

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  
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December 5, 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, "Monitoring Well and Vapor Point Installation Work Plan," dated November 13, 2007, which was prepared on Shell's behalf by Conestoga-Rovers & Associates. The "Monitoring Well and Vapor Point Installation Work Plan," proposes the installation of five off-site groundwater monitoring wells and two off-site soil vapor probes. The proposed scope of work is acceptable and may be implemented as proposed.

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

**TECHNICAL COMMENTS**

1. **Proposed Sampling Location VP-9 and Access Negotiations.** The proposed approximate location for VP-9 is acceptable. Please begin negotiations for access with the appropriate property owners. If access negotiations appear unsuccessful, notify ACEH that some assistance is required in obtaining access. Please present results from the proposed field activities in the Site Investigation report requested below.
2. **Quarterly Groundwater Monitoring and Sampling of Off-site Soil Vapor Probes.** Please continue quarterly groundwater monitoring for the site and present the results in the Quarterly Monitoring Reports requested below. As requested in our previous September 21, 2007 correspondence, off-site soil vapor probe pairs are to be sampled on a quarterly basis for at least one year. Results from quarterly sampling of the off-site soil vapor probes are also to be presented in the Quarterly Monitoring Reports requested below.
3. **Schedule for Draft Corrective Action Plan.** The schedule for submittal of a Draft Corrective Action Plan has been extended from December 12, 2007 to February 12, 2008 in order to complete a site conceptual model, cross sections, and further evaluation.

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### TECHNICAL REPORT REQUEST

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

- **February 12, 2008** – Draft Corrective Action Plan
- **May 8, 2008** – Site Investigation Report
- **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](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.

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**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**

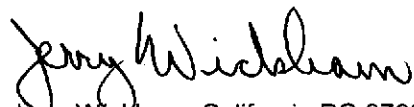
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

**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 or send me an electronic mail message at [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org).

Sincerely,



Jerry Wickham, California PG 3766, CEG 1177, and CHG 297  
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 27<sup>th</sup> Street, Oakland, CA 94612

Monique Oatis, 670 27<sup>th</sup> Street, Oakland, CA 94612

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
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