concentrations on-site continue to be detected in, and down-gradient from, the area associated with the former USTs on-site (V-1 and V-2). Wells V-1 and V-2 have shown elevated, and fluctuating concentrations of petroleum hydrocarbons over time, but SPHs have not been detected.

CONCLUSIONS

The source area (UST complex and soil) was removed in 1994 and the excavation remained open until it was over-excavated and subsequently back-filled in 1996. SPHs were detected in the areas adjacent to the former USTs onsite during the 1995 subsurface investigation, but were not detected during the 1996 subsurface investigation. V-1, in the former source area, and V-2, generally downgradient from the former source area, as well as MW-1 and MW-2 have not contained SPHs during groundwater monitoring. While SPHs have not been detected during quarterly groundwater monitoring, in or downgradient from the former source area, they may still exist in the areas where previously discovered.



RECOMMENDATIONS

In addition to the recommendations made in our correspondence dated December 10, 1999, Cambria proposes the following:

- One soil boring (B-14) will be installed to the depth of groundwater to investigate whether or not SPHs exist onsite. Soil boring B-14 will be installed in the area between and slightly south from the locations of borings B-9 and B-6, the areas of highest SPH levels during the 1995 subsurface investigation. If SPHs are detected, and based on field observations during the installation of B-14, additional borings may be installed to better define SPHs onsite.
- In addition to the two monitoring wells proposed in our December 10, 1999 correspondence, and following the same installation procedures, Cambria will install a third monitoring well in the area of boring B-13, which showed elevated concentrations of petroleum hydrocarbons during the 1996 subsurface investigation.

Upon approval of Cambria's recommendations by the ACHCSA, we will proceed with the activities described above.

CLOSING

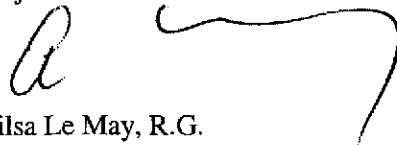
Please call Troy Buggle at (510) 420-3333 if you have any questions.

Sincerely,

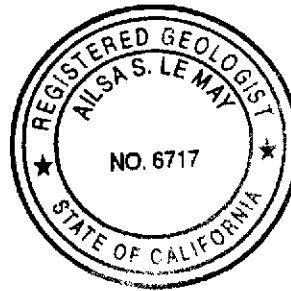
Cambria Environmental Technology, Inc.



Troy A. Buggle
Project Scientist



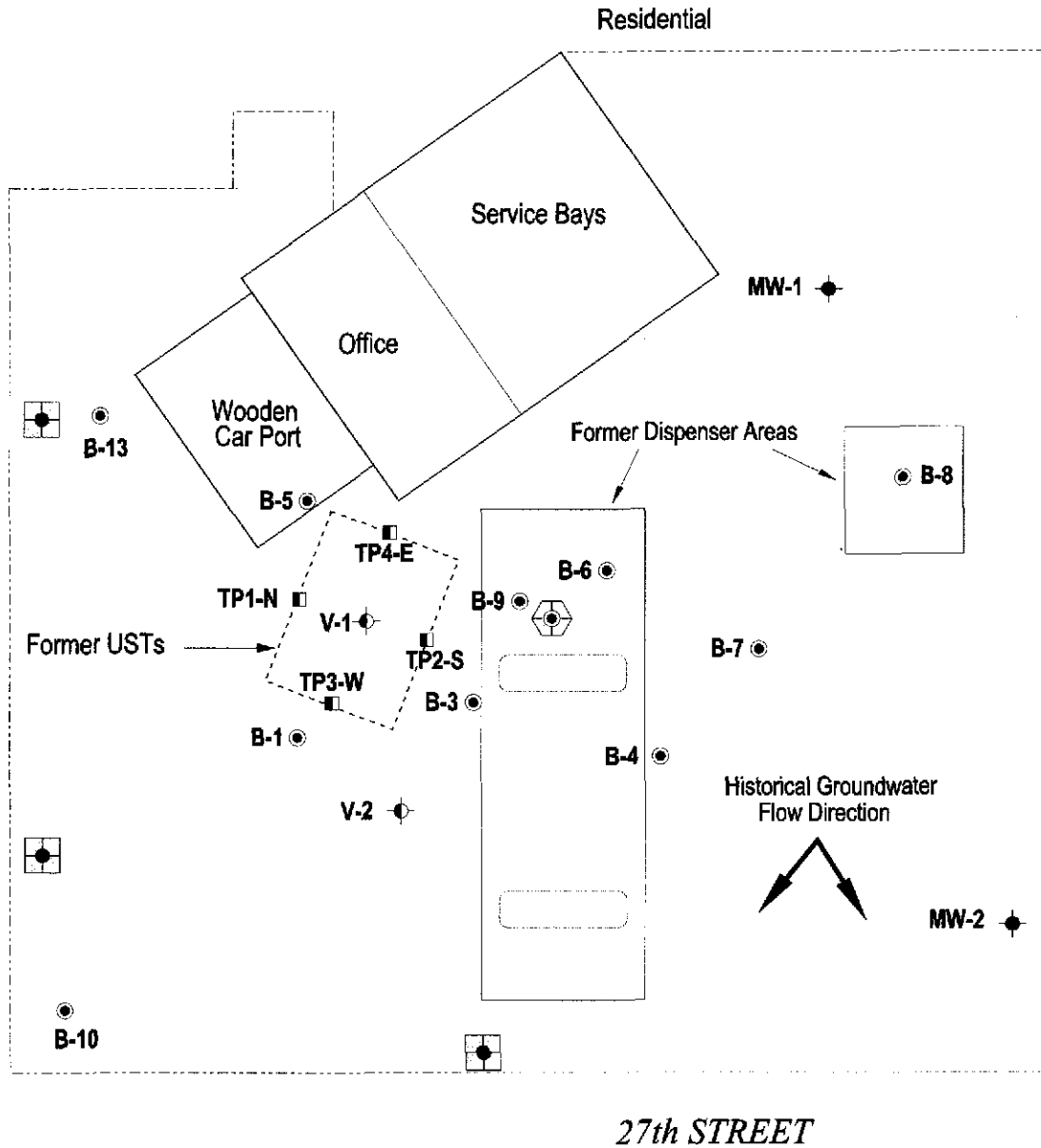
Ailsa Le May, R.G.
Senior Geologist



Figures: 1 – Site Plan

cc: Karen Petryna, Equiva Services LLC, P.O. Box 7869, Burbank, California 91501-7869.

Rodney and Janet Kwan, 1834 Alameda Avenue, Alameda, California, 94501



MARTIN LUTHER KING JR WAY

EXPLANATION







-  Proposed Monitoring well location
-  Proposed Soil boring location
- MW-1**  Monitoring well location
- V-1**  Soil vapor well location
- B-10**  Soil boring location
- TP1-N**  UST excavation samples



FIGURE 1

Former Shell Service Station
 2703 Martin Luther King, Jr. Way
 Oakland, California
 Incident #97093397



C A M B R I A

**Proposed Monitoring Well and
 Soil Boring Locations**

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C A M B R I A

ENVIRONMENTAL
PROTECTION
00 APR 18 AM 10: 01

April 14, 2000

Don Hwang
Alameda County
Health Care Services Agency
1131 Harbor Bay Parkway
Alameda, California 94502-6577

Re: **Response to ACHCSA Correspondence dated March 15, 2000**
Former Shell-branded Service Station
2703 Martin Luther King Jr. Way
Oakland, California 94112
Incident # 97093397
Cambria Project # 242-0781



Dear Mr. Hwang:

On behalf of Equiva Services LLC (Equiva), Cambria Environmental Technology, Inc. (Cambria) has prepared this response to the Alameda County Health Care Services Agency (ACHCSA) correspondence dated March 15, 2000 for the site referenced above. This document, in conjunction with Cambria's December 10, 1999 and January 27, 2000 correspondence to the ACHCSA, will address the request by the ACHCSA for a corrective action plan which addresses separate-phase hydrocarbons (SPHs) discovered during ACC Environmental Consultants' June 1995 Phase II Environmental Site Investigation.

ADDITIONAL PROPOSED ACTIVITIES

As requested in the ACHCSA March 15, 2000 correspondence, Cambria proposes to install two additional soil borings in the vicinity of previously installed borings B-1 and B-5 as well as the previously approved location near B-6 and B-9 (Figure 1). These boring locations are proposed to investigate the areas in which separate phase hydrocarbons (SPH) were identified during a 1995 subsurface investigation performed by ACC Environmental Consultants (ACC) of Alameda, California. The two additional soil borings will be installed and sampled by methods previously proposed in Cambria's December 10, 1999 and January 27, 2000 correspondence to the ACHCSA.

Oakland, CA
San Ramon, CA
Sonoma, CA
Portland, OR

**Cambria
Environmental
Technology, Inc.**

Upon approval of Cambria's recommendations by the ACHCSA, we will proceed with the activities proposed for this subsurface investigation.

1144 65th Street
Suite B
Oakland, CA 94608
Tel (510) 420-0700
Fax (510) 420-9170

CLOSING

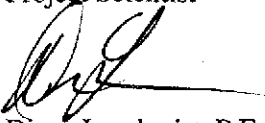
Please call Troy Buggle at (510) 420-3333 if you have any questions.

Sincerely,

Cambria Environmental Technology, Inc.



Troy A. Buggle
Project Scientist



Diane Lundquist, P.E.
Principal Engineer

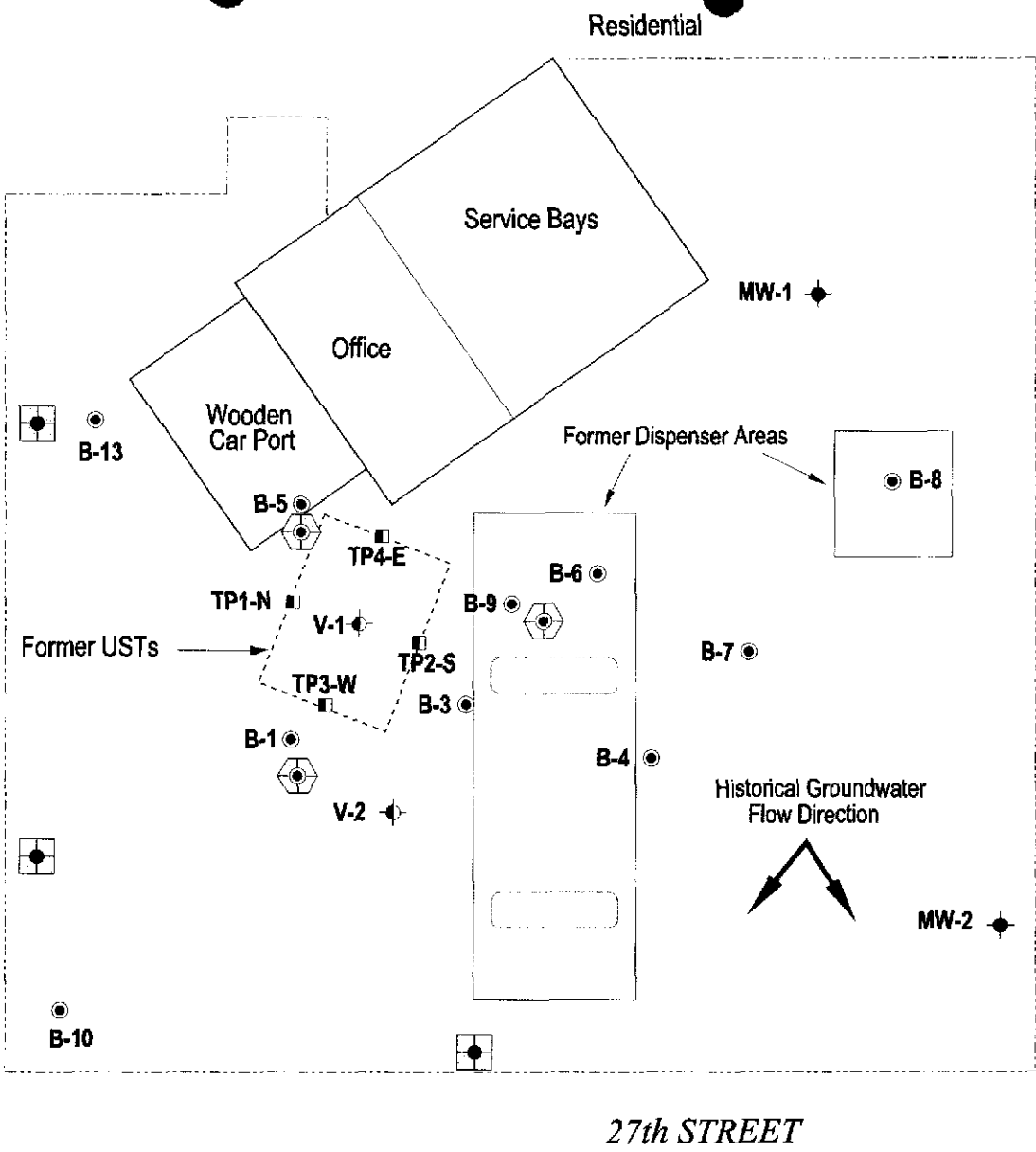
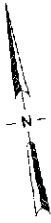


Figures: 1 - Site Plan

cc: Karen Petryna, Equiva Services LLC, P.O. Box 7869, Burbank, California 91510-7869.

Rodney and Janet Kwan, 1834 Alameda Avenue, Alameda, California, 94501

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MARTIN LUTHER KING JR WAY

27th STREET

EXPLANATION







-  Proposed Monitoring well location
-  Proposed Soil boring location
- MW-1**  Monitoring well location
- V-1**  Soil vapor well location
- B-10**  Soil boring location
- TP1-N**  UST excavation samples



FIGURE 1

Former Shell Service Station
 2703 Martin Luther King, Jr. Way
 Oakland, California
 Incident #97093397



C A M B R I A

**Proposed Monitoring Well and
 Soil Boring Locations**

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ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6700
(510) 337-9432

December 28, 1999

Karen Petryna
Equiva Services LLC
P.O. Box 7869
Burbank, CA 91501-7869

Re: Former Shell Service Station, 2703 M. L. King Jr. Way, Oakland, CA 94112;
StId 454

Dear Ms. Petryna:

The correspondence dated December 10, 1999 by Cambria Environmental Technology, which included a summary of activities and recommendations for the aforementioned site was reviewed. The recommendations which included surveys for conduits and wells, the addition of two more monitoring wells, and the use of Oxygen Releasing Compounds (ORC), is acceptable. However, the presence of non-aqueous phase liquid (free product)¹ also needs attention.

1) Submit a Corrective Action Plan, which includes the details for the recommendations and addresses the presence of non-aqueous phase liquid (free product) within 30 days.

If you have any questions, you may call me at 510/567-6746.

Sincerely,

Don Hwang
Hazardous Materials Specialist

C: Troy Buggle, Cambria Environmental Technology, Inc., 1144-65th St.,
Suite B, Oakland, CA 94608

Rodney & Janet Kwan, 2703 M. L. King Jr. Way, Oakland, CA 94112

Files
LH

¹ Borings B1, B5, B6, and B9 on May 23, 1995 ("Phase 2-Environmental Site Investigation..." ACC Environmental Consultants, June 1995).

C A M B R I A

ENVIRONMENTAL
PROTECTION

99 DEC 15 PM 2: 27

December 10, 1999

Don Hwang
Alameda County
Health Care Services Agency
1131 Harbor Bay Parkway
Alameda, California 94502-6577

Re: **Response to ACHCSA Correspondence dated September 23, 1999**
Former Shell-branded Service Station
2703 Martin Luther King Jr. Way
Oakland, California 94112
Incident # 97093397
Cambria Project # 241-0781



Dear Mr. Hwang:

On behalf of Equiva Services LLC (Equiva), Cambria Environmental Technology, Inc. (Cambria) has prepared this response to the Alameda County Health Care Services Agency (ACHCSA) correspondence dated September 23, 1999 for the site referenced above. This document will address the request by the ACHCSA for a corrective action plan to assess petroleum hydrocarbon and MTBE impacts to the soil and groundwater at the site.

SITE SUMMARY

Site Location: This former Shell-branded service station is located on the northwest corner of the intersection of Martin Luther King Way and Twenty Seventh Street in Oakland, California. The site is surrounded primarily by residential dwellings, but includes some light commercial development.

Site Lithology: The site is predominantly underlain by clay (CL) and clayey sand (SC) with lesser occurrences of silt (ML) and silty sand (SM) to a maximum explored depth of 21 feet below grade (fbg).

Groundwater Flow and Direction: Historically, groundwater depths have ranged from approximately 4.5 to 10 fbg. Groundwater flow direction has fluctuated from southeast to southwest.

Oakland, CA
Sonoma, CA
Portland, OR
Seattle, WA

**Cambria
Environmental
Technology, Inc.**

1144 65th Street
Suite B
Oakland, CA 94608
Tel (510) 420-0700
Fax (510) 420-9170

SITE BACKGROUND

A Shell service station operated on the property from approximately 1959 to 1979. The underground storage tanks (USTs) associated with the former Shell service station were removed after Shell terminated operations at the site.

In 1979, Acme West Ambulance Company (Acme) purchased the site and installed a 2,000 gallon UST for gasoline storage. Acme sold the property to Auto-Tech West (ATW) in 1986. ATW reportedly never used the UST.

Currently, the site is occupied by Auto-Tech West and is utilized as an automotive repair shop.

1994 UST Removal: The 2,000 gallon UST was removed on October 11, 1994 by KTW & Associates. Two soil samples were collected from beneath the tank (Figure 1). Chemical analysis of the soil samples identified the presence of total petroleum hydrocarbons as gasoline (TPHg) at concentrations ranging from 870 parts per million (ppm) to 18,000 ppm. Benzene concentrations in these samples ranged from 2.9 ppm to 100 ppm. The tank pit remained open until March 19, 1996 when the excavation was back-filled by a Shell contractor.


1995 Phase I Environmental Site Assessment (ESA): In August and September, 1995, Enviros Inc. (Enviros) performed a Phase I ESA for this site. Available information collected during this ESA indicated that the subject property was occupied by residential housing prior to approximately 1959. A building permit to erect a building was obtained for Shell Oil Company in February 1959. A building permit to "close lube bays with sheet metal panels" was secured for Shell Oil Company in July 1976.

In 1979, several building permits were secured for Acme Western Ambulance Company to modify existing site structures. Two building permits secured in 1979 related to the installation of a fuel pump at the site.

During a site survey, an excavation was observed near the southwest corner of the service building. The excavation was covered by a blue tarp. The location of this excavation is consistent with the location of the large concrete slab observed in the aerial photographs taken in 1971 and 1973 and the smaller concrete slab observed in the aerial photograph.

1995 Subsurface Investigation: A site assessment was performed by ACC Environmental Consultants (ACC) on May 23, 1995. This included drilling nine soil borings in the vicinity of the former USTs and product dispenser islands with a pneumatic sampling tool and collecting soil and

groundwater samples for chemical analysis (Figure 1). Concentrations of TPHg in soil samples ranged from <20.0 ppm to 830 ppm. Benzene concentrations ranged from <1.0 ppm to 1.8 ppm. Separate-phase hydrocarbons (SPH) were identified in water samples in collected from four of the soil borings. TPHg concentrations in the non-SPH water samples submitted for chemical analysis ranged from <50 parts per billion (ppb) to 89,000 ppb. Benzene concentrations in the water samples ranged from <0.5 ppb to 21, 000 ppb.



Over-excavation and back-filling of Acme's former UST excavation were performed on March 19, 1996. The excavation, originally left open to 9 feet below grade (fbg), was over-excavated to approximately 11 fbg. Two soil samples (TP-3-W and TP-4-E) were collected from the bottom of the over-excavated former UST area. Soil sample TP-3-W, collected from the western end of the excavation, contained 560 ppm TPHg and 3.1 ppm benzene. Soil sample TP-4-W, collected from the eastern end of the excavation, contained 2,700 ppm TPHg and <3.0 ppm benzene. The excavation was back-filled with clean imported fill material. Soil sampling and back-filling activities are documented in Enviro's May 10, 1996 correspondence.


1996 Subsurface Investigation: In July, 1996, Enviro, Inc. (Enviro) performed additional site assessment activities. Six exploratory borings (B-10, B-11, B-12, B-13, V-1, and V-2) were drilled and sampled on July 17 and 19, 1996 using a hollow-stem auger drill rig. Borings B-11 and B-12 were completed as groundwater monitoring wells MW-1 and MW-2 and borings V-1 and V-2 were completed as soil vapor extraction wells V-1 and V-2, respectively. Soil sampling was not performed in boring V-1 due to the fact that it was installed into the back-fill material within the former UST excavation. A soil sample from below the saturated zone in boring V-2 was submitted for physical parameter analyses (porosity, permeability, fractional organic carbon content, and dry bulk density).

TPHg and benzene were not detected in soil samples collected from MW-1 (B-10), MW-2 (B-11) and B-13. TPHg was detected in soil samples collected from B-10 and V-2 at concentrations of 1.7 ppm and 110 ppm, respectively. Benzene concentrations in soil samples from B-10 and V-2 were <0.0050 ppm and 0.29 ppm, respectively.

Grab groundwater samples were collected from borings B-10, B-12 (MW-2), and B-13 at the depth of first encountered groundwater for chemical analysis (approximately 8 to 11 fbg). Boring B-11 did not yield sufficient groundwater for grab groundwater sample collection. Monitoring wells MW-1 and MW-2 were developed and sampled on August 2, 1999 by Blaine Tech Services (Blaine) of San Jose, CA.

TPHg concentrations in monitoring wells on-site ranged from <50 ppb to 290,000 ppb. Benzene concentrations ranged from <0.50 ppb to 34,000 ppb.

1997 Modified Phase I Environmental Site Assessment: In February 1997, Enviro performed a modified Phase I ESA for the subject facility. A review of aerial photographs (1952 to 1994), city directories (1967 to 1993) and Sanborn maps (1912 to 1970) did not reveal evidence of an off-site source of petroleum hydrocarbons which would have impacted groundwater on-site. The properties located north and west of the subject facility appear to have been occupied by residential houses from at least 1912 to the present. The nearest gasoline stations identified in the vicinity of the subject facility were a former Chevron station (740 27th Street @ West) approximately 450 feet to the west, a former station (26th Street and MLK Jr. Way) approximately 300 feet to the south, and a former Mobil station (554 27th Street) to the east.




Ground Water Monitoring: Quarterly ground water monitoring has been on-going at the site since August 1996. Monitoring wells MW-1 and MW-2 have been below detection limits for TPHg, benzene, ethylbenzene, and xylenes for every quarterly monitoring event. On January 18, 1999, toluene was detected in MW-1 at 0.785 ppb and MTBE was detected in MW-1 at 2.36 ppb (by EPA method 8020). Toluene was detected in MW-2 at 0.69 ppb on July 17, 1996 and at 0.971 ppb on January 18, 1999 and MTBE was detected in MW-2 at 6.3 ppb on January 9, 1998 and at 2.47 ppb on January 18, 1999 (by EPA method 8020). Well V-1, installed into the former UST excavation has had concentrations of TPHg ranging from <50 ppb to 57,000 ppb, benzene ranging from <0.50 ppb to 5,200 ppb, and MTBE ranging from <2.5 ppb to 1,900 ppb (by EPA method 8020). A reported MTBE concentration of 1900 ppb in V-1 (sampled on October 24, 1997) was <200 ppb when confirmed by EPA method 8260. Well V-2, down-gradient of the former UST excavation, has had concentrations of TPHg ranging from 7,300 ppb to 90,000 ppb, benzene ranging from 1,100 ppb to 6,800 ppb, and MTBE ranging from <250 ppb to 750 ppb (by EPA method 8020). During two sampling events (July 2, 1997 and October 24, 1997) MTBE concentrations in V-2, reported as 530 ppb and 120 ppb, respectively, were both confirmed to be below detection limits by EPA method 8260.

While the groundwater contamination plume related to this site is currently undefined, the monitoring data suggests that the highest petroleum hydrocarbon concentrations on-site continue to be detected in, and down-gradient from, the area associated with the former USTs on-site (V-1 and V-2). Wells V-1 and V-2 have shown elevated, but fluctuating concentrations of petroleum hydrocarbons over time. MTBE concentrations on-site have been below detection limits every time they were confirmed by EPA method 8260. It is likely that MTBE does not exist on-site due to the dates that the former USTs on-site were in use (no later than early to mid 1980s). The area down-gradient from wells V-1 and V-2, currently not being monitored, should receive further investigation to better define then extent of soil and/or groundwater contamination on-site.

AGENCY RESPONSE

In response to the ACHCSA correspondence dated September 23, 1999 and based on the data from previous site assessments and the available quarterly monitoring data, Cambria recommends that the following actions be performed in order to begin developing a "site-conceptual model" for the subject facility.

- 
- A receptor survey should be performed to identify any potential sensitive receptors which may be impacted by petroleum hydrocarbons migrating from the site. Cambria will perform a field search to identify utility conduit trenches as well as reviewing all available utility maps for locations and approximate depths of any existing utility trenches adjacent to the site. Cambria will also perform a survey to identify any existing wells within a ½-mile radius of the site. This will be performed by searching existing well records kept by the California Department of Water Resources (DWR) and Alameda County as well as a field search of the local vicinity.
 - In order to better define the extent of contamination at the subject facility, Cambria recommends the installation of two additional groundwater monitoring wells in the down gradient direction on-site. The locations of the proposed monitoring wells are shown on Figure 1. Cambria will install 4-inch diameter monitoring wells. During the well installations, Cambria will collect soil samples at five-foot intervals and at major lithologic changes from above the saturated zone. In addition, Cambria may collect soil samples to be analyzed for physical parameters to be used in a potential RBCA analysis in the future. Once installed, these wells will be sampled as part of the on-going quarterly monitoring events for this site. The samples will be analyzed for TPHg, BTEX and MTBE (the highest MTBE concentration in each boring analyzed by EPA method 8020 will be confirmed by EPA method 8260). Once the new wells are installed, during the next quarterly monitoring event, every well will be sampled and analyzed for MTBE by EPA method 8260 to confirm whether or not MTBE exists on-site.
 - Cambria recommends the installation of Oxygen Reducing Compounds (ORC) in on-site wells V-1 (in the former UST excavation) and V-2 (down-gradient of the former UST excavation). The installation of ORC in wells V-1 and V-2 should enhance any natural attenuation already occurring, helping to reduce the contaminants existing in the source area and help keep them from migrating off-site. Cambria will arrange for Blaine Tech Services, Inc. of San Jose, California (Blaine) to install and maintain the ORC compound in wells V-1 and V-2 during quarterly monitoring events.

Upon approval of Cambria's recommendations by the ACHCSA, we will proceed with the activities described above.

CLOSING

Please call Troy Buggle at (510) 420-3333 if you have any questions.

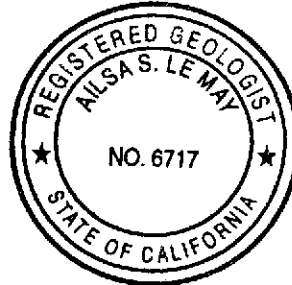
Sincerely,

Cambria Environmental Technology, Inc.



Troy A. Buggle
Senior Staff Scientist

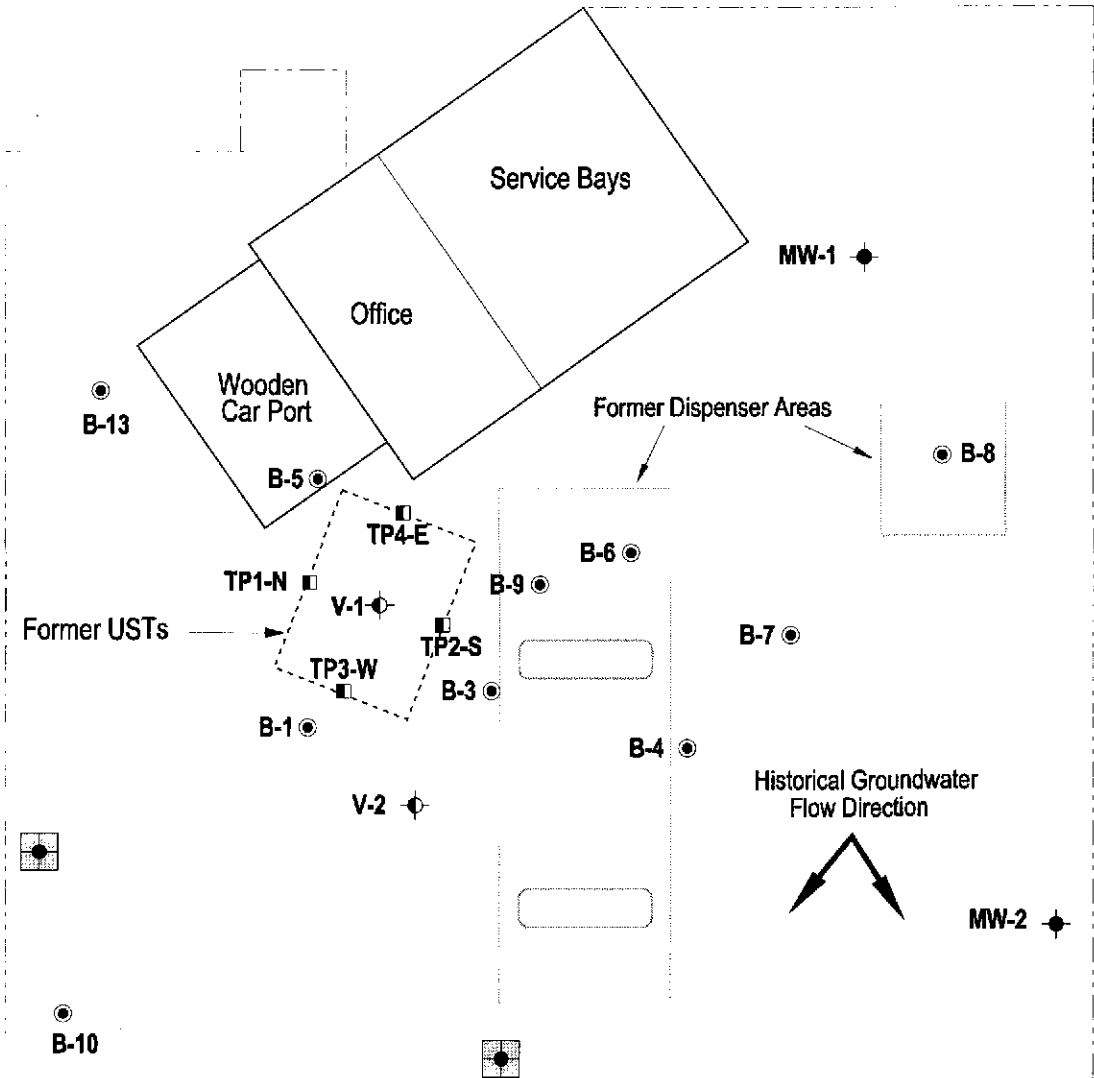
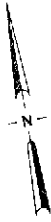
Ailsa Le May, R.G.
Senior Geologist



Figures: 1 – Site Plan

cc: Karen Petryna, Equiva Services LLC, P.O. Box 6249, Carson, California 90749-6249
Rodney and Janet Kwan, 1834 Alameda Avenue, Alameda, California, 94501






Residential



MARTIN LUTHER KING JR WAY

27th STREET

EXPLANATION

-  Proposed Monitoring well / Soil boring location
- MW-1  Monitoring well location
- V-1  Soil vapor well location
- B-10  Soil boring location
- TP1-N  UST excavation samples

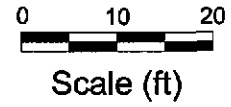


FIGURE 1

Former Shell Service Station
 2703 Martin Luther King, Jr. Way
 Oakland, California
 Incident #97093397



C A M B R I A

Proposed Monitoring Well Locations

G:\OAK\2703\FIGURES\PROP-WELL.DWG

C A M B R I A

ST 17 454
DH

November 23, 1999

Mr. Tom Peacock
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, 2nd Floor
Alameda, California 94502

Re: Certified List of Record Fee Title Owners for:
Former Shell Service Station
2703 Martin Luther King Jr. Way
Oakland, CA
Incident No. 97093397




Dear Mr. Peacock:

In accordance with section 25297.15(a) of Chapter 6.7 of the Health Safety Code and on behalf of Equiva Services LLC, we certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site.

Rodney & Janet Kwan, 1834 Alameda Ave., Alameda, CA 94501

Sincerely,


Ailsa S. Le May, R.G.
Senior Geologist

cc: Karen Petryna, Equiva Services LLC, P.O. Box 6249, Carson, California, 90749-6249
Rodney & Janet Kwan, 1834 Alameda Ave., Alameda, CA 94501

Oakland, CA
Sonoma, CA
Portland, OR
Seattle, WA

**Cambria
Environmental
Technology, Inc.**

1144 65th Street
Suite B
Oakland, CA 94608
Tel (510) 420-0700
Fax (510) 420-9170

99 NOV 29 PM 4:45
ENVIRONMENTAL
PROTECTION

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

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

September 23, 1999

Rodney & Janet Kwan
Auto Tech West
2703 M. L. King Jr. Way
Oakland, CA 94112

Jeff Gandberry
Shell Oil Products Co.
P.O. Box 4023
Concord, CA 94524


Re: Former Shell Service Station, 2703 M. L. King Jr. Way, Oakland, CA 94112;
StId 454

Dear Sirs:

"Groundwater Monitoring Report - 2nd Quarter 1999" by Cambria Environmental Technology dated May 31, 1999 was reviewed. Well V-2 contained 65,000 ug/L TPPH, 6,100 ug/L benzene, 2,800 ug/L toluene, 3,200 ug/L ethylbenzene, 12,000 ug/L xylene, and 540 ug/L MTBE. These concentrations were consistent with those from previous quarterly samples collected since January 8, 1997. The last correspondence from this office dated May 27, 1999 suggested that remediation be considered.

Please provide a Corrective Action Plan, which includes an assessment of impacts, a feasibility study, and applicable cleanup levels within 30 days. If you have any questions, you may call me at 510/567-6746.

Sincerely,


Don Hwang
Hazardous Materials Specialist
C.S.

C: Aubrey Cool, Cambria Environmental Technology, Inc., 270 Perkins St.,
P.O. Box 259, Sonoma, CA 95476

files

CAMBRIA

To: Don Hwang
Company: ACHCSA
Address: 1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
Phone: 510-567- 6700

From: Troy Buggle
Phone: 510-420-3333
Date: 11/19/99
Re: Former Shell -2703 MLK Jr., Oakland, CA

Transmittal

Mr. Hwang,

As we discussed in our telephone conversation on Thursday, November 18, 1999, Cambria would like to submit the requested corrective action plan for the site referenced above no later than December 10, 1999. The request for this submittal was made by your office in a letter dated September 23, 1999.

If you have any questions or comments regarding this matter, please call me at 510-420-3333.

Thank you again.

Sincerely,
Cambria Environmental Technology, Inc.

Troy A. Buggle
Senior Staff Scientist

LOP - CHANGE RECORD REQUEST FORM

printed:
08/20/1999

Mark Out What Needs Changing and Hand to LOP Data Entry
(Name/Address changes go to Annual Programs Data Entry)

Insp:

AGENCY # : 10000 SOURCE OF FUNDS: F SUBSTANCE: 8006619
 StID : 454 LOC:
 SITE NAME: Auto Tech West DATE REPORTED : 10/11/1994
 ADDRESS : 2703 Martin L King Way DATE CONFIRMED:
 CITY/ZIP : Oakland 94612 MULTIPLE RPs : Y

SITE STATUS

CASE TYPE: S CONTRACT STATUS: 4 PRIOR CODE: EMERGENCY RESP:
 RP SEARCH: S DATE COMPLETED: 10/11/1994
 PRELIMINARY ASMNT: DATE UNDERWAY: DATE COMPLETED:
 REM INVESTIGATION: DATE UNDERWAY: DATE COMPLETED:
 REMEDIAL ACTION: DATE UNDERWAY: DATE COMPLETED:
 POST REMED ACT MON: DATE UNDERWAY: DATE COMPLETED:
 ENFORCEMENT ACTION TYPE: 3 DATE ENFORCEMENT ACTION TAKEN: 07/06/1995
 LUFT FIELD MANUAL CONSID:
 CASE CLOSED: DATE CASE CLOSED:
 DATE EXCAVATION STARTED : 10/11/1994 REMEDIAL ACTIONS TAKEN:

RESPONSIBLE PARTY INFORMATION

RP#1-CONTACT NAME: Rod Kwan
 COMPANY NAME: Auto Tech West
 ADDRESS: 2703 Martin Luther King W
 CITY/STATE: Oakland C A 94612

RP#2-CONTACT NAME: N/a
 COMPANY NAME: Acme Western Ambulance Service
 ADDRESS: 2829 California St.
 CITY/STATE: San Francisco C A 94115

RP#3-CONTACT NAME: Attn: Jeff Granberry
 COMPANY NAME: Shell Oil Products Company
 ADDRESS: P.o. Box 4023
 CITY/STATE: Concord C A 94524

INSPECTOR VERIFICATION:

NAME _____ SIGNATURE _____ DATE _____

DATA ENTRY INPUT:

Name/Address Changes Only Case Progress Changes

ANPPGMS _____ LOP _____ DATE _____ LOP _____ DATE _____

99 JUN 28 PM 3: 51

SAMPLE LETTER (2): LIST OF LANDOWNERS FORM

Name of local agency
Street address
City

SUBJECT: CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR (*Site Name and Address*)

(Note: Fill out item 1 if there are multiple site landowners. 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 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:

2. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (*name of primary responsible party*), certify that I am the sole landowner for the above site.

*Clean up will be done by shell oil co.
agreed by litigation*

Sincerely,

Bob [unclear]

Signature of primary responsible party

Name of primary responsible party

STM 454

SAMPLE LETTER 3: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY

Name of local agency
Street address
City

SUBJECT: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY FOR *(Site Name and Address)*

In accordance with section 25297,15(a) of Chapter 6.7 of the Health & Safety Code, I, *(name of primary responsible party)*, certify that I have notified all responsible landowners of the enclosed proposed action. Check space for applicable proposed action(s):

- cleanup proposal (corrective action plan)
- site closure proposal
- local agency intention to make a determination that no further action is required
- local agency intention to issue a closure letter

Sincerely,

Signature of primary responsible party

Name of primary responsible party

cc: Names and addresses of all record fee title owners



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

May 27, 1999

STID 454

Rod Quan
Auto Tech West
2703 Martin Luther King Way
Oakland, CA 94112

RE: 2703 Martin Luther King Way, Oakland, CA 94112

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS

Dear Mr. Quan:

This letter is to inform you of new legislative requirements pertaining to cleanup and closure of sites where an unauthorized release of hazardous substance, including petroleum, has occurred from an underground storage tank (UST). Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code requires the primary or active responsible party to notify all current record owners of fee title to the site of: 1) a site cleanup proposal, 2) a site closure proposal, 3) a local agency intention to make a determination that no further action is required, and 4) a local agency intention to issue a closure letter. Section 25297.15(b) requires the local agency to take all reasonable steps to accommodate responsible landowners' participation in the cleanup or site closure process and to consider their input and recommendations.

For purposes of implementing these sections, you have been identified as the primary or active responsible party. Please provide to this agency, within twenty (20) calendar days of receipt of this notice, a complete mailing list of all current record owners of fee title to the site. You may use the enclosed "list of landowners" form (sample letter 2) as a template to comply with this requirement. If the list of current record owners of fee title to the site changes, you must notify the local agency of the change within 20 calendar days from when you are notified of the change.

If you are the sole landowner, please indicate that on the landowner list form. The following notice requirements do not apply to responsible parties who are the sole landowner for the site.

LANDOWNER NOTIFICATION

Re: 2703 Martin Luther King Way, Oakland, CA 94112
May 27, 1999
Page 2 of 2

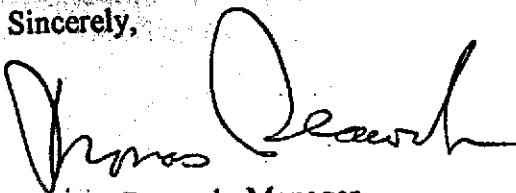
In accordance with Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code, you must certify to the local agency that all current record owners of fee title to the site have been informed of the proposed action before the local agency may do any of the following:

- 1) consider a cleanup proposal (corrective action plan)
- 2) consider a site closure proposal
- 3) make a determination that no further action is required
- 4) issue a closure letter

You may use the enclosed "notice of proposed action" form (sample letter 3) as a template to comply with this requirement. Before approving a cleanup proposal or site closure proposal, determining that no further action is required, or issuing a closure letter, the local agency will take all reasonable steps necessary to accommodate responsible landowner participation in the cleanup and site closure process and will consider all input and recommendations from any responsible landowner.

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

Sincerely,



Thomas Peacock, Manager
Environmental Protection Division

Attachments

c: Chuck Headlee, RWQCB

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



DAVID J. KEARS, Agency Director

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

May 27, 1999
STID 454

Auto Tech West
ATTN: Rod Quan
2703 Martin Luther King Way
Oakland, CA 94112

Kim Johansen
Acme Western Ambulance Service
2829 California St.
San Francisco, CA 94115

Shell Oil Products Co.
ATTN: Jeff Gandberry
P. O. Box 4023
Concord, CA 94524

RE: 2703 Martin Luther King Way, Oakland, CA 94612

Dear Mr. West:

This office has received and reviewed Groundwater Monitoring Reports by Cambria dated November 30, 1998 and February 28, 1999 for the above site. The report says that the results, especially from V-1 and V-2 are within normal limits. It does not appear that the contamination is simply going to go away by itself. There are three options, other than monitoring that you should look at to remediate the site:

1. Installation of an additional monitoring point downgradient from V-2 on 27th St. This could delineate the plume and document a small area, if this exists.
2. Soil removal in the area of high concentration.
3. Use of oxygenates to promote bacterial decomposition of contaminants.

There is no other plan for what to do in the reports other than continued monitoring. If you have any questions, please contact this office at (510) 567-6782.

Sincerely,

Thomas Peacock, Manager

Division of Environmental Protection

c: Aubrey Cool, Cambria, 270 Perkins St., Sonoma, CA 95476
Dick Pantages, Chief - files

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



June 22, 1998
STID 454

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

Mr. Rod Kwan
Auto Tech West
2703 Martin Luther King Way
Oakland, CA 94612

Kim Johansen
Acme Western Ambulance Service
2829 California St.
San Francisco, CA 94115

Shell Oil Products Co.
ATTN: Jeff Gandberry
P.O. Box 4023
Concord, CA 94524

Re: 2703 Martin Luther King Way

Dear Mr's Kwan, Johansen, and Gandberry:

This office has received and reviewed Groundwater Monitoring Reports, dated February 28, 1988 and May 31, 1988, by Cambria, for the above site. The following are comments concerning these reports.

1. The downgradient monitoring wells are both reported as ND.
2. There is very high contamination in V-2 and it has not gone down yet.
3. The high contamination in V-1 was last reported as ND so it appears that vapor extraction is working very well in this case.
4. There are no conclusions or recommendations in these reports.

Please call this office with any questions at (510) 567-6782.

Sincerely,

Thomas F. Peacock, Manager
Environmental Protection Division

c: Thomas Magney, Cambria, 270 Perkins St., P.O. Box 259,
Sonoma, CA 95476
Dick Pantages, Chief - **files-Tom**

LOP - CHANGE RECORD REQUEST FORM

printed:
06/22/98

Mark Out What Needs Changing and Hand to LOP Data Entry
(Name/Address changes go to Annual Programs Data Entry)

Insp:

AGENCY # : 10000 SOURCE OF FUNDS: F SUBSTANCE: 8006619
 StID : 454 LOC:
 SITE NAME: Auto Tech West DATE REPORTED : 10/11/94
 ADDRESS : 2703 Martin L King Way DATE CONFIRMED:
 CITY/ZIP : Oakland 94612 MULTIPLE RPS : Y

SITE STATUS

CASE TYPE: S CONTRACT STATUS: 4 PRIOR CODE: EMERGENCY RESP:
 RP SEARCH: S DATE COMPLETED: 10/11/94
 PRELIMINARY ASMNT: DATE UNDERWAY: DATE COMPLETED:
 REM INVESTIGATION: DATE UNDERWAY: DATE COMPLETED:
 REMEDIAL ACTION: DATE UNDERWAY: DATE COMPLETED:
 POST REMED ACT MON: DATE UNDERWAY: DATE COMPLETED:

ENFORCEMENT ACTION TYPE: 3 DATE ENFORCEMENT ACTION TAKEN: 07/06/95
 LUFT FIELD MANUAL CONSID:
 CASE CLOSED: DATE CASE CLOSED:
 DATE EXCAVATION STARTED : 10/11/94 REMEDIAL ACTIONS TAKEN:

RESPONSIBLE PARTY INFORMATION

RP#1-CONTACT NAME: Rod Kwan
 COMPANY NAME: Auto Tech West
 ADDRESS: 2703 Martin Luther King W
 CITY/STATE: Oakland C A 94612

RP#2-CONTACT NAME: N/a
 COMPANY NAME: Acme Western Ambulance Service
 ADDRESS: 2829 California St.
 CITY/STATE: San Francisco C A 94115

RP#3-CONTACT NAME: Attn: Jeff Granberry
 COMPANY NAME: Shell Oil Products Company
 ADDRESS: P.o. Box 4023
 CITY/STATE: Concord C A 94524

INSPECTOR VERIFICATION:

NAME _____ SIGNATURE _____ DATE _____

DATA ENTRY INPUT:

Name/Address Changes Only

Case Progress Changes

ANPPGMS _____ LOP _____ DATE _____

LOP _____ DATE _____

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

December 9, 1997

To Whom It May Concern,

The attached copy of an inspection report
was made from an original inspection report.

Pamela J. Evans
Senior Hazardous Materials
Specialist

HEALTH CARE SERVICES

DAVID KEARS

AGENCY

Agency Director

470-27th Street, Third Floor
Oakland, California 94612
(415)SITE ID
NAME Auto Tech West
ADDRESS 2703 M. L. King WayDATE 8-25-86
PHONE 839-7264
EPA ID
CITY/ZIP Oakland 94612

The marked items represent violations of the Calif. Administrative Code:

General

- 1. Waste ID 66471
- 2. EPA ID's 66472
- 3. >90 day Stor 66508
- 4. Labels 66504
- 5. Biennial RPT 66493
- 6. Records 66492

Comments: Used to be Buds Mobil 160-14th St. which is torn down -150 gal above ground wasteoil tank. Label the tank

Manifest

- 7. Correct 66480
- 8. Copies sent 66484
- 9. Except RPT 66484
- 10. Copies Rec 66492

"waste oil," 2,000 galunderground fuel tank - not

Misc

- 11. Treatment 66371
- 12. On-site Disp
H&S 25189.5
- 13. ExHazWaste 66570

used yet, 15 gal carburetorcleaner tank - this material

Prevention

- 14. Communica 67121
- 15. Aisle space 67124
- 16. Local Emer 67126
- 17. Maintenance 67120
- 18. Training 67105

is a hazardous waste whenspilled and must be disposedof properly. Receipts of

Contingency

- 19. Prepared 67140
- 20. Name List 67141
- 21. Copies 67141
- 22. EmerCoorTng 67144

disposal must be kept availablefor 3 years.Pants cleaning tank with

Containers, Tanks

- 23. Condition 67241
- 24. Compatibility 67242
- 25. Maintenance 67243
- 26. Inspection 67244
- 27. Buffer zone 67246
- 28. Tank Insp 67259
- 29. Closure 67260
- 30. Safe Store 67261
- 31. Freeboard 67257
- 32. Other

SD/went.CONTACT PERSON Rod KwanTITLE ownerINSPECTOR THOMAS PEACOCKSIGN Dedmy KwanSIGN Thomas Peacock

CIVIL
PROTECTION
97 JUN 27 PM 3:20

June 25, 1997

Ms. Jennifer Eberle
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, #250
Alameda, California 94502

Re: Implementation of Non-Purge Sampling Methodology

Dear Ms. Eberle:

We intend to apply non-purge sampling methodology at the sites listed below beginning in the third quarter of 1997. The application of non-purge sampling methodology at these sites is consistent with the San Francisco Bay Regional Water Quality Control Board's January 31, 1997 letter regarding "Utilization of Non-Purge Approach for Sampling of Monitoring Wells Impacted by Petroleum Hydrocarbons, BTEX, and MTBE".

Former Shell Service Station
2703 Martin Luther King, Oakland, California
WIC #204-5508-1701

Former Shell Service Station
461 Eighth Street, Oakland, California
WIC #204-5508-6205

Specifically, these sites satisfy each of the following conditions outlined in the SFRWQCB letter.

- OK MLK ✓
- Ground water at these sites has only been impacted by Petroleum Hydrocarbons, BTEX, and MTBE.
 - The monitoring wells at these sites have been installed in unconfined aquifers.
 - The monitoring wells at these sites have been properly permitted, constructed, and developed.
 - The monitoring wells are not in use for ground water or soil vapor extraction.
 - The monitoring wells from which ground water samples are collected do not have free product.

- The monitoring wells have already been routinely purged in previous sampling events and therefore do not require an initial duplicate non-purged and purged sample. We recognize that new monitoring wells installed at these sites will require an initial duplicate non-purged and purged sample. ✓

If you have any questions regarding the contents of this letter, please call.

Sincerely,

Enviros, Inc.

John Werfal Sr

John Werfal
Sr. Environmental Scientist

Diane M. Lundquist

Diane M. Lundquist, P.E.
Senior Engineer
C46725



cc: Mr. Alex Perez, Shell Oil Products Company
SFRWQCB

Attachment

SFRWQCB's January 31, 1997 Non-Purge Letter

February 3, 1997

Ms. Jennifer Eberle
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502-6577

ENVIRONMENTAL
PROTECTION

RE: Former Shell Service Station
2703 Martin Luther King
Oakland, California
WIC 204-5508-1701

Dear Ms. Eberle:

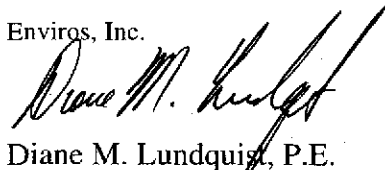
As requested in your January 8, 1997 letter, enclosed are a table with tabulated ground water data from the November 8, 1996 Blaine Tech ground water sampling report and a map with contoured water level data. Ground water flow direction from this event is generally consistent with the flow direction reported in our October 30, 1996 report.

As requested, quarterly ground water monitoring and sampling have been initiated and future quarterly reports will be issued.

If you have any questions, please call me at (707) 935-4852.

Sincerely,

Enviros, Inc.



Diane M. Lundquist, P.E.
Senior Engineer
C46725

cc: Mr. R. Jeff Granberry, Shell Oil Products Company

TABLE 3

WELL CONCENTRATIONS
Shell Oil Products Company
2703 Martin Luther King Jr. Way
Oakland, California
WIC #204-5508-1701

Sample Date	Measured GW Depth (ft)	Corrected GW Elev (ft)	SP (ft)	TPPH (ug/L)	B (ug/L)	T (ug/L)	E (ug/L)	X (ug/L)	MTBE (ug/L)	Comments
MW-1 (B-11)		Top casing elevation (ft): 23.53								
02-Aug-96	NA	NA	NA	NA	NA	NA	NA	NA	NA	
05-Aug-96	8.76	14.77	0.00	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
17-Oct-96	9.88	13.65	0.00	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
MW-1 (DUP)										
05-Aug-96	NA	NA	NA	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
MW-2 (B-12)		Top casing elevation (ft): 22.47								
17-Jul-96	NA	NA	NA	<50	<0.50	0.69	<0.50	<0.50	<2.5	Water sample from Boring
05-Aug-96	8.35	14.12	0.00	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
17-Oct-96	9.32	13.15	0.00	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
MW-2 (DUP)		Top casing elevation (ft): 22.47								
17-Oct-96	NA	NA	NA	<50	<0.50	<0.50	<0.50	<0.50	<2.5	
B-10		Top casing elevation (ft): NA								
17-Jul-96	NA	NA	NA	20000	400	<100	<100	870	<500	Water sample from Boring
B-13		Top casing elevation (ft): NA								
17-Jul-96	NA	NA	NA	290000	34000	21000	9900	47000	<2500	Water sample from Boring
V-1		Top casing elevation (ft): 23.26								
02-Aug-96	NA	NA	NA	NA	NA	NA	NA	NA	NA	
05-Aug-96	8.58	14.68	0.00	NA	NA	NA	NA	NA	NA	

TABLE 3

WELL CONCENTRATIONS
Shell Oil Products Company
2703 Martin Luther King Jr. Way
Oakland, California
WIC #204-5508-1701

Sample Date	Measured GW Depth (ft)	Corrected GW Elev (ft)	SP (ft)	TPPH (ug/L)	B (ug/L)	T (ug/L)	E (ug/L)	X (ug/L)	MTBE (ug/L)	Comments
17-Oct-96	10.02	13.24	0.00	NA	NA	NA	NA	NA	NA	
V-2		Top casing elevation (ft): 22.80								
02-Aug-96	NA	NA	NA	NA	NA	NA	NA	NA	NA	
05-Aug-96	7.94	14.86	0.00	NA	NA	NA	NA	NA	NA	
17-Oct-96	9.30	13.50	0.00	NA	NA	NA	NA	NA	NA	

Abbreviations:

TPPH = Total Purgeable Petroleum Hydrocarbons carbon range C6 to C12 by EPA Method 8015 modified

BTEX = benzene, toluene, ethylbenzene, xylenes by EPA Method 8020

MTBE = methyl-tertiary-butyl-ether by EPA Method 8020

NA = Not analyzed or not available

<x = Not detected at detection limit of x

EXPLANATION

- Exploratory Boring
- ⊕ Soil Vapor Extraction Well
- ⊙ Ground Water Monitoring Well
- Ground water elevation contours in feet referenced to mean sea level. Arrows indicate approximate ground water flow direction.
- 13.65 Ground water elevation in feet above mean sea level.
- (ND) Benzene Not Detected
- NS Not Sampled

Notes: Monitoring performed 17-Oct-96.
Approximate Hydraulic Gradient = 0.01.

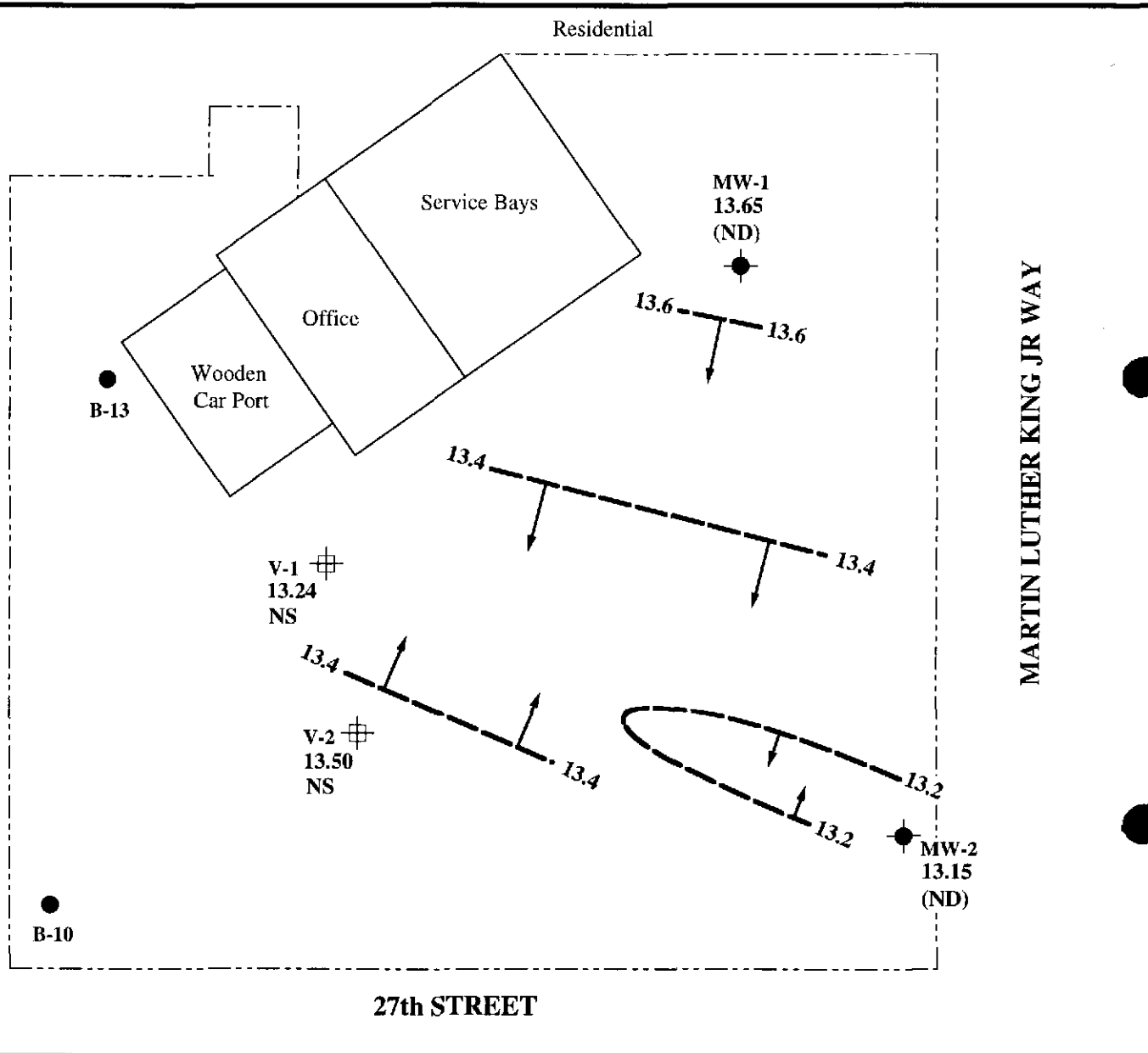
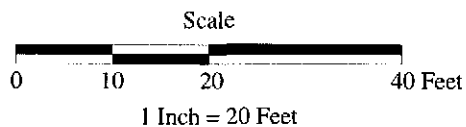
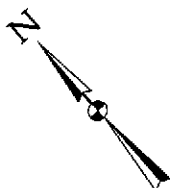


PLATE **2** GROUND WATER CONTOUR/BENZENE CONCENTRATION MAP
 Shell Oil Products Company
 2703 Martin Luther King Jr. Way
 Oakland, California

enviros®
 97324

Drawn By: MED Date: 29-Jan-97 Approved By: Date: 2-3-97



al/EPA

San Francisco Bay
Regional Water
Quality Control
Board

11 Webster Street
Suite 500
Oakland, CA 94612
(510) 286-1255
Fax (510) 286-1380



Pete Wilson
Governor

To: Interested Parties

January 31, 1997

File: 1123.64

**SUBJECT: Utilization of Non-Purge Approach for Sampling of
Monitoring Wells Impacted by Petroleum Hydrocarbons,
BTEX, and MTBE**

REFERENCE: "The California Groundwater Purging Study for Petroleum
Hydrocarbons", Report for Western States Petroleum
Association by SECOR International Incorporated, Dated
October 28, 1996

Finding and Recommendation

The WSPA study concludes that selection of a non-purge sampling methodology will not affect the overall variability of analytic data, and will provide a comparable, and in many cases, conservative estimate of petroleum hydrocarbons in groundwater. Based upon our review of the study, we conclude that for monitoring wells at fuel UST sites purging is not required providing the conditions we have outlined below are met. Our rationale is provided below.

Rationale

Since the release of the Western States Petroleum Association (WSPA) study on the effects of purging or not purging gasoline impacted monitoring wells prior to sampling there have been questions posed as to the validity and applicability of the study. Board staff acknowledge the concerns of some towards the possible bias in the study because of variations in data quality due to differing purging and sampling techniques utilized in the study, the lack of specific well design information or water quality parameter information, and the questions of statistical bias introduced into the study by the inclusion of non-detect data. However, we believe that these concerns are mitigated by the overall environmental and economic benefits discussed below.

Section 13267 (b) of the Water Code states that for technical or monitoring program reports the board may specify that ... "The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports". From an environmental perspective, there is an advantage in reducing the environmental burden by virtue of reducing the volumes of purge water for treatment

and disposal, which in turn reduces secondary impacts to air and water quality from waste handling, transport, and treatment of the purge water. In addition, there is a positive cost savings and, consequently, a potential savings to the State's limited Clean Up Fund resources. We therefore believe that this approach is consistent with Section 13267.

We recognize at least one disadvantage from not purging is that, if true, higher analytic readings from non-purged samples may result in unnecessarily prolonging remediation and monitoring. In the worst case, some minor changes in water quality may be missed on a timely basis, such as those due to changes resulting from utilizing effective remediation techniques or, conversely, missing the detection of a new release from on or off site. Also, if further refinement of the WSPA study provides new information in conflict to the present study, we are prepared to modify our requirements accordingly.

Conditions on Using the Non-Purging Approach

In consideration of the above, we will now require the following for any Responsible Party or consultant proposing to utilize the non-purging approach:

1. The non-purging approach shall be used only for monitoring wells where groundwater has been impacted by Petroleum Hydrocarbons, BTEX, and MTBE.
2. Non-purge sampling shall be utilized for unconfined aquifers only.
3. The monitoring well shall be properly permitted, constructed (in this case, screened across the water table), and developed.
4. The well is not presently in use for groundwater or soil vapor extraction.
5. The well does not have free product.
6. For new wells or wells brought into monitoring for the first time, the first round of groundwater sampling performed at a site shall be with both non-purged and purged samples. The purging and sampling method used shall be documented. This shall include the rate of purge and sampling details. For these wells we require measurements of dissolved oxygen, specific conductance, pH, and temperature whether purged or not purged. Also, if biodegradation is being tracked at the well, our requirements do not preclude the measurement of other parameters.

7. Existing wells which have already been routinely purged in previous sampling events immediate to being switched to a non-purging mode do not require an initial duplicate non-purged and purged sample.
8. Monitoring data frequency shall be as required by the appropriate regulatory oversight agency.
9. Should a Responsible Party request site closure where the non-purged approach has been used, the final confirmation sampling event shall include both non-purged and purged samples from each well or as agreed upon with the appropriate regulatory oversight agency.

Prior to implementing the non-purge approach, the appropriate regulatory oversight agency shall be contacted, with an information copy to this office. Please call John Kaiser (510 - 286 - 0803) or me (510 - 286 - 0304) if you have any questions regarding this letter.

Loretta K. Barsamian
Executive Officer

Stephen I. Morse, P.E.
Chief,
Toxics Cleanup Division

cc: SWRCB - CWP (Alan Patton and Dave Deaner)
Regional Boards 1,3-9 UST Program Managers
RWQCB Region 2 UST Staff
USEPA, Region 9 (Matt Small)
Region 2 Local Agency UST Managers

Note: A synopsis of the WSPA Report including information on how to obtain the complete report may be found on the Internet at
<http://www.secor.com/purge.html>



Kim E. Johansen

2632 Bush Street San Francisco, California 94115-8008
(415) 776-5903 FAX (415) 931-0506

ENVIRONMENTAL
PROTECTION
99 JAN 22 AM 8:56

January 18, 1997

Jennifer Eberle
Hazardous Materials Specialist
Alameda County
Health Care Services Agency
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Dear Ms. Eberle:

This is to inform you that Acme Western Ambulance Service was sold last December 5, 1995 and I am no longer in their employ.

Please address all further correspondence in this matter to:

Richard F. Angotti
5250 Winter Creek Road
Santa Rosa, CA 95405

Sincerely,

cc: Richard F. Angotti, past President and owner, Acme Western Ambulance Service

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



January 8, 1997

STID 454

page 1 of 2

ENVIRONMENTAL HEALTH SERVICES

ENVIRONMENTAL PROTECTION (LOP)

1131 Harbor Bay Parkway, Suite 250

Alameda, CA 94502-6577

(510) 567-6700

FAX (510) 337-9335

Mr. Rod Kwan
Auto Tech West
2703 Martin Luther King Way
Oakland CA 94612

Mr. Kim Johansen
Acme Western Ambulance Service
2829 California St.
San Francisco CA 94115

Mr. Jeff Granberry
Shell Oil Products Co.
PO Box 4023
Concord CA 94524

RE: Auto Tech West site, 2703 Martin Luther King Way, Oakland CA 94612

Dear Mr. Kwan, Johansen and Granberry,

Since my last letter, dated 1/10/96, the following documents have been received in this office:

- 1) one page letter update from enviros dated 5/7/96;
- 2) letter update from enviros dated 5/10/96 (re overexcavation and sampling);
- 3) "Soil Boring and Well Installation Report," prepared by enviros, dated 10/30/96; and
- 4) "Quarterly Groundwater Monitoring report," prepared by Blaine Tech Services (BTS), dated 11/8/96, under enviros' cover letter dated 12/13/96.

Based on the most recent investigation, it appears that the majority of the contamination occurs in groundwater. The maximum groundwater concentrations were 34,000 ug/L benzene and 290,000 ug/L TPH-g; this was a grab water sample from B13, located near the northern property corner. As per our telecon on 12/19/96 (Diane Lundquist, Jeff Granberry and myself), the occurrence of the maximum groundwater concentration in what appears to be the upgradient direction is puzzling. As we agreed, more investigation is warranted in the upgradient direction. **Please conduct an investigation of the (presumed) upgradient area in order to determine historical usages. Please submit this report within 45 days, or by February 23, 1997.**

Second, you are requested to **submit a potentiometric site map and tabulated groundwater results for the 11/8/96 quarterly report from BTS, within 30 days, or by February 8, 1997.**

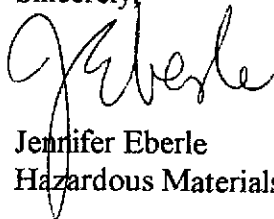
January 8, 1997
STID 454
page 1 of 2
Mr. Rod Kwan
Mr. Kim Johansen
Mr. Jeff Granberry

Third, you are requested to begin a quarterly groundwater monitoring and sampling program for all the site wells (MW1, MW2, V1, and V2), beginning with the first quarter 1997. Please submit the quarterly reports within 45 days of the sampling date. Please include potentiometric site maps and tabulated (historical) groundwater results. When four consecutive quarters of groundwater data have been received, a decision will be made as to further monitoring and sampling. After the first quarter 1997 results are received, a decision will be made as to further site characterization and/or remediation.

Fourth, as per my telecon with Diane Lundquist today, she indicated that the northern corner of the site was surveyed when they drilled the wells, and that no indication of a pollution source (ie waste oil UST) was found.

If you have any questions, please contact me at (510) 567-6761.

Sincerely,



Jennifer Eberle
Hazardous Materials Specialist

cc: Diane Lundquist, Enviros, Inc., PO Box 259, Sonoma CA 95476-0259
Attn: Etta Litterini, Signa, 21860 Burbank Blvd., Suite 200, Woodland Hills CA 91367
J. Eberle/file

je.454-A

Project Summary

Shell Service Station
2703 Martin Luther King
Oakland, California
WIC 204-5508-1701

Site Description

Property: Former service station, currently Auto Tech West

Equipment: None

Number of wells: Two ground water monitoring wells, two soil vapor extraction wells.

Ground Water: Depth to water approximately 8 - 9 feet.

Site History/Status

A 2000 gallon UST was removed in 1994 on behalf of Acme Ambulance Company. Due to contamination identified in the tank pit, a site investigation including the drilling of nine exploratory soil borings was initiated. Separate phase product was identified in several of the borings.

Shell took over investigation activities in 1995. Over-excavation in the tank pit was performed and the tank pit was backfilled in March 1996.

Six exploratory soil borings were drilled in July 1996. Grab ground water samples were collected from four of the borings. Two of the ground water samples were ND and were converted to ground water monitoring wells. The other two borings contained elevated levels of petroleum hydrocarbons and were backfilled to grade with grout.

Ground water contamination: Elevated concentrations are present in two wells, apparently located up-gradient of source areas.

Remedial Action: Excavation of contaminated soil in tank pit.

Regulatory Contacts: Jennifer Eberle, ACHCSA

Recent Activities

Field: None

Remediation: Limited over-excavation performed March 1996

Reporting: Soil boring report issued 10-30-96.

Regulatory: Agency issued letter dated 1-8-97.

Upcoming Activities

Respond to 1-8-97 letter: evaluate potential up-gradient sources, initiate quarterly ground water sampling, tabulate and contour November 1996 sampling results.

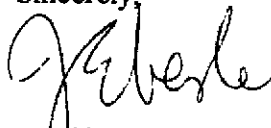
January 8, 1997
STID 454
page 1 of 2
Mr. Rod Kwan
Mr. Kim Johansen
Mr. Jeff Granberry

Third, you are requested to **begin a quarterly groundwater monitoring and sampling program for all the site wells (MW1, MW2, V1, and V2), beginning with the first quarter 1997.** Please submit the quarterly reports within 45 days of the sampling date. Please include potentiometric site maps and tabulated (historical) groundwater results. When four consecutive quarters of groundwater data have been received, a decision will be made as to further monitoring and sampling. **After the first quarter 1997 results are received, a decision will be made as to further site characterization and/or remediation.**

Fourth, as per my telecon with Diane Lundquist today, she indicated that the northern corner of the site was surveyed when they drilled the wells, and that no indication of a pollution source (ie waste oil UST) was found.

If you have any questions, please contact me at (510) 567-6761.

Sincerely,



Jennifer Eberle
Hazardous Materials Specialist

cc: Diane Lundquist, Enviro, Inc., PO Box 259, Sonoma CA 95476-0259
Attn: Etta Litterini, Signa, 21860 Burbank Blvd., Suite 200, Woodland Hills CA 91367
J. Eberle/file

je 454-A

September 15, 1996

Ms. Jennifer Eberle
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway
Alameda, California 94502-6577

RE: Shell Service Station
2703 Martin Luther King Way
Oakland, California
WIC #204-5508-1701

Dear Ms. Eberle:

This letter is provided to describe recently completed activities performed at the above referenced Shell Oil Company site in accordance with reporting requirements of the California Administrative Code Title 23 Waters, Chapter 3, Subchapter 16, Article 5, Section 2652.d.

Current Quarter's Activities

Enviros, Inc. performed further site assessment activities on July 17, 1996 and July 19, 1996. A report will be prepared and submitted to Alameda County Health Services.

Proposed Activities

Enviros, Inc. will continue to submit quarterly updates to your agency.

If you have any questions, please call.

Sincerely,

Enviros, Inc.



Diane M. Lundquist, P.E.
Senior Engineer
C46725



cc: Mr. R. Jeff Granberry, Shell Oil Products Company

June 30, 1996

Ms. Jennifer Eberle
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway
Alameda, California 94502-6577

RE: Shell Service Station
2703 Martin Luther King Way
Oakland, California
WIC #204-5508-1701

Dear Ms. Eberle:

This letter is provided to describe recently completed activities performed at the above referenced Shell Oil Company site in accordance with reporting requirements of the California Administrative Code Title 23 Waters, Chapter 3, Subchapter 16, Article 5, Section 2652.d.

Current Quarter's Activities

Enviros, Inc. submitted a report dated May 10, 1996 documenting soil over-excavation activities.

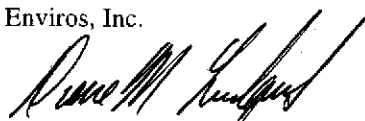
Proposed Activities

Site assessment activities will be performed during July, 1996. Enviros, Inc. will continue to submit quarterly updates to your agency.

If you have any questions, please call.

Sincerely,

Enviros, Inc.



Diane M. Lundquist, P.E.
Senior Engineer
C46725



cc: Mr. R. Jeff Granberry, Shell Oil Products Company

ENVIRONMENTAL
PROTECTION

96 MAY -9 PM 12: 28

May 7, 1996

Ms. Jennifer Eberle
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway
Alameda, California 94502-6577

RE: Shell Service Station
2703 Martin Luther King Way
Oakland, California
WIC #204-5508-1701

Dear Ms. Eberle:

This letter is provided to describe recently completed activities performed at the above referenced Shell Oil Company site in accordance with reporting requirements of the California Administrative Code Title 23 Waters, Chapter 3, Subchapter 16, Article 5, Section 2652.d.

Current Quarter's Activities

Enviros, Inc. submitted a Site Investigation Work Plan dated January 2, 1996. Soil over-excavation activities were performed on March 19, 1996. A report documenting these activities is pending.

which?

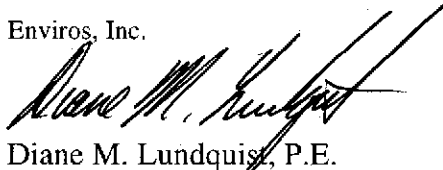
Proposed Activities

Site investigation work described in the January 2, 1996 work plan will be performed during the second quarter of 1996. Enviros, Inc. will prepare and submit a copy of the Site Investigation Report when the work is completed and will continue to submit quarterly updates to your agency.

If you have any questions, please call.

Sincerely,

Enviros, Inc.



Diane M. Lundquist, P.E.
Senior Engineer
C46725



cc: Mr. R. Jeff Granberry, Shell Oil Products Company

white -env.health
 yellow -facility
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH
 Hazardous Materials Inspection Form

1131 Harbor Bay Pkwy.
 Suite 250
 Alameda, CA 94502-6577
 (510) 567-6700

II, III

Site ID # _____ Site Name Former Shell Today's Date 3/19/96

Site Address 2703 MLK Way
 City Oakland Zip 94612 Phone _____

MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks

over-Excavation of UST pit.

* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

9:25 arrived onsite. Met Joe Neely of emvins. There is greenish (stained) soil in pit + a HC odor. They plan to backfill today. Stockpiled will be profiled for offsite disposal.
 10:00 Took 2 samples from the West + East ends at ~11' bgs. TP3-W + TP4-E. Sand w/clay. Saturated (w/water). HC odor + stained. Analyze for TPHg + BTEX. Standard TAT.

10:10 left site

II.A BUSINESS PLANS (Title 19)

- 1. Immediate Reporting 2703
- 2. Bus. Plan Stds. 25503(b)
- 3. RR Cars > 30 days 25503.7
- 4. Inventory Information 25504(a)
- 5. Inventory Complete 2730
- 6. Emergency Response 25504(b)
- 7. Training 25504(c)
- 8. Deficiency 25505(a)
- 9. Modification 25505(b)

II.B ACUTELY HAZ MATS

- 10. Registration Form Filed 25533(a)
- 11. Form Complete 25533(b)
- 12. RMPP Contents 25534(c)
- 13. Implement Sch. Req'd? (Y/N) _____
- 14. OHSite Conseq. Assess. 25524(c)
- 15. Probable Risk Assessment 25534(d)
- 16. Persons Responsible 25534(g)
- 17. Certification 25534(f)
- 18. Exemption Request? (Y/N) _____
- 19. Trade Secret Requested? 25538

III. UNDERGROUND TANKS (Title 23)

- | | |
|--|---|
| General | <input type="checkbox"/> 1. Permit Application 25284 (H&S) |
| | <input type="checkbox"/> 2. Pipeline Leak Detection 25292 (H&S) |
| | <input type="checkbox"/> 3. Records Maintenance 2712 |
| | <input type="checkbox"/> 4. Release Report 2651 |
| | <input type="checkbox"/> 5. Closure Plans 2670 |
| Monitoring for Existing Tanks | <input type="checkbox"/> 6. Method |
| | 1) Monthly Test |
| | 2) Daily Vadose
Semi-annual groundwater
One time soils |
| | 3) Daily Vadose
One time soils |
| | 4) Monthly Gndwater
Annual tank test |
| | 5) Daily Inventory
Annual tank testing
Cont pipe leak det
Vadose/gndwater mon. |
| | 6) Daily Inventory
Annual tank testing
Cont pipe leak det |
| | 7) Weekly Tank Gauge
Annual tank testing |
| | 8) Annual Tank Testing
Daily Inventory |
| | 9) Other _____ |
| New Tanks | <input type="checkbox"/> 7. Precs Tank Test Date: 2643 |
| | <input type="checkbox"/> 8. Inventory Rec. 2644 |
| | <input type="checkbox"/> 9. Soil Testing 2646 |
| | <input type="checkbox"/> 10. Ground Water. 2647 |
| <input type="checkbox"/> 11. Monitor Plan 2632 | |
| <input type="checkbox"/> 12. Access. Secure 2634 | |
| <input type="checkbox"/> 13. Plans Submit Date: 2711 | |
| <input type="checkbox"/> 14. As Built Date: 2635 | |

Rev 6/88

Contact: _____

Title: _____

Signature: Joe Neely

Inspector: Jennifer Eberke

Signature: J Eberke

II, III

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, DIRECTOR

January 10, 1996
STID 454

DEPARTMENT OF ENVIRONMENTAL HEALTH
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6777

Mr. Rod Kwan
Auto Tech West
2703 Martin Luther King Way
Oakland CA 94612

Kim Johansen
Acme Western Ambulance Service
2829 California St.
San Francisco CA 94115

Jeff Granberry
Shell Oil Products Co.
PO Box 4023
Concord CA 94524

RE: Auto Tech West site, 2703 Martin Luther King Way, Oakland CA 94612

Dear Mr. Kwan, Johansen and Granberry,

I have received the "Site Investigation Work Plan," dated 1/2/96, prepared by Enviros, Inc., and received in this office on 1/4/96. This workplan involves the installation of exploratory borings, the collection of groundwater samples, and conversion to four monitoring wells. In addition, two soil vapor extraction (SVE) wells will be installed. Although not a part of the workplan, a pilot test will subsequently be conducted with the SVE wells to determine the suitability of SVE as a treatment method.

The workplan is acceptable for implementation. However, it is my understanding that the tank excavation is still open from the removal of the 2,000-gallon gasoline UST in October 1994. **In order to implement the workplan, the tank excavation must be backfilled with clean soil, since one of the proposed SVE wells is located at the former 2,000-gallon UST.** You have two options for backfilling: either use clean, imported fill, or reuse the stockpiled soils onsite IF they are suitable. There must be no benzene, in which case the TPH concentration should be <10 ppm. Our records indicate that the soils stockpiled from the tank removal were not sampled. If you want to reuse these soils, they must be sampled at a rate of 1 discrete per 20 yd³, upon notification 3 business days in advance. You may notify me by phone at 510-567-6761.

Sincerely,

Jennifer Eberle
Hazardous Materials Specialist

cc: *af* Diane Lundquist, Enviros, Inc., Po Box 259, Sonoma CA 95476-0259
Acting Chief/file
Gil Jensen

je.454

Shell Oil Products Company



P O Box 4023
Concord CA 94524

East Bay Retail Marketing District

1390 Willow Pass Road
Suite 900
Concord CA 94520

October 26, 1995

Mr. Dale Klettke
Alameda County Health Agency
Department of Environmental Health
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502

Re: **2703 MLK Way, Oakland, CA**

Dear Mr. Klettke:

This is to confirm that per your voice mail message left to me on October 20, 1995, that it is the County's intention to be flexible with the deadline requested in your letter dated October 6, 1995, which requested that a work plan be provided to your office by November 23, 1995. As you are aware, the responsible parties are currently in the process of finalizing an agreement amongst themselves as to each party's responsibility for cleanup of the site.

It is expected that this agreement will be finalized in the near future. As you requested in your voice mail message, **Shell will contact your office sometime in mid November in order to give you a date by which you may expect the requested work plan to be submitted to your office.**

On behalf of Auto Tech West and Acme Western Ambulance Service, Shell would like to thank you for your understanding and patience regarding this matter. Please contact me at (510) 675-6169 if you have any questions or concerns.

Very truly yours,

A handwritten signature in cursive script, appearing to read "D. Lynn Walker", is located below the "Very truly yours," text.

D. Lynn Walker
Environmental Engineer

cc: Mr. Rod Kwan, Auto Tech West
Mr. Kim Johansen, Acme Western Ambulance Service
Mr. Paul Caleo, Larson & Burnham

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH

1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6777

STID 454

October 6, 1995

Mr. Rod Kwan
Auto Tech West
2703 Martin Luther King Way
Oakland, CA 94612

Kim Johansen
Acme Western Ambulance Service
2829 California Street
San Francisco, CA 94115

D Lynn Walker
Shell Oil Products Company
P.O. Box 4023
Concord, CA 94524

RE: AUTO TECH WEST, 2703 MARTIN LUTHER KING WAY, OAKLAND

Dear Messrs. Kwan, Johansen and Walker;

This office is in receipt of and has completed review of the case file for this site, up to and including the September 13, 1995 - Shell Oil Products Company (SHELL) "Pre-Enforcement Review Panel" letter. This correspondence is in specific reference to the June 1995 - ACC Environmental Consultants "Phase II - Environmental Site Investigation" Report.

On May 23, 1995, nine (9) borings (B1 through B9) were drilled onsite around the existing excavation. Soil samples were collected every five feet to a total depth of 10 to 15 feet below ground surface (bgs). Non-aqueous phase liquid (free product) was encountered in borings B1, B5, B6 and B9 (0.5-0.75"; 0.25-0.5"; 1-2"; 0.5-1.0"), respectively. Analytical results of the soil samples collected from the borings reveals that borings B2, B3, B5 and B6 were found to contain the highest levels of TPHg contamination at 260 ppm, 150 ppm, 830 ppm and 390 ppm, respectively. Soil samples collected from borings B2 (taken at 5' bgs), boring B5 (taken at 8' bgs) and boring B6 (taken at 10' bgs) were found to contain 0.6 ppm, 1.8 ppm and 0.3 ppm of benzene, respectively. The groundwater sample collected from boring B7 showed the highest concentrations of TPHg and benzene, at 89,000 ppb and 21,000 ppb, respectively.

Pursuant to provisions of Article 11, Title 23, California Code of Regulations you are required to perform a soil and water investigation (SWI) to define the extent of both soil and groundwater contamination. In order to pursue the SWI in a more cost-effective fashion, this office has suggested that you first employ rapid site assessment tools (e.g. CPT, Geo Probe, Hydropunch, etc.) to qualitatively assess impacts and to define the extent of the contaminant plume **before** proposing final well locations.

Messrs. Kwan, Johansen and Walker
RE: 2703 Martin Luther King Way, Oakland
October 6, 1995
Page 2 of 2

In order to substantially define the limits of the groundwater pollutant plume, you are required to prepare a SWI which details the locations of hydropunch/borings holes which then may be subsequently converted to groundwater monitoring wells

This SWI work plan should address the following concerns:

Recovery of free product encountered in borings B1, B5, B6 and B9. Free product removal should be considered a priority and should help to attenuate the contaminant plume.

Feasibility study should be performed to determine the best technology to be used for remediation of the soil and groundwater contamination. Source removal, including excavation of petroleum hydrocarbon impacted soils should be addressed in the feasibility study.

This work plan is due within 45 days of the date of this letter, or by November 23, 1995.
Work should commence no later than 30 days following approval in writing from this office.

Please be advised that this is a formal request for technical reports pursuant to California Water Code Section 13267(b). Failure to respond may result in the referral of this case to the RWQCB for enforcement action.

Please also bear in mind that, in order to maintain SB2004 UST clean-up fund eligibility, specific bidding requirements and contracting criteria must be met. You are encouraged to contact the SWRCB fund representative (916/227-4529) for more case-specific information, or if you have not, as of yet, applied for financial assistance.

I am temporary covering for Jennifer Eberle in her absence. Please feel free to call me directly at 510/567-6880, should you have any questions.

Sincerely,



Dale Klettke, CHMM
Hazardous Materials Specialist

c: Gordon Coleman, Acting Chief, Environmental Protection Division
Jun Makishima, Interim Director of Environmental Health
Gil Jensen, Alameda County District Attorney's Office

ENVIRONMENTAL
PROTECTION

Shell Oil Products Company



95 SEP 29 PM 1:10

P O Box 4023
Concord CA 94524

East Bay Retail Marketing District

1390 Willow Pass Road
Suite 900
Concord CA 94520

September 27, 1995

Ms. Jennifer Eberle
Alameda County Health Care Services Agency
Department of Environmental Health
Division of Environmental Protection
1131 Harbor Bay Parkway
Alameda, CA 94502

Re: **Pre-Enforcement Review Panel - 2703 MLK Way, Oakland, CA**

Dear Ms. Eberle:

Enclosed please find a draft of the ~~proposed settlement~~ and remediation agreement concerning the above-referenced site. The parties are currently reviewing the proposed agreement and hope to finalize same soon.

Please feel free to contact me at (510) 675-6169 if you have any questions or comments.

Very truly yours,

A handwritten signature in cursive script, appearing to read "D. Lynn Walker".

D. Lynn Walker
Environmental Engineer

Enclosure

cc: Mr. Gil Jensen, Alameda County District Attorney
Mr. Kevin Graves, RWQCB
Mr. Paul Caleo, Larson & Burnham w/o enclosure

SETTLEMENT, RELEASE, SITE ACCESS AND REMEDIATION AGREEMENT

This Settlement, Release, Site Access and Remediation Agreement dated this ____ day of September, 1995 ("Agreement"), is entered into by and between SHELL OIL COMPANY ("Shell"), ROD KWAN ("Mr. Kwan") and ACME WESTERN AMBULANCE SERVICE ("Acme") (collectively, the "Parties").

RECITALS

There is now pending before the Alameda County Department of Environmental Health, Division of Environmental Protection, a continued Pre-Enforcement Review Panel convened upon motion of the Alameda County Environmental Protection Division and the San Francisco Bay Regional Water Quality Control Board ("the hearing"). The hearing concerns property owned by Mr. Kwan, which was formerly the site of a gasoline service station located at 2703 Martin Luther King, Jr. Way, Oakland, Alameda County, California (the "property").

It has been determined that the property is contaminated with petroleum hydrocarbons.

The County of Alameda ("County") was advised of the release of petroleum hydrocarbons onto the property. Subsequently, the County has noticed the hearing and named the parties as having proposed responsibility for closure, site assessment, cleanup and mitigation of contamination at the property.

WHEREAS, the Parties dispute responsibility for closure, site assessment, cleanup and mitigation of contamination at the

property, and deny all liability for the release of petroleum hydrocarbons onto the property; and

WHEREAS, the Parties to this Agreement desire to avoid the expense of possible future litigation and hearings, the Parties agree to settle and compromise any and all claims they may have or could make arising out of the contamination of the property.

CONSIDERATION, COVENANTS AND RELEASES

NOW, THEREFORE, in consideration of the mutual covenants, conditions, representations and agreements contained herein, the Parties hereto, on his, her or their own behalf, and on behalf of his, her or their heirs, executors, administrators, predecessors, devisees, assigns, agents, representatives, partners, directors, officers, shareholders, employees, attorneys, parent company or companies, insurers, lenders, affiliates, subsidiaries, or successors in interest stipulate and agree as follows:

To resolve their proposed responsibility to the County and the State of California as possible potentially responsible Parties for the contamination of the property, the Parties agree to execute the Agreement.

With respect to their operations at the property, the Parties and their officers, directors, employees, and agents, and any and all of them, shall be restrained and enjoined from knowingly violating:

A. The Underground Storage of Hazardous Substances Act (Health and Safety Code §§ 25280, et seq.);

B. The Barry Keene Underground Storage Tank Cleanup Trust

Fund Act (Health and Safety Code §§ 25299.10, et seq.) (the "Act").

REMEDICATION OF THE PROPERTY

The Parties shall cooperate to ensure the remediation and cleanup of real property situated at 2703 Martin Luther King, Jr. Way, Oakland, County of Alameda. The Parties shall take action as follows:

Mr. Kwan shall bear primary responsibility to take corrective action for petroleum hydrocarbon contamination under the direction and to the satisfaction of the Alameda County of Environmental Health, Hazardous Materials Division, Local Oversight Program (hereinafter "LOP"). Shell, through its environmental engineers, will assume the responsibility of administering the corrective action and remediation. Mr. Kwan shall, to the satisfaction of the LOP, complete corrective action at the property by performing tasks including, but not limited to the following:

(1) If directed by the LOP, the Parties shall overexcavate pits which formerly contained underground storage tanks;

(2) If required, the Parties shall lawfully dispose of all excavated and stockpiled soils;

(3) Upon completion of items 1 and 2, supra, the Parties shall perform such additional investigation, remediation and/or monitoring as Chapter 6.75 of Division 20 of the Health and Safety Code requires until the LOP certifies and approves closure of the site;

(4) The Parties shall submit to the LOP, as required by law or as directed by the LOP, reports of all corrective action taken

at the site, including but not limited to any past or future excavation.

Acme shall assist Mr. Kwan in applying for reimbursement of cleanup costs from the State of California Underground Storage Tank Cleanup Fund ("UST Fund"), pursuant to the Act. The application to the UST Fund shall be made solely by Mr. Kwan and shall name Shell as a co-payee.

Upon receipt of a letter of commitment from the UST Fund, Shell shall provide the finances for the remediation of the property and shall assume responsibility for administering the remediation of the property. The remediation shall be deemed complete with nothing further required by the LOP.

In consideration of Shell's agreement to provide the finances to remediate the property, Mr. Kwan shall comply with all requirements of the Act, the LOP and any regulations, policies, or orders issued pursuant to or authorized by the Act, and shall cooperate with Shell to ensure reimbursement to Shell of costs incurred by Shell in carrying out the corrective action to remediate the property.

In the event that costs and expenses incurred by Shell to remediate the property are not reimbursed by the UST Fund due to no failure on Mr. Kwan's part to comply with all requirements of the Act, the LOP, and any regulations, policies or orders issued or authorized pursuant to the Act, or Acme's failure to assist Mr. Kwan in applying to the UST Fund, Mr. Kwan and Acme will have no liability to Shell for the unreimbursed cleanup costs.

All activities to remediate the property shall be done in such a manner as to minimize interference with the use of the property. However, the Parties understand and agree that the remediation may be subject to governmental orders or directives which may require the location or performance of activities in areas that will conflict with the use of the property. Any such order or directive shall take precedence.

PROPERTY ACCESS FOR REMEDIATION ACTION

Mr. Kwan hereby grants to Shell and its representatives and consultants a temporary license to enter upon the property without cost for the purposes of conducting remedial actions as set forth in the Agreement. This temporary license to enter shall continue in force until the remedial action has been completed to the satisfaction of the LOP or any other applicable government agency.

Mr. Kwan, his employees or tenants, shall extend to Shell, and their representatives, reasonable cooperation in the performance by Shell and their representatives of any remedial action or physical upkeep required pursuant to this Agreement, of the directive of the LOP, including but not limited to, access to utilities at the property, in cooperation in applying for permits and procuring government approvals.

ADDITIONAL TERMS

Each party to this Agreement hereby releases, forever discharges and covenants not to sue each other and each other party's respective heirs, executors, administrators, predecessors, devisees, assignees, agents, representatives, partners, directors,

officers, shareholders, employees, attorneys, parent company or companies, insurers, lenders, affiliates and subsidiaries with regard to any and all existing or potential demands, causes of action, equitable legal claims, obligations, damages, losses, penalties and liabilities of any nature whatsoever, whether asserted or unasserted, known or unknown, arising out of or in connection with contamination of the property, or any act, cause, matter, or things stated, claimed, alleged, or which could have been alleged in any pleadings, briefs, records or other papers on file, which may be based upon, related to, or connected with contamination of the property, or any of the matters referred to in any such pleadings, records or other papers.

The Parties expressly waive any rights or benefits available to them under the provision of section 1542 of the California Civil Code which provides as follows:

A general release does not extend to claims which the creditor does not know or expect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor.

The Parties fully understand the statutory language of Civil Code section 1542 and, with this understanding, nevertheless elect to, and do, assume all risks for claims heretofore and hereafter arising, known or unknown, from the subject of this Agreement, and specifically waive any rights they may have under Civil Code section 1542.

If any party, or its judgment creditors, heirs, executors, administrators, predecessors, devisees, assignees, agents,

representatives, insurers, lenders, directors, officers, shareholders, employees, attorneys, parent companies, affiliates and subsidiaries or partners, brings a claim contrary to this Agreement, this Agreement may be pleaded as a full and complete defense thereto, and the party bringing the claim shall be liable for all damages, costs and expenses, that may be incurred, taxable or otherwise, including court costs and attorneys fees.

The Parties to this Agreement, and each of them, warrant that they have the sole right and exclusive authority to execute this Agreement and to receive the consideration therefore. The Parties to this Agreement, and each of them, warrant that they have not sold, assigned, transferred, conveyed, or otherwise set over to any other person, entity, any claim or demand relating to any matters covered by this Agreement.

The Parties acknowledge that liability for the contamination of the property is disputed by the Parties hereto and that no provision of this Agreement shall be construed as an admission of liability by any party.

The Parties represent that they have received legal advice with respect to the provisions of this Agreement.

This Agreement is made for the sole benefit and protection of the Parties hereto, and no other person shall, under any circumstances, be deemed to be a beneficiary to this Agreement.

Each party shall bear its own costs and expenses and pay its own attorneys fees, taxable and otherwise, incurred in or arising

out of this Agreement and the Pre-Enforcement Review Panel hearing.

Dated: _____, 1995 SHELL OIL COMPANY

By _____

Title _____

Dated: _____, 1995 ACME WESTERN AMBULANCE SERVICE

By _____

Title _____

Dated: _____, 1995

ROD KWAN

286983

DRAFT

Jennifer Eberle

JE

ACCEPTED

DEPARTMENT OF ENVIRONMENTAL HEALTH
420-27th Street, Third Floor
Oakland, CA 94612
Telephone: (415) 874-7237

These plans have been reviewed and found to be acceptable in that they meet the requirements of State and local laws. Changes to the plans indicated by this Department are in accordance with State and local laws. The Department's approval is now reflected for installation of the proposed piping for construction.

On the day these approved plans must be on the job and executed by all contractors and craftsmen involved with this project.

All workers performing these plans and specifications must be trained in the Department's Division of Fire and Safety. The Department will determine if such workers are qualified to perform the work. All workers must be trained at least 30 days prior to the start of the project.

Approved by: _____
Director of Division of Tank and Piping

Approved by: _____
Director of Division of Air Pollution

J Eberle
9-28-94

See comments in red
p. 4+5

UNDERGROUND TANK CLOSURE PLAN

*** Complete according to attached instructions ***

1. Business Name Auto Tech West (auto repair)
Business Owner Rod Kwan
2. Site Address 2703 Martin Luther King Way at Grand Av.
City Oakland Zip 94612 Phone (510) 654-7588
3. Mailing Address 2703 Martin Luther King Way
City Oakland Zip 94612 Phone (510) 654-7588
4. Land Owner Rod Kwan
Address 2703 Martin Luther King City, State Oakland, Ca. Zip 94612
5. Generator name under which tank will be manifested Rod Kwan

Rod said:
Kwan

EPA I.D. No. under which tank will be manifested CAC 000 721 120

ask RP when UST was installed? ~1980, per Andrew Kwan
last operator? Acme-Western Ambulance Co. (they installed the UST).
Pb?

rev 3/92 Rod never operated UST. - He bought prop in 1986.
Acme told them UST was installed ~1976.

6. Contractor K.T.W. & Associates

Address P.O. Box 55158

City Hayward, Ca. 94545

Phone (510) 732-9877

License Type C61D40 A HAZ

ID# 572427 exp. 7-31-95

*Effective January 1, 1992, Business and Professional Code Section 7053.7 requires prime contractors to also hold Hazardous Waste Certification issued by the State Contractors License Board. Indicate that the certificate has been received, in addition, to holding the appropriate contractors license type.

7. Consultant None

Address -----

City -----

Phone -----

8. Contact Person for Investigation

Name Tom Gregory

Title Project Manager

Phone (510) 732-9877

9. Number of tanks being closed under this plan 1

Length of piping being removed under this plan 6'

Total number of tanks at facility 1

10. State Registered Hazardous Waste Transporters/Facilities (see instructions).

** Underground tanks are hazardous waste and must be handled **
as hazardous waste

a) Product/Residual Sludge/Rinsate Transporter

Name None EPA I.D. No. -----

Hauler License No. ----- License Exp. Date -----

Address -----

City ----- State ----- Zip -----

b) Product/Residual Sludge/Rinsate Disposal Site

Name None EPA I.D. No. -----

Address -----

City ----- State ----- Zip -----

c) Tank and Piping Transporter

Name Erickson, Inc. EPA I.D. No. CAD 009 466 392
Hauler License No. 309177 License Exp. Date None
Address 255 Parr Boulevard
City Richmond State CA Zip 94801

d) Tank and Piping Disposal Site

Name Erickson, Inc. EPA I.D. No. CAD 009 466 392
Address 255 Parr Boulevard
City Richmond State CA Zip 94801

11. Experienced Sample Collector

Name Tom Gregory
Company K.T.W. & Associates
Address P.O. Box 55158
City Hayward State CA Zip 94545 Phone (510) 732-9877

12. Laboratory

Name McC Campbell Analytical
Address 110 2nd Avenue, South #D7
City Pacheco State CA Zip 94553
State Certification No. DHS 1644

13. Have tanks or pipes leaked in the past? Yes [] No [x]

If yes, describe. -----

14. Describe methods to be used for rendering tank inert

The tank will be inerted via co2 displacement.

25 LBS./1,000 gallons

Before tanks are pumped out and inerted, all associated piping must be flushed out into the tanks. All accessible associated piping must then be removed. Inaccessible piping must be plugged.

The Bay Area Air Quality Management District (771-6000), along with local Fire and Building Departments, must also be contacted for tank removal permits. Fire departments typically require the use of explosion proof combustible gas meters to verify tank inertness. It is the contractor's responsibility to bring a working combustible gas meter on site to verify tank inertness.

15. Tank History and Sampling Information

Tank		Material to be sampled (tank contents, soil, ground-water, etc.)	Location and Depth of Samples
Capacity	Use History (see instructions)		
2,000	Gasoline (unleaded) <i>unknown date installed + date last used</i>	Soil Groundwater if encountered	One sample @ each end of tank + <i>beneath pump</i>

One soil sample must be collected for every 20 feet of piping that is removed. A ground water sample must be collected should any ground water be present in the excavation.

Excavated/Stockpiled Soil

Stockpiled Soil Volume (Estimated)	Sampling Plan
50 cyds.	One (1) discrete sample/20 cyds. if soil returned to pit. 1-4 point composite sample for every 50 cyds. ✓

Stockpiled soil must be placed on bermed plastic and must be completely covered by plastic sheeting.

16. Chemical methods and associated detection limits to be used for analyzing samples

The Tri-Regional Board recommended minimum verification analyses and practical quantitation reporting limits should be followed. See attached Table 2.

Contaminant Sought	EPA, DHS, or Other Sample Preparation Method Number	EPA, DHS, or Other Analysis Method Number	Method Detection Limit
<p>DHS LUFT EPA Method</p> <p>TPH-g BTEX</p>	<p>TPH-G, BTX&E, TPH & BTXE</p> <p>5030</p>	<p>GCFID 5030 8020 or 8240 8260</p> <p>GCFID 8020 or 8240</p>	<p>1.0 ppm 0.005 ppm</p>

17. Submit Site Health and Safety Plan (See Instructions)

Name of Insurer Golden Eagle Insurance Company

- 19. Submit Plot Plan (See Instructions)
- 20. Enclose Deposit (See Instructions)
- 21. Report any leaks or contamination to this office within 5 days of discovery. The report shall be made on an Underground Storage Tank Unauthorized Leak/Contamination Site Report form. (see Instructions)
- 22. Submit a closure report to this office within 60 days of the tank removal. This report must contain all the information listed in item 22 of the instructions.

I declare that to the best of my knowledge and belief the statements and information provided above are correct and true.

I understand that information in addition to that provided above may be needed in order to obtain an approval from the Department of Environmental Health and that no work is to begin on this project until this plan is approved.

I understand that any changes in design, materials or equipment will void this plan if prior approval is not obtained.

I understand that all work performed during this project will be done in compliance with all applicable OSHA (Occupational Safety and Health Administration) requirements concerning personnel health and safety. I understand that site and worker safety are solely the responsibility of the property owner or his agent and that this responsibility is not shared nor assumed by the County of Alameda.

Once I have received my stamped, accepted closure plan, I will contact the project Hazardous Materials Specialist at least three working days in advance of site work to schedule the required inspections.

Signature of Contractor

Name (please type) Allan Heider

Signature Allan Heider

Date 9/13/94

Signature of Site Owner or Operator

Name (please type) Rod Kwan

Signature Allan Heider for Rod Kwan Rod Kwan

Date 9/13/94

54 SEP 28 PM 2:40

HAZMAT
300

PERMIT

Permit Issued To

(Insert Employer's Name, Address and Telephone No.)

[KTW & ASSOCIATES
 P O Box 55158
 Hayward, CA 94545
 (510)732-9877]

No. _____

Date January 27, 1994

Region 1-San Francisco

District 2-San Jose

Tel. (408)452-7288

FAX: (408)452-7287

Type of Permit ANNUAL TRENCH/EXCAVATION

Pursuant to Labor Code Sections 6500 and 6502, this Permit is issued to the above-named employer for the project described below.

			Permit Valid Through	
			December 31, 1994	
Project Name	Location	System	Anticipated Dates	
			Starting	Completion
Alameda Street	STATE ST	STATE ST	01-27-94	12-31-94

This Permit is issued upon the following conditions:

1. That the work is performed by the same employer; if this is an annual permit the appropriate District Office shall be notified, in writing, of dates and location of job site prior to commencement.
2. That employer will comply with all occupational safety and health standards or orders applicable to the above projects and any other lawful orders of the Division.
3. That if any unforeseen condition causes deviation from the plans or statements contained in the Permit Application Form the employer will notify the Division immediately.
4. Any violation of the conditions and assertions of the Permit Application Form or violation of safety orders may be cause to revoke the permit.
5. This permit shall be posted at or near each place of employment as provided in 8 CAC 2414.

Investigated by _____

RECEIVED FEB - 2 1994

SITE SAFETY PLAN
Auto Tech West
2703 Martin Luther King Way
Oakland, California

Introduction:

A Site Safety Plan (SSP) has been designed to address safety provisions during the site tank removal. Its purpose is to provide established procedures to protect all on-site personnel from direct skin contact, inhalation, or ingestion of potentially hazardous materials that may be encountered at the site. The SSP establishes personnel responsibilities, personal protective equipment standards, decontamination procedures, and emergency action plans.

K.T.W. & Associates seeks to enter the property previously described for the purpose of conducting a standard tank removal & soil sample procedures are as follows.

Each sample to be chemically analyzed will be collected in a brass sleeve, capped with aluminum foil lined plastic lids, sealed with tape, and placed on blue ice at or below 4 degrees Centigrade in a cooler immediately. All Chain of Custody protocol will be followed.

This SSP describes means for protecting all on-site personnel from contamination or personal injury while conducting on-site activities. As described below, we will strive to meet all requirements mandated by the California Department of Health Services.

Responsibilities of Key Personnel:

All personnel on-site will have assigned responsibilities. Mr. Tom Gregory will serve as Project Manager. Mr. Gregory will also serve as Site Safety Officer (SSO). As SSO, Mr. Gregory will assure that on-site personnel have received a copy of SSP. Compliance with the SSP will be monitored at all times by the SSO. Appropriate personnel protective equipment, will be available and utilized by all on-site personnel.

Tom Gregory will be responsible for keeping field notes, collecting and securing

samples, and assuring sample integrity by adherence to Chain of Custody protocol. All on-site employees will take reasonable precautions to avoid unforeseen hazards. After documenting understanding of the SSO, each on-site employee will be responsible for strict adherence to all points contained herein. On-site employees are held responsible to perform only those tasks for which they believe they are qualified. Provisions of the SSO are mandatory and personnel associated with on-site activities will adhere strictly hereto.

Job Hazard Analysis:

Hazards likely to be encountered on-site include those commonly encountered when operating any mechanical equipment, such as the danger of falling objects or moving machinery. Simple precautions will reduce or eliminate risks associated with operating such equipment.

Qualified personnel only will have any contact with equipment. All on-site personnel are required to wear hard hats when in close proximity to equipment. Latex sampling gloves will be worn by persons collecting or handling samples to prevent exposure to contaminants. Gloves will be changed between samples, and used ones discarded, to avoid cross-contamination. Furthermore, no on-site smoking, open flame, or sparks will be permitted in order to prevent accidental ignition.

Risk Assessment Summary:

Exposure to chemicals anticipated on-site include diesel, benzene, toluene, xylene and ethylbenzene (BTX&E). These chemicals present a hazard because they are moderately to extremely toxic and most are highly flammable. Time Weighted Averages (TWA), Short Term Exposure Limits (STEL) and Immediately Dangerous to Life or Health (IDLH) levels, all in parts per million (ppm)¹, are listed below.

<u>Compound</u>	<u>TWA</u>	<u>STEL</u>	<u>IDLH</u>
Diesel	300	500	-
Benzene	0.1	-	3,000
Toluene	100	150	2,000
Xylene	100	150	1,000
Ethylbenzene	100	125	2,000

¹Parts of vapor or gas per million parts of contaminated air by volume at 25°C and 760 torr.

Personal Protective Equipment:

Personnel on-site will have access to appropriate personal protective equipment (level C or greater). When handling samples, the on-site geologist will wear latex gloves.

Work Zones:

Access to the site will be restricted to authorized personnel. A set of cones, placards, or wide yellow tape, surrounding the site will define the perimeter. The Project Manager will be responsible for site security.

Decontamination Measures:

Avoidance of contamination whenever possible is the best method for protection. Common sense dictates that on-site personnel avoid sitting, leaning, or placing equipment on possibly contaminated soil. All personnel will be advised to wash their hands, neck and face with soap and water following each day's use.

General Safe Work Practices:

Personal safety and hygiene should be of utmost consideration while on-site. To prevent ingestion of contaminants no person shall be allowed to eat, drink, or smoke in the workzone. The SSO will designate an appropriate near-by area, where it will be safe to allow lunches, etc.

During the inerting process, and during removal, an explosimeter (Gas-Tech) will be on-site to determine proper levels. Two (2) ABC rated fire extinguishers will be on-site for the duration of the project.

Medical Surveillance Program:

According to CFR 29, 1910.120, Paragraph (F), employees who wear respirators 30 days or more during one year or who have been exposed to hazardous substances or health hazards above established permissible exposure limits are required to be monitored medically. All site personnel will be required to have had a complete chemical/physical examination to comply with the medical

monitoring program.

Contingency Plans:

In the event of accident, injury, or other emergency, the Project Director, Senior Project Manager, or other person will notify appropriate governmental agencies or individuals as follows:

1. Alameda County Health Care Services Agency
80 Swan Way, Room 200
Oakland, California 94621
(510) 271-4320

2. Police/Fire/EMT
911

3. Peralta Hospital
450 30th Street
Oakland, California
(510) 451-4900

Hospital directions from the site: Left on Martin Luther King Way, Left on Grand Avenue, Left on Telegraph Avenue, Right on 30th Street, 450 30th Street on lefthandside.

NAME

NAME

March 20, 1995

Mr. Rod Kwan
Auto Tech West
2703 Martin Luther King Way
Oakland, California 94612

Dear Rod,

At your request I have reviewed your file and the information gathered during the tank removal process October 11, 1984. In an effort to help clarify conditions at the site please review the following information.

- 1) Tank and tank piping in relative good conditions, no visible holes or corrosion penetrations.
- 2) Piping was installed properly, tight joints and proper swings.
- 3) The discovery of what appears to be tank removal debris at 2' below the existing 2000 gallon tank possibly indicates the removal of former tanks at this facility.
- 4) Oder and discoloration of soil increased as the excavation extended while soil directly below the tank was significantly cleaner in appearance.

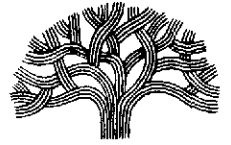
These conditions lead us to believe that either a large overflow or a significant release from former tanks is responsible for the extent of contamination at your Oakland site.

I hope this information is useful, if you need anymore assistance please call.


Thomas M. Gregory



CITY OF OAKLAND



421 FOURTEENTH STREET • OAKLAND, CALIFORNIA 94612

Fire Prevention Bureau

(510) 238-3851
TDD 839-6451

March 16, 1995

Alameda County Environmental Health
1131 Harbor Way Parkway
Alameda, CA

Dear Sirs:

According to our records a permit has never been issued to Auto Tech West, a repair shop, at 2703 Martin Luther King Jr. Way.

Our records only show the removal of one (1) 2,000 gallon underground tank on October 11, 1994.

Very truly yours,

JERRY E. BLUEFORD
Fire Marshal

by

A handwritten signature in cursive script that reads "Gloria M. Johnson".

Gloria M. Johnson
Administrative Assistant



R.E. Dempsey
AND ASSOCIATES

4 Crow Canyon Ct., Ste. #110 • San Ramon, CA 94583 • (510) 820-1312

3710 Grand Avenue, Ste. #2 • Oakland, CA 94610 • (510) 465-1235

March 15, 1995

To whom it may concern,

Subject: Auto Tech West
2703 Grove St.
Oakland, Ca, 94612

This is to confirm that our company has been doing Mr. Kwan's bookkeeping at the above business location since we purchased the property in 1986.

The property was converted to a garage business when Mr. Kwan took over.

He never sold gasoline at this location.

Sincerely,

Donald E. Allen

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

December 14, 1994
STID 454

Kim Johansen
Acme Western Ambulance Service
2829 California St.
San Francisco CA 94115

Rod Kwan
Auto Tech West
2703 Martin Luther King Way
Oakland CA 94612

DEPARTMENT OF ENVIRONMENTAL HEALTH
ALAMEDA COUNTY CC4580
DEPT. OF ENVIRONMENTAL HEALTH
ENVIRONMENTAL PROTECTION DIVISION
1131 HARBOR BAY PKWY., #250
ALAMEDA CA 94502-6577

RE: Auto Tech West, 2703 Martin Luther King Way, Oakland CA
94612

Dear Mr. Johansen and Mr. Kwan,

On 10/11/94, 2,000-gallon gasoline underground storage tank (UST) was removed from the above referenced site. Tank removal activities were conducted under permit from this office, and witnessed by myself. Two soil samples were collected from below the UST at a depth of 11' below ground surface (bgs). The soil samples had a very strong hydrocarbon odor and were stained.

As per the laboratory report in the 10/26/94 tank removal report prepared by KTW & Associates, there was up to 18,000 parts per million (ppm) Total Petroleum Hydrocarbons as gasoline (TPH-g) and up to 100 ppm benzene in the soil below the UST. These concentrations are significant and warrant further investigation. Therefore, pursuant to the provisions of Article 11, Title 23, California Code of Regulations, **please submit a Preliminary Site Assessment (PSA) workplan to define the lateral and vertical extent of soil contamination associated with this release, within 40 days, or by January 24, 1995.**

I understand that the excavation remains open pending further investigation. Please **barricade the excavation properly** to ensure that people cannot inadvertently fall in. In addition, **the existing soil stockpile must be properly covered** to prevent rain from leaching out the contaminants to the surface and storm drains. If you have an Air Quality Management District (AQMD) permit to aerate soils, the stockpile must be properly covered only during rain storms and when you are not onsite.

All work should adhere to a) the Tri-Regional Board Staff Recommendations for Preliminary Evaluation and Investigation of Underground Tank Sites, dated 8/10/90; and b) Article 11 of Title 23, California Code of Regulations. Reports and proposals must be submitted **under seal** of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer.

December 14, 1994
STID 454
Kim Johansen
Rod Kwan
page 2 of 2

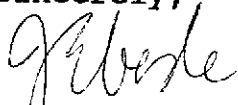
Please reference the attached Appendix A which broadly summarizes the elements of an acceptable PSA work plan.

Please note that with the exception of closure reports, routine reports and documents no longer need to be copied to the Regional Water Quality Control Board. Kindly submit a cover letter with your consultant's reports.

If you have any questions, please contact me at 510-567-6700, ext 6761. This is our new permanent phone number; our new fax number is 510-337-9335.

Please notify me at least 2 business days in advance of field activities so that I may arrange to be onsite. Feel free to submit reports on double-sided paper in order to save trees.

Sincerely,




Jennifer Eberle
Hazardous Materials Specialist

cc: Tom Gregory, KTW & Associates, PO Box 55158, Hayward CA
94545
Ed Howell/file

je 454
attachment

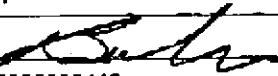


AMERICAN OIL RECOVERY

2100 Mission Blvd.
Oakland, CA 94607
(415) 839-8234

No.  26 Date 11-2-94

Name Auto Tech Wash

Address 2703 MLK, Oakland

BOLO BY	CASH	C.O.D.	CHARGE	ON ACCT.	MOISE RETO.	PAID DIT
1			PH. 535-7262			
250 2			GALS. USED OIL #221			
3			C.P.			
4			DR. 			
5			CADSR0638449			
6			MAN 92420322			
7			2000 N. ALAMEDA			
8			COMPTON, CA.			
9						
10						Total \$30.00
11						
12						
CUSTOMER'S ORDER NO. 				REC'D BY 		

KEEP THIS SLIP FOR REFERENCE

Auto Tech West

Car Parking

Office

Lube Bays

Vent

Pump

UST

2000 Gallon Tank

Martin Luther King Way

Car Parking

Fence

10-11-94 samples

Grand Avenue

27th St



SCALE
NTS

Date
9/13/94

Drawing
AMH



SITE LOCATION MAP
Auto Tech West
2703 Martin Luther King Way
Oakland, California 94612

PLATE
1

PROJECT: # 1374

Auto Tech West

Car Parking

Vent

Office

Lube Bays

Pump

TP1-N
TP2-S

2000 Gallon Tank



stockpiled soil

Car Parking

Fence

10-11-94 samples

ID	soil	odor	stain	H ₂ O?	depth
TP-1-N	coarse sand	awful	yes!	saturated	11"
TP-2-S	med. sand	"	"	"	11"

~~Grand Avenue~~

27th St.

Martin Luther King Way

SCALE
NTS

Date
9/13/94

Drawing
AMH



SITE LOCATION MAP

Auto Tech West
2703 Martin Luther King Way
Oakland, California 94612

PLATE

1

PROJECT: # 1374

ALAMEDA COUNTY ENVIRONMENTAL HEALTH / HAZARDOUS MATERIALS DIVISION
 1131 Harbor Bay Pkwy., Rm. 250, Alameda, CA 94502-6577
 (510) 567-6700 Fax (510) 337-9335

cmh
 11/6/94

HAZARDOUS WASTE GENERATOR INSPECTION REPORT

STID #: 454	FACILITY NAME: Auto Tech West	EPA I.D. #: CAO 053044053
--------------------	--------------------------------------	----------------------------------

ADDRESS, CITY & ZIP CODE: 2703 Martin Luther King Dr.	PHONE: 839-7264
--	------------------------

TYPE OF BUSINESS: Auto Repair	CODE SECTION	COMPLIANCE YES NO N/A	TIERED PERMITTING STATUS: CE <input type="checkbox"/> CA <input type="checkbox"/> PBR <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	CODE SECTION	COMPLIANCE YES NO N/A
---	--------------	--------------------------	---	--------------	--------------------------

1. IDENTIFICATION NUMBER			6. CONTINGENCY / BUSINESS PLAN		
(a) Obtained EPA I.D. Number	66262.12(a)	<input checked="" type="checkbox"/>	(a) Contingency Plan Complete	66265.52(a-f)	<input checked="" type="checkbox"/>
(b) Transporter and TSDF Have EPA I.D. #	66262.12(c)	<input checked="" type="checkbox"/>	(b) Copy of Plan on Site	66265.53	<input checked="" type="checkbox"/>
2. PRE-TRANSPORT REQUIREMENTS			(c) Contingency/ Business Plan Submitted	66265.53(b)	<input checked="" type="checkbox"/>
(a) HW Containers Labeled	66262.31	<input checked="" type="checkbox"/>	(d) Plan Amended as Necessary	66265.54	<input checked="" type="checkbox"/>
(b) H W Label Properly Filled Out	66262.32(b)	<input checked="" type="checkbox"/>	(e) ER Co-ordinator Familiar w/ Plan	66265.55	<input checked="" type="checkbox"/>
(c) HW Accumulation Time Not Exceeded	66262.34(c)	<input checked="" type="checkbox"/>	7. PREPAREDNESS AND PREVENTION		
(d) Accumulation Date Indicated	66262.34(f)	<input checked="" type="checkbox"/>	(a) Internal Commun./Alarm Provided	66265.32(a)	<input checked="" type="checkbox"/>
(e) Description of H W Contents	66262.34(f)	<input checked="" type="checkbox"/>	(b) A Device to Call Outside Provided	66265.32(b)	<input checked="" type="checkbox"/>
(f) HW Containers in Good Condition	66265.171	<input checked="" type="checkbox"/>	(c) Spill Control Systems Available	66265.32(c)	<input checked="" type="checkbox"/>
(g) HW Compatible with Containers	66265.172	<input checked="" type="checkbox"/>	(d) Maintain ER Equipment	66265.33	<input checked="" type="checkbox"/>
(h) HW Containers Closed /Sealed	66265.173	<input checked="" type="checkbox"/>	(e) Access to Commun. during HW Handl.	66265.34	<input checked="" type="checkbox"/>
(i) HW Storage Area Inspected Weekly	66265.174	<input checked="" type="checkbox"/>	(f) Maintain Adequate Aisle Space	66265.35	<input checked="" type="checkbox"/>
(j) Tank & Tank Equip. Inspected Daily	66265.195	<input checked="" type="checkbox"/>	(g) Arrangements w/ Local Agencies	66265.37	<input checked="" type="checkbox"/>
(k) Incompatible HW in Separate Containers	66265.199	<input checked="" type="checkbox"/>	8. EMERGENCY PROCEDURES		
(l) Proper Management of Used Oil Filters	66266.130	<input checked="" type="checkbox"/>	(a) Character/Source/Extent of ER Determ'd	66265.56	<input checked="" type="checkbox"/>
3. RECORDKEEPING AND REPORTING			(b) Proper Agencies Notified of Hlth. Hazard	66265.56	<input checked="" type="checkbox"/>
(a) HW Analysis Kept 5 Yrs./Land Disposal	66262.11	<input checked="" type="checkbox"/>	(c) ER Data Submitted to DTSC & LIA	66265.56	<input checked="" type="checkbox"/>
(b) Biennial Report Submitted to State	66262.41	<input checked="" type="checkbox"/>	(d) Uncontrol. Release HW Properly Handled	66265.56	<input checked="" type="checkbox"/>
4. MANIFEST / RECEIPTS			9. WASTE STREAMS		
(a) HW Shipped with Proper Manifest	66262.20	<input checked="" type="checkbox"/>	(a) Waste Oil		<input checked="" type="checkbox"/>
(b) Manifests Kept for last 3 Yrs.	66262.40(a)	<input checked="" type="checkbox"/>	(b) Non-Halogenated Solvents/Parts Cleaner		<input checked="" type="checkbox"/>
(c) HW Analysis Kept 3 Yrs.	66262.40(c)	<input checked="" type="checkbox"/>	(c) Ethylene Glycol/Antifreeze		<input checked="" type="checkbox"/>
(d) Manifests Received from TSDF	66262.42	<input checked="" type="checkbox"/>	(d) Oily Sludges		
5. TRAINING			(e) Other:		
(a) Training Program Provided	66265.16	<input checked="" type="checkbox"/>	(f) Other:		
(b) Personnel Trained & Supervised	66265.16(b)	<input checked="" type="checkbox"/>	(g) Other:		
(c) HW Personnel Trained within 6 Months	66265.16(b)	<input checked="" type="checkbox"/>	(h) Other:		
(d) Training Records Kept on Site	66265.16(d)	<input checked="" type="checkbox"/>	(i) Other:		
(e) Training Records Maintained for 3 Yrs.	66265.16(e)	<input checked="" type="checkbox"/>			
(f) Training Records Complete	66265.16(1,2)	<input checked="" type="checkbox"/>	All above code sections refer to the California Code of Reg. Title 22		

PERMISSION GIVEN TO INSPECT FACILITY: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	Pollution Prevention	Health & Safety Code
OTHER COUNTY PROGRAMS: UST <input type="checkbox"/> HMBP <input type="checkbox"/> UR <input type="checkbox"/>	Source Reduction Plan Completed	25744.19

REMARKS: *This is general auto repair shop that generates waste: waste oil, anti-freeze, batteries, parts cleaning solvent, wiping rags*
See page 2 for Title 22 Code Violations

PRINT NAME: ROD KEWAN	TITLE: owner
SIGNATURE: <i>Rod Kewan</i>	INSPECTED BY: <i>Ron Orcoz</i>
	DATE: 200794

HAZARDOUS WASTE GENERATOR INSPECTION REPORT

STID #: 454	FACILITY NAME: Auto Tech West	PG. 2 OF 2
-------------	-------------------------------	------------

SUPPLEMENTAL FORM

- 1) Cover & label all hazardous waste containers labels to include accumulation dates (new label issued)
- 2) All hazardous waste containers are overdue to be picked-up (over 1 year storage)
- 3) Oil spill noted on ground near waste oil tank - submit plan of correction to clean-up (letter to follow)
- 4) keep copies of all receipts on-site for 3 years
- 5) Provide approved hazardous waste training program
- 6) Provide hazardous waste generator contingency & preparedness plan; Submit copy to office within 30 days

PRINT NAME: <u>Paul Kwan</u>
SIGNATURE: <u>[Signature]</u>

INSPECTED BY: <u>Ken Wong R.M.J.</u>
DATE: <u>20 Oct 94</u>

Permit No.	_____
Copies to	_____
Date Issued	_____

APPLICATION for PERMIT to INSTALL, REMOVE or REPAIR TANKS

IN THE CITY OF OAKLAND

Date 7/27/94

Application is hereby made for permit to ^{remove} install gasoline tank and excavate, commencing ^{four feet inside the curb line} _{inside the property line}
^{repair} fuel oil

on the west side of Martin Luther King Way St. Ave. _____ feet _____ of _____ Ave. St.

House No. _____ Street _____
and 2703 Martin Luther King Way Street Avenue Present storage

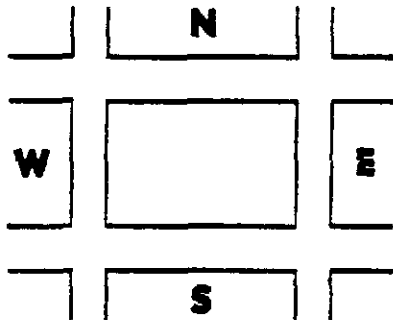
Owner Rod Kwan Address 2703 Martin Luther King Phone (510) 654-7588

Applicant K.T.W. & Associates Address P.O. Box 55158, Hayward Phone (510) 732-9877

Remarks _____

Sidewalk surface to be disturbed _____ _____ Number of Tanks 1 Capacity 2,000 Gallons each

Signature Allen Auer



Yo. When it may concern

Clean up of oil spill around storage area
was started in Oct but due to winter rains
will not be completed until May or June of
95

Rod (wa)

date?



LCR

INTERCO
89 AUG 13 10 45 AM '89
RENT A CAR

OAKLAND
444-8273
1432 HARRISON ST.

SAN FRANCISCO
441-0931
265 EDDY ST.

WALNUT CREEK
945-8800
1344 PINE ST.

SACRAMENTO
927-0123
2256 ARDEN WAY

11/07/89

To Whom it may concern

We do not have the funds
to pull 500-1000 gal tank, the
tank is less than 10 yrs old
and has not been used for the
past 4 yrs. We would like to
enclose tank with sand or
Cement.

Rodney Kwan
owner

(415) 839-7264

owner Rodney K

APPLICATION FOR SELLER'S PERMIT AND
REGISTRATION AS A RETAILER
AND
EMPLOYMENT DEVELOPMENT DEPARTMENT
REGISTRATION AS AN EMPLOYER

CNO

1. Office CH EJ 05-110-36	Date	2. HQ Registration Unit	Date
-------------------------------------	------	-------------------------	------

3. Reinstatement Fee Amount: \$ Receipt Number:	4. Are You Buying a Business? Yes <input type="checkbox"/> All <input type="checkbox"/> Part <input type="checkbox"/> No <input checked="" type="checkbox"/> Reorganization <input type="checkbox"/>	5. Date of Purchase	7. Account Number		
		6. Purchase Price	Tax	Office	Number

8. Owner(s)
Rodney Kwan
Janel Kwan

9. Firm Name **2201**

10. Location of Business: (if different from Mailing Address) **10** Street & Number City or Town **11** State **CA**

11. Mailing Address: **10** P.O. Box or Street & Number City or Town **11**

12. Type of Organization: Husband and Wife Co-ownership
Individual Partnership Corporation Other
State **CA** ZIP Code **94612**

13. Corporation Officers: President Vice-President Secretary Treasurer

14. Name of Former Owner Business Name of Former Owner Former Owner's Account Number

15. Type or Nature of Business (If Mixed, Underscore Principal Types and Product)
Auto Repair w/ sale of parts
Check Principal Activity: Retailing Manufacturing Wholesaling Repairing Jobbing, or Professional or Personal Services Construction Contractor Type of A.B.C. License

16. Part Time? Itinerant Is Business Located Within City Limits?
No Yes No Yes No Yes
Date Started This Address **05-20-86**

18. REGISTRATION - EMPLOYMENT DEVELOPMENT DEPARTMENT

A. Are you now registered as an Employer with EDD? No Yes
B. If no, will your payroll exceed \$100 in any calendar quarter? No Yes
(If no, do not complete C through H. Go to I.)
C. If yes, enter ending month and year of the first quarter in which wages will exceed \$100. Mo. **01** Year **86** Number of employees **2**
D. Federal Employer Identification Number _____
E. Enter first month that personal income tax withheld exceeds/is expected to exceed \$350 _____
F. Are you subject to Federal Eighth-Monthly deposits? No Yes
G. Is this business a Non-Profit Corporation? No Yes
H. Do you have more than one establishment? No Yes
I. Registration forwarded to EDD? No Yes

17. FOR DISTRICT USE ONLY

Any Delinquencies for Prior Periods? No Yes
If Yes for What Period? _____
Action Taken to Clear _____
New Temporary Issue & Cancel (Attach BT-406)
NO Reinstatement After Revocation
EDD Reinstatement After Revocation & After Close-out
COPY Reinstatement After Revocation & Interdistrict Move (Att. BT-1047)

Basis	Bus. Code	Area Code				Original Starting Date		Owner Code	Account Analysis	HQ. USE ONLY			Exception Code	Special Return Processing Code	Ext. Code
		Co.	Jur.	Add-On (Transit, Etc.)	In Lieu (Redev., Etc.)	Month	Year			Effective Date					
										Month	Day	Year			
											01				

20. Forms Furnished Taxpayer
BT-1241-C BT-400-Y
GA-324-A BT-741
BT-519 BT-162
BT-1009 _____
BT-467 Reg. 1700
Regulations **116-107**
1216

Returns No Yes
Periods _____

21. FILING INSTRUCTIONS: You are hereby notified that you are required to file sales and use tax returns and pay tax on a calendar **quarterly** basis. Returns are due on or before the last day of the first month following the close of the reporting period.

22. CERTIFICATION: I HEREBY CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT I AM AUTHORIZED TO SIGN THIS APPLICATION, AND THAT THE STATEMENTS CONTAINED HEREIN ARE TRUE TO MY BEST KNOWLEDGE AND BELIEF, AND THAT THE APPLICANT WILL ACTIVELY ENGAGE IN OR CONDUCT A BUSINESS AS A SELLER OF TANGIBLE PERSONAL PROPERTY.

Signature **Rodney Kwan** Title **CO-OWNER** Date **5/16/86**
Residence Address **1824 Alameda Ave, Alameda** Driver's License Number **29167**
Residence Phone **(415) 21-470** Business Phone **(415) 879-7261** Social Security Number **047-66-5181**

23. TRANSIT DISTRICT INFORMATION
If your business is in a transit district which imposes a transactions (sales) and use tax, or if you engage in business in such a district, you are required to report the applicable transit district tax on your State, Local and District Sales and Use Tax Return.

LOCAL TAX	73	61	64	66
ADD-ON TAX	74	61	65	66
TOT. TAX DUE	147	122	129	132
TOT. CREDITS				
PREPAY AMT				
PENALTY				
INTEREST				
AMOUNT PAID	610.00	505.00	534.00	546.00

	HISTORY	HISTORY	HISTORY	HISTORY
PAY	21797112			/ 03/21/95 13:17
OWNER: RODNEY & JANET KWAN		T/P: SR	IND: 0071	T/A: 01060-011-0000
GO TO QTR: YR:		S/D: 05/86		

PERIOD	4TH QTR 1991	3RD QTR 1991	2ND QTR 1991	1ST QTR 1991
CASH DAY/BATCH	02/01/92 3277	11/02/91 3794	08/08/91 2031	05/02/91 2033
TYPE RETURN	REG. QUARTERLY	REG. QUARTERLY	REG. QUARTERLY	REG. QUARTERLY
GROSS SALES	14776	11819	16615	12495
PURCHASE PRICE				
TOTAL EXEMPT.	7958	7367	11472	8014
TAX MEASURE	6818	4452	5143	4481
STATE, CNTY TAX	426	267	257	224
LOCAL TAX	68	44	51	44
ADD-ON TAX	68	45	51	45
TOT. TAX DUE	562	357	359	314
TOT. CREDITS				
PREPAY AMT				
PENALTY				
INTEREST				
AMOUNT PAID	562.00	356.00	360.00	314.00

	HISTORY	HISTORY	HISTORY	HISTORY
PAY	21797112			/ 03/21/95 13:17
OWNER: RODNEY & JANET KWAN		T/P: SR	IND: 0071	T/A: 01060-011-0000
GO TO QTR: YR:		S/D: 05/86		

PERIOD	4TH QTR 1990	3RD QTR 1990	2ND QTR 1990
CASH DAY/BATCH	02/06/91 2067	11/08/90 2037	08/03/90 3017
TYPE RETURN	REG. QUARTERLY	REG. QUARTERLY	REG. QUARTERLY
GROSS SALES	17471	17355	16523
PURCHASE PRICE			
TOTAL EXEMPT.	9169	10775	11100
TAX MEASURE	8302	6580	5423
STATE, CNTY TAX	436	345	285
LOCAL TAX	83	65	54
ADD-ON TAX	83	66	54
TOT. TAX DUE	602	477	393
TOT. CREDITS			
PREPAY AMT			
PENALTY			
INTEREST			
AMOUNT PAID	602.00	477.00	393.00

HISTORY	HISTORY	HISTORY
---------	---------	---------

PAY 21797112
OWNER: RODNEY & JANET KWAN
GO TO QTR: YR:

03/21/95 13:16
T/P: SR IND: 0071 T/A: 01060-011-0000
S/D: 05/86

PERIOD	4TH QTR 1994	3RD QTR 1994	2ND QTR 1994	1ST QTR 1994
CASH DAY/BATCH	01/27/95 3558	10/26/94 3599	07/25/94 3618	05/10/94 3504
TYPE RETURN	REG. QUARTERLY	REG. QUARTERLY	REG. QUARTERLY	REG. QUARTERLY
GROSS SALES	10197	13547	11129	17844
PURCHASE PRICE				
TOTAL EXEMPT.	7010	7507	7070	9880
TAX MEASURE	3187	6040	4059	7964
STATE,CNTY TAX	199	376	254	498
LOCAL TAX	31	60	40	79
ADD-ON TAX	32	60	41	80
TOT.TAX DUE	263	496	336	658
TOT. CREDITS				
PREPAY AMT				
PENALTY				
INTEREST				
AMOUNT PAID	263.00	497.00	335.00	658.00

ADJ:RR
HISTORY HIST. CHANGED HISTORY HISTORY
PAY 21797112 / 03/21/95 13:16
OWNER: RODNEY & JANET KWAN T/P: SR IND: 0071 T/A: 01060-011-0000
GO TO QTR: YR: S/D: 05/86

PERIOD	4TH QTR 1993	3RD QTR 1993	2ND QTR 1993	1ST QTR 1993
CASH DAY/BATCH	02/01/94 3546	10/27/93 3661	08/09/93 2286	04/29/93 3519
TYPE RETURN	REG. QUARTERLY	REG. QUARTERLY	REG. QUARTERLY	REG. QUARTERLY
GROSS SALES	10133	14549	13282	9685
PURCHASE PRICE				
TOTAL EXEMPT.	5711	8807	7298	5778
TAX MEASURE	4422	5742	5984	3907
STATE,CNTY TAX	276	359	274	244
LOCAL TAX	44	57	59	39
ADD-ON TAX	44	57	60	39
TOT.TAX DUE	364	473	494	322
TOT. CREDITS				
PREPAY AMT				
PENALTY				
INTEREST				
AMOUNT PAID	364.00	473.00	494.00	323.00

ADJ:RR
HISTORY HIST. CHANGED HISTORY HISTORY
PAY 21797112 / 03/21/95 13:16
OWNER: RODNEY & JANET KWAN T/P: SR IND: 0071 T/A: 01060-011-0000
GO TO QTR: YR: S/D: 05/86

PERIOD	4TH QTR 1992	3RD QTR 1992	2ND QTR 1992	1ST QTR 1992
CASH DAY/BATCH	02/08/93 2012	10/28/92 2025	07/23/92 3526	04/28/92 3601
TYPE RETURN	REG. QUARTERLY	REG. QUARTERLY	REG. QUARTERLY	REG. QUARTERLY
GROSS SALES	15075	15120	15163	14385
PURCHASE PRICE				
TOTAL EXEMPT.	7684	9066	3690	7764
TAX MEASURE	7391	6114	6473	6621

ALAMEDA COUNTY
HEALTH CARE SERVICES



DAVID KEARS AGENCY
Agency Director

470-27th Street, Third Floor
Oakland, California 94612
(415)

SITE ID
NAME Auto Tech West
ADDRESS 2703 M. L. King Way

DATE 8-25-86
PHONE 839-7264
EPA ID
CITY/ZIP Oakland 94612

as represent violations of the Calif. Administrative Code:



- 66471
- 66472
- 66508
- 66504
- 66493
- 66492
- 66480
- 66484
- 66484
- 66492

Comments: Used to be Rods Mobil 160-14th St. which is torn down - 150 gal above ground waste oil tank. Label the tank "waste oil," 2,000 gal underground fuel tank - not used yet, 15 gal carburetor cleaner tank - This material is a hazardous waste when spent and must be disposed of properly. Receipts of disposal must be kept available for 3 years. Paint cleaning tank with solvent.

AUTO TECH WEST

ROD KWAN

- 10. Local Emer 67126
- 17. Maintenance 67120
- 18. Training 67105
- Contingency
- 19. Prepared 67140
- 20. Name List 67141
- 21. Copies 67141
- 22. EmerCoorTng 67144
- Containers, Tanks
- 23. Condition 67241
- 24. Compatibility 67242
- 25. Maintenance 67243
- 26. Inspection 67244
- 27. Buffer zone 67246
- 28. Tank Insp 67259
- 29. Closure 67260
- 30. Safe Store 67261
- 31. Freeboard 67257
- 32. Other

CONTACT PERSON Rod Kwan

TITLE owner

SIGN Rod Kwan

INSPECTOR THOMAS PEACOCK

SIGN Thomas Peacock

(27th and Grove)
2703 Martin Luther King Way
Oakland, CA 94612

(415) 839-7264

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



CARL N. LESTER, Agency Director

New

DIVISION OF ENVIRONMENTAL HEALTH
HAZARDOUS MATERIALS MANAGEMENT UNIT

SECTION A
MASTER FILE RECORD *STID 454*

470-27th Street, Third Floor
Oakland, California 94612
(415) 874-7237

A1. ESTABLISHMENT NAME
RIODI IKWAM WASTE 36

A2. MAILING ADDRESS
STREET NUMBER: 2210131 44
STREET DIRECTION (N,S,E,W,ETC.): 1 45 46
STREET NAME OR P.O. BOX NUMBER: MILLIKING WAY 47 66
CITY: OAKLAND 67 81
STATE: CA 82 83
ZIP CODE: 94611A 84 88
BLDG/PLANT NO: 111 93 96

A3. ESTABLISHMENT PHONE: 8739721614 97 103
A4. CONTACT PERSON: RIODI IKWAM 104 123

A5. ESTABLISHMENT ADDRESS (IF DIFFERENT FROM MAILING ADDRESS)
STREET NUMBER: 7 14
STREET DIRECTION (N,S,E,W,ETC.): 1 15 16
STREET NAME: 17 36
CITY: 37 51
STATE: 52 53
ZIP CODE: 54 58
BLDG/PLANT NO: 63 66

A6. OWNER NAME: RIODI IKWAM 67 86
A7. OWNER PHONE: 87 96

A8. NAME OF PREVIOUS OWNER: 97 116
A9. DATE YOU STARTED OR ASSUMED BUSINESS
MO: 10 DAY: 10 YR: 1976 117 122

A10. SIC 1: 751318 32 35
A11. TOTAL NUMBER OF EMPLOYEES: 1121 8 11

A12. DO YOU HAVE PERMITS FOR ANY OF THE FOLLOWING:

AIR POLLUTION CONTROL DISTRICT	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	HAZARDOUS WASTE HAULER REGISTRATION	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
SEWER DISTRICT (FOR INDUSTRIAL WASTES)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	REGIONAL WATER QUALITY CONTROL BOARD	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
HAZARDOUS WASTE FACILITY	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N		

SECTION B
UNDERGROUND TANKS CONTAINING HAZARDOUS SUBSTANCES

Identify the type, number and total volume of underground tanks in your firm.

B1. Type	B2. No. of Tanks	B3. Total Volume/Gals.
1. Tank	<input type="text" value="1"/>	<input type="text" value="2000"/>
2. Sump	<input type="text"/>	<input type="text"/>
3. Lagoon, pit or pond	<input type="text"/>	<input type="text"/>
4. Other	<input type="text"/>	<input type="text"/>

SECTION C
HAZARDOUS SUBSTANCES

C1. Please check if any of the following categories of hazardous substances is used or handled by your firm:

TOXIC CORROSIVE
FLAMMABLE OR IGNITABLE REACTIVE

C2. Please check the attached list for any of the chemical substances you receive, store, mix, treat, formulate, generate, manufacture, transport or dispose of, and enter each by the number identified on the list in the spaces below:

Sample:

1311	860	8113						

CERTIFICATION

I hereby certify that the information on this form is to the best of my knowledge, true and complete

Red Kwan Signature Red Kwan Typed or Printed Name
owner Title 8-25-86 Date

Please return completed form to:

Alameda County Division of Environmental Health
470-27th Street, Room 322
Oakland, CA 94612
(415) 874-7237



Title Insurance Company
 Box 2068
 440 Grand Ave.
 Oakland, California 94612
 (415) 836-4772

from Mike Keiser

SHELL OIL CO.
 P.O. BOX 250
 SAN RAMON, CALIFORNIA 94583
 ATTN: CHARLOTTE HARTNESS
 820-7124

Escrow Number: 05-01-6353
 Title Number:
 Client's Reference:
 Buyer/Borrower:
 Property Address: 2703 Grove
 (PLEASE VERIFY) Street,
 Oakland, CA

PRELIMINARY REPORT

In response to the above referenced application for a policy of title insurance, Transamerica Title Insurance Company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a California Land Title Association Standard Coverage form Policy of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said policy form.

This report (and any supplements or amendments thereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated as of September 27, 1978 at 7:00 A.M. CHARLENE J. VIGIL

The estate or interest in the land hereinafter described or referred to covered by this Report is:

Fee Simple and Leasehold

Title to said estate or interest at the date hereof is vested in:

E. G. KINLOCH, J.D. LOCKTON, G.L. PHILLIPPE, JAMES H. GOSS and J.S. PARKER, as Trustees of General Electric Pension Trust, as to fee; and SHELL OIL COMPANY, a Delaware corporation as to the Leasehold Estate

At the date hereof exceptions to coverage in addition to the printed exceptions and exclusions contained in said policy form would be as follows:

EXHIBIT "C" TO OFFER OF AGREEMENT TO PURCHASE REAL PROPERTY FROM SHELL DATED JULY 10, 1978

John [Signature]

SUBJECT TO:

A.

TAXES for the fiscal year 1978-79, a lien, not yet due and payable.

B.

COUNTY TAXES for the fiscal year 1977-78, as follows:

First Installment:	\$1,841.60	Paid
Second Installment:	\$1,841.60	Paid
Land Value:	\$19,750.00	
Improvement Value:	\$7,000.00	
Account No.:	9-691-3-1	
Code Area No.:	17-001	

1.

MEMORANDUM OF LEASE, on the conditions and provisions of the un-recorded lease disclosed thereby,

Lessor: E.G. Kinloch, J.D. Lockton, G.L. Phillippe, James H. Goss
and J.S. Parker, as Trustees of General Electric Pension
Trust

Lessee: Shell Oil Company, a Delaware corporation

Dated: January 27, 1960

Recorded, Official Records, March 25, 1960

Reel: 52

Image: 938

Series No.: AR 34391

With renewal provision

The land referred to in this Report is situated in the State of California, County of Alameda,
City of Oakland,
and is described as follows:

THE Southern twelve and fifty hundredths (12.50) feet front and rear measurements of Lot thirty-two (32), all of Lots thirty-three (33), thirty-four (34), thirty-five (35), thirty-six (36) and thirty-seven (37) in Block 2024 as shown on "Map No. 2, of the WHITCHER TRACT", filed May 3, 1870 in the office of the County Recorder of Alameda County and of record in Map Book 2, Page 67.

Assessor's Parcel No.: 9-691-3-1

SPECIAL INFORMATION

Unless shown in the body of this preliminary report there appears of record no transfers or agreements to transfer the land described herein recorded during the period of six months prior to the date of this report, except as follows: None

Short term rate does not apply.

CEK/ccw
10-10-78



AP 2

655
657

591
2024

60

663
665

669

673

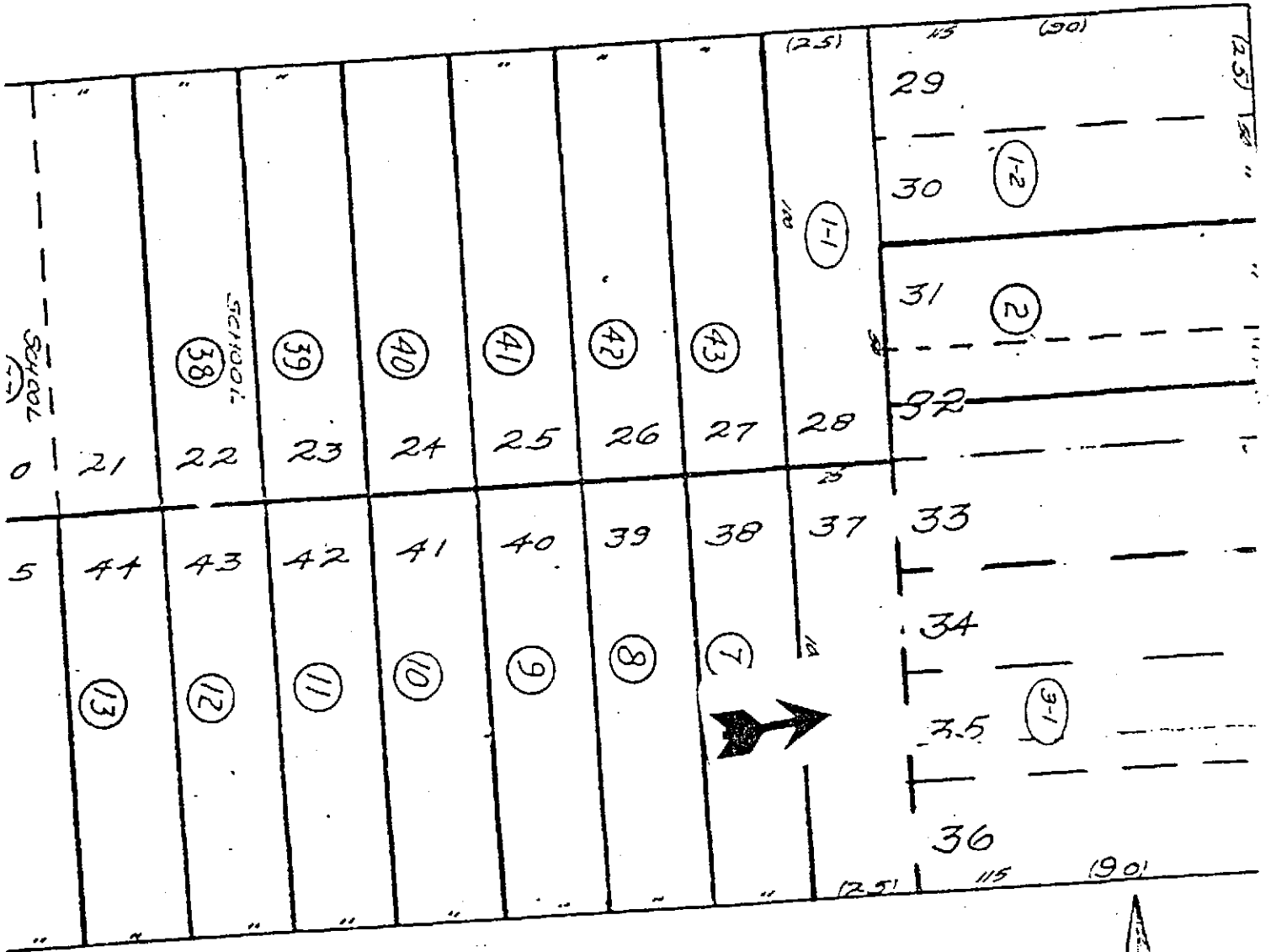
679

683
685

689
691

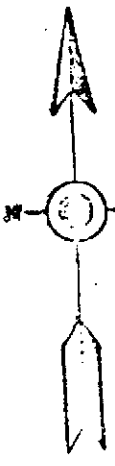
28TH

St



27TH

St



654

658
660

100

664

668

670

672

676

678
680

682
684

688

Jim

ALCO
HAZIAT

94 NOV 18 PM 3:17

CITY OF OAKLAND
CITY HALL
OAKLAND 12, CALIFORNIA
OFFICE OF CITY MANAGER
TEMPLEBAR 2-3600

No. 38339

February 4, 1959

Shell Oil Company
C/o P. M. Lehmann
315 Derby Avenue
Oakland, California

NOTICE OF APPROVAL OF APPLICATION OF

SHELL OIL COMPANY

To erect a service station

At 2703 Grove Street

Under the name of SHELL OIL COMPANY

In accordance with the provisions of existing city ordinances.

1. Surveys, plans, and necessary permit applications to be submitted to Building Department.
2. Work to be performed in accordance with plans approved by Building Department, Oakland Building Code, and related ordinances.

Business ~~name~~ address of applicant is P. M. Lehmann - Engineer
315 Derby Avenue
Oakland, California

This Notice of Approval Does Not of Itself Constitute a Permit Unless All Required Permits and Licenses Are Obtained. Please Present This Notice to Department Indicated by X below. For Necessary License and/or Permit.

- Bureau of Permits and Licenses, 9th Floor, City Hall
 Building Inspection Department, 11th Floor, City Hall
 Other:

Wayne E. Thompson
City Manager

cc: City Clerk
~~City Engineer~~
License Bureau
Fire Marshal
Building Dept.

NO. 22 22
 PLANNING NO. 22
 OWNER'S PHONE NO. 422-2222
 FIELD CHECK BY _____ DATE _____
 Approved YES _____
 REMARKS (conditions noted) _____

TOTAL VALUE:

\$ _____ TOTAL FEES \$ _____

PLAN FILED Yes No _____ SURVEYS FILED Yes _____ No
 MAP NO. 30 TRACT NAME/NO. _____
 TYPE OF BUILDING I II III IV V H.T. 1 h. N
 OCCUPANCY GROUP A B C D E F G H I J
 ZONING DISTRICT R C 40 M S
 FIRE ZONE I 2 3

NEW CONSTRUCTION

Building _____ x _____ Number of Families _____
 West point _____ Size of Lot _____ x _____
 Material of Exterior Walls _____

of Occupancy _____
 y buildings now on lot _____
 of each _____
 _____ Depth in Ground _____ Width of Wall _____ Mud sill _____
 @ _____ ctrs. Floor Joists _____ @ _____ ctrs. Ceiling Joists _____ @ _____ ctrs.
 @ _____ ctrs. Roof Covering _____

OF PROPOSED WORK: \$ 30,000
 Labor and material and all permanent lighting, heating, ventilating, water supply, plumbing, electric wiring and elevator equipment therein or thereon.

WORK TO BE CHECKED BEFORE FINAL INSPECTION.

heraby granted to do the work described in this application in accordance with the provi-
 Oakland Building Code and related ordinances.

Approved: **LAWRENCE A. LANE**
 Building Inspector

By: LAL

SIGNED ONLY WHEN ISSUED TO OWNER.

that I am the applicant for a
 and that in the performance of
 h such permit is issued, I will
 iron or persons in any manner
 pect to the provisions of the
 State of California relating
 ation insurance.

Signature of Owner

CONSTRUCTION LENDER
 (if none, write none)

Name None

Branch _____

Street Address _____

City _____

State _____

Zip _____

MENT COPY

ADDITION ALTERATION REPAIR

Present use of building SERVICE STATION Families _____ Rms _____

Proposed use of building SERVICE STATION Families _____ Rms _____

Size of existing building _____ x _____ Number of stories high 1

Describe briefly all proposed construction work: MAN SARD TREATMENT 6
BLDG

Contractors (if any) ALADDIN HEATING Corp Certified Architect

Address 1111 ALADDIN ST SAN LEANDRO

Phone No. 357-6711 Licensed Civil Engineer

State License No. 619 City License No. JUNE '72

I hereby agree to save, indemnify and keep harmless the City of Oakland and its officers, employees
 and agents against all liabilities, judgments, costs and expenses which may in any wise accrue against
 the City in consequence of the granting of this permit or from the use or occupancy of any sidewalk,
 street or sub-sidewalk, or otherwise by virtue thereof, and will in all things strictly comply with the
 conditions under which this permit is granted.

[Signature]
 Signature of Applicant

FOR INSPECTIONS TELEPHONE 273-2441

TO ERECT A BUILDING

Case No. _____
Plan. Con. _____

Shree Oil Co Owner

Same Contractor

No. 2703

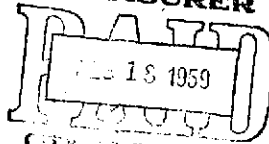
Grove St

Cost \$ 10,000 Fee \$ 46.00

CHECKING FEE 30.00
Cost of work to be checked before final inspection

Date FEB 17 1959 66.00

TREASURER



CITY OF OAKLAND

Permission is hereby granted to erect the building or structure described in this application in accordance with Ordinance No. 5419 C.M.S., and all other Ordinances related thereto in the City of Oakland, and to the satisfaction of the Building Inspector.

Approved _____
LAWRENCE A. LANE
Building Inspector.

By Em

7/20/59
5/31/59
R.O.K. 11/20/59
11/20/59

W.O.K.

L.O.K.

PLASTER O.K.

FINAL O.K. 9/21/59

Case No. 2703
Plan. Com.

City Manager's 36339
Permit

WRITE IN INK — FILE TWO COPIES

Application to Erect a New Building CITY OF OAKLAND, BUILDING DEPARTMENT

Number 2703 Grove Avenue
Street

- 1. Type of Building I, II, III, (IV), V
- 2. Type of Occupancy A, B, C, D, E, (F), G, H, I, J
- 3. City Zone A, B, C, D, E, (F), G, H, I
- 4. Fire Zone 1, 2, (3), 4
- 5. If in Port Area, file three applications.

For Office Use Only

6. Size of new building 42 x 28 No. of Stories 1
Height to highest point 27'-3" Number of Families

7. Material of Exterior Walls Steel Size of Lot 115 x 110

8. Occupancy Single Dwelling
(Dwelling, Garage, private, public, Service Station, Factory, etc.)

9. State how many buildings now on lot and give use of each 5 stores & apartments
(Store, Dwelling, Apartment House, Hotel or other purpose)

10. Footing: Width _____ Depth in Ground _____ Width of Wall _____ Mudsill _____

Studs _____ @ _____ Floor Joists _____ @ _____ Ceiling Joists _____ @ _____

Rafters _____ @ _____ Roof Covering _____

11. VALUATION OF PROPOSED WORK:

Including all labor and material and all permanent lighting, heating, ventilating, water supply, plumbing, fire sprinkler, electric wiring and elevator equipment therein or thereon, \$ 10,000 COST OF WORK TO BE CHECKED BEFORE FINAL INSPECTION

I hereby agree to save, indemnify and keep harmless the City of Oakland and its officers, employees and agents against all liabilities, judgments, costs and expenses which may in any wise accrue against the City in consequence of the granting of this permit or from the use or occupancy of any sidewalk, street or sub-sidewalk, or otherwise by virtue thereof, and will in all things strictly comply with the conditions under which this permit is granted.

Contractor (if any) NONE

Address _____

Certified Architect _____ State License No. _____

Licensed Engineer _____ State License No. _____

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all City ordinances and State laws regulating building construction.

Signature of Owner Small Oil Company

Address 315 Derby, Oakland

Authorized Agent W. J. [Signature]

Do not lath, sheath, or otherwise conceal any portion of walls or ceiling until the inspection card has been signed by the ELECTRICAL and PLUMBING INSPECTORS. Following the approval of the ELECTRICAL and PLUMBING INSPECTORS, call the BUILDING INSPECTOR before proceeding further with the work.

The Department will call up Telephone No. 62-4112 if any alterations or changes are necessary on the plans submitted.

CONTRACTOR'S STATE LICENSE No. _____ AND CITY LICENSE No. _____

If the work herein described is not commenced within one hundred and twenty (120) days after the issuing of this permit, this permit becomes null and void as provided in Section 302 of Part 1 of Ordinance 5419 C.M.S.

FOR OFFICE USE ONLY

HOUSING CONSERVATION
 FIRE MARSHAL APPROVAL
 SPECIAL ACTIVITY PERMIT NO.
 MOVING PERM. NO.
 BIRTH (SACAN), APPROVA.
 PLUMBING PERM. NO.
 HEALTH DEPT. APPROVA.
 BOYS & GIRLS NO.
 MAX. AREA NO.
 ZONING DEPT. APPROVA. C-30
Nancy Fatten OK 2/15/80

BUILDING INSPECTION - CITY OF OAKLAND
 WRITE IN INK - FILE ALL COPIES

014242

DATE FILED _____
 DATE ISSUED FEB 26 1980 PERMIT NO. _____

APPLICATION FOR PERMIT TO:

ALTER _____ ADD TO _____ NEW CONSTR.
 REPAIR _____ WRECK _____ OTHER FENCE

JOB LOCATION 2703 Grove St
 OWNER'S NAME Richard Angatti
 OWNER'S ADDRESS 2829 CALIF ST SF
 OWN.'S PHONE NO. 653-6625 / 4-655374

FIELD CHECK BY _____ DATE _____
 Approved YES _____
 REMARKS (and item noted): _____

NEW CONSTRUCTION

RECEIVED

Number of stories _____
 Size of Lot _____
 Material of exterior walls _____
 Inspectoral Services Dept.
 Building Inspection
 Height of building _____
 Footing 9" DIA @ 16" OC 3' Width of Wall _____
 Foundation _____
 Ceiling Joists _____
 Slaters _____
 Plaster _____
 Roofing _____

VALUATION OF PROPOSED WORK: \$ _____

Including the cost of materials and labor for lighting, heating, venting, water supply, plumbing, fire sprinkler, etc., including the cost of equipment furnished or thereon.

COST OF WORK TO BE CHECKED BEFORE FINAL INSPECTION

Permittee shall be responsible for the work described in this application in accordance with the provisions of the Ordinance cited herein. Estimated cost: \$ _____

Approved: JAMES W. BISHMAN
 Chief Building Inspector

By _____
 CONSTRUCTION LEADER

TO BE SIGNED ONLY WHEN ISSUED TO OWNER

I hereby certify that I am the applicant for a Building Permit and that the performance of the work for which this permit is issued will not employ any person or persons in any manner so as to become subject to the provisions of the Labor Code of the State of California relating to workmen's compensation as stated.

Wesley Sandoz
 City _____ State _____ Zip _____

FOR INSPECTIONS TELEPHONE 273-3441

2703 Grove St.

VALUE: BR Tax \$ _____
 Pl. Pl. Rev. \$ _____
 SMIP \$ 50
 Address Fee \$ _____
 General Fee \$ 119.00 D.F.
 Checking Fee \$ 35.70
 Misc. Sur \$ 2.38

ADDITIONAL COST: TOTAL FEES \$ 157.58
 Add'l Fee \$ _____
 Add'l Ch Fee \$ _____
 Add'l SMIP \$ _____
 Add'l Sur \$ _____
 TOTAL FEES \$ _____

PLAN FILED Yes ATT No _____ SURVEYS FILED Yes _____ No
 MAP NO. _____ TRACT NAME/NO. _____
 TYPE OF BUILDING I II III IV V I.R. H.T. I.H.N.
 OCCUPANCY GROUP A E I H B R M L
 ZONING R C-30M S _____
 FIVE ZONE I 2 B

ADDITION ALTERATION REPAIR

Present use of building _____ Families _____ Rms _____
 Proposed use of building _____ Families _____ Rms _____
 Size of existing building _____ x _____ Number of stories high _____

Describe briefly all proposed construction work:
INSTALL HEAVY LIFE GUARD FENCE
10' HIGH W/ 2 16' GATES ON WHEELS
TO ENCLOSE PROPERTY

Contractor (if any) _____ Certified Architect _____
 Address _____ Licensed Civil Engineer _____
 Phone No _____
 State License No _____ City License Exp _____ Work Comp. Exp _____

I hereby agree to save, indemnify and keep harmless the City of Oakland and its officers, employees and agents against all liabilities, judgments, costs and expenses which may in any wise accrue against the City in consequence of the granting of this permit or from the use or occupancy of any sidewalk, street or public sidewalk, or otherwise by virtue thereof, and will in all things strictly comply with the conditions under which this permit is granted.

Wesley Sandoz
 City of Oakland

City Manager's Office

Mr. Harry Rosenberg

January 30, 1959

Building Department

Application by Shell Oil Co. for a City Manager's Permit to erect and operate
a Service Station at 2703 Grove Street

Dear Mr. Rosenberg:

This department recommends the approval of a City Manager's permit for the proposed service station subject to

1. Surveys, plans and necessary permit applications being submitted to this office.
2. The work being performed in accordance with plans approved by this department, the Oakland Building Code and related ordinances.

Sincerely,

Lawrence A. Lane
Building Inspector

PAO:jjt

RECORDING REQUEST BY

86-123834

AND WHEN RECORDED MAIL TO

RECORDED IN OFFICIAL RECORDS
OF ALAMEDA COUNTY, CALIF.
RENE C. DAVIDSON, CO. RECORDER

001
TRANSFER
TAX PAID
ALAMEDA COUNTY

NAME Rodney Kwan
ADDRESS Janet Kwan
1834 Alameda Avenue
CITY & STATE Alameda, CA 94501

'86 JUN 6 PM 3:40 p.m.

Title Order No. 105995 Escrow No. 411

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO

Documentary transfer tax \$.165.00
 Computed on full value of property conveyed, or
 Computed on full value less liens and encumbrances
remaining thereon at time of sale.

NAME
ADDRESS SAME AS ABOVE
CITY & STATE

AS DECLARED BY UNDERSIGNED GRANTOR

Signature of declarant or agent determining tax - firm name

City of Oakland Transfer Tax \$1,125.00

Individual Grant Deed

WESTERN TITLE FORM NO. 104

CITY
TAX
PAID
10.00

APN 9-691-3-1

FOR VALUE RECEIVED, RICHARD F. ANGOTTI, a married man,

GRANTS to RODNEY KWAN and JANET KWAN, husband and wife,
as joint tenants

all that real property situate in the City of Oakland
County of Alameda, State of California, described as follows:

The southern 12.50 feet front and rear measurements of Lot 32, all
of Lots 33, 34, 35, 36 and 37, Block 2024, Map No. 2 of the
Whitcher Tract, filed May 3, 1870, Map Book 2, page 67, Alameda
County Records.

Dated April 14 1986

[Signature]
Richard F. Angotti

STATE OF CALIFORNIA

City + County of San Francisco

On April 17, 1986, before me, the undersigned, a Notary Public
in and for said State, personally appeared Richard F. Angotti

personally known to me or proved to me
on the basis of satisfactory evidence to be the person whose name is
subscribed to the within instrument, and acknowledged to me that he executed it.

[Signature]
NOTARY PUBLIC

FOR NOTARY SEAL OR STAMP

OFFICIAL SEAL
VICTORIA ANN RAFFETTO
NOTARY PUBLIC-CALIFORNIA
City and County of SAN FRANCISCO
My Commission Expires March 30, 1988

WHEN RECORDED, MAIL TO:
Shell Oil Company
P.O. Box 250
San Ramon, CA 94533

CITY
TAX
PAID

TRANSFER
TAX PAID
ALAMEDA COUNTY

5000

DOCUMENTARY TRANSFER TAX \$ 58.30
COMPUTED ON FULL VALUE OF PROPERTY CONVEYED OR
COMPUTED ON FULL VALUE LESS LIENS & ENCUMBRANCES
REMAINING THEREON AT TIME OF SALE.

GRANT DEED

City of Oakland Tax \$ 397.50
1/4 of 1% of full value conveyed

Transamerica Title Insurance Co. *blw*
SIGNATURE OF DECLARANT OR AGENT DETERMINING TAX - FIRM NAME
CITY OF Oakland () UNINCORPORATED

THIS IS A DEED dated August 24, 1979, by

SHELL OIL COMPANY, a Delaware corporation with offices at One
Shell Plaza in Houston, Texas 77001 (herein called "Grantor")
to RICHARD F. ANGOTTI, a married man, of 2829 California Street,
San Francisco, California 94115 (herein called "Grantee").

GRANTOR, for valuable consideration received, hereby
grants to Grantee the following described Premises in City of
Oakland, County of Alameda, State of California:

THE SOUTHERN twelve and fifty hundredths
(12.50) feet front and rear measurements
of Lot thirty-two (32), all of Lots
thirty-three (33) thirty-four (34),
thirty-five (35), thirty-six (36), and
thirty-seven (37) in BLOCK 2024, as
shown on "Map No. 2 of the WHITCHER
TRACT", filed May 3, 1870, in the office
of the County Recorder of Alameda County,
and of record in Map Book 2, Page 67,

together with all rights and privileges appurtenant thereto and
all buildings and land improvements thereon; but subject to the
liens of all taxes and assessments for the year 1979 and sub-
sequent years, to all easements, rights-of-way, reservations,
restrictions and encumbrances of record, to any existing tenancies,
to all zoning laws and ordinances, and to any state of facts an
accurate survey or inspection of the Premises would show.

GRANTEE covenants, as part of the consideration for
this conveyance, that, during the period of twenty (20) years
after the date of this Deed, no petroleum products whatsoever

RECORDED at REQUEST OF
Transamerica Title Ins. Co.
At 10:30 A.M.
OCT - 11979
OFFICIAL RECORDS OF
ALAMEDA COUNTY, CALIFORNIA
RENE C. DAVIDSON
COUNTY RECORDER

0501-6353 4

shall be advertised, stored, sold or distributed on the Premises hereby conveyed, or any part thereof. Grantor's waiver of any breach of this covenant shall not constitute a waiver of this covenant or of any subsequent breach hereof. This covenant shall run with the land, shall bind Grantee's heirs, administrators, executors, successors and assigns, and shall inure to the benefit of Grantor's successors and assigns.

EXECUTED by Grantor as of the date first herein specified.

ATTEST:

SHELL OIL COMPANY

F. J. Morel
F. J. MOREL, ASSISTANT SECRETARY

Witness BY *H. M. Ludwig*
H. M. LUDWIG, MANAGER FINANCE
PURCHASING & GENERAL SERVICES

STATE OF TEXAS }
COUNTY OF HARRIS } SS:

79-195020

On this *24* day of *August*, 19*79*, before me, *Martha Bernasco*, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared H. M. Ludwig, known to me to be the Manager Finance-Purchasing and General Services, Corporate Real Estate, of Shell Oil Company, the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Martha Bernasco
Notary Public

MARTHA BERNASCO
Notary Public in Harris County, Texas
My Commission Expires August 31, 1980