



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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February 11, 2010

Denis Brown (*Sent via E-mail to: denis.l.brown@shell.com*)
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 fuel leak case file for the above-referenced site including the most recently submitted documents entitled, "*Revised Remedial Action Plan*," dated September 16, 2009 and "*Soil Vapor Sampling Report*," dated January 26, 2010. Both reports were prepared on Shell's behalf by Conestoga-Rovers & Associates. As described in the "*Remedial Action Plan*," dated May 28, 2008, excavation of hydrocarbon-impacted soils in the area of the former USTs and western portion of the site followed by bio-sparging is the selected remedy for the site. The proposed excavation and RAP were approved by ACEH following a public comment period extending from September 15, 2008 to October 15, 2008. The "*Revised Remedial Action Plan*," dated September 16, 2009 describes proposed shallow excavation in the northern area of the site to address elevated concentrations of total petroleum hydrocarbons as diesel (TPHd), TPH as motor oil (TPHmo), and polycyclic aromatic hydrocarbons (PAHs) in shallow soil.

For clarification, the proposed excavation of hydrocarbon-impacted soils in the western portion of the site followed by bio-sparging described in the "*Remedial Action Plan*," dated May 28, 2008 is approved for implementation. Prior to implementing the shallow soil excavation, we request that you address technical comment 1 and submit the reports requested below.

TECHNICAL COMMENTS

1. **Off-site Extent of Shallow Soil Contamination.** Elevated concentrations of TPHd, TPHmo, and PAHs appear to be limited to shallow fill material in the area of a waste oil aboveground storage tank (AST) located in the northern corner of the site at the rear of the on-site building. Surface spillage or leakage from the waste oil AST may be the source of petroleum hydrocarbons and PAHs in the shallow fill. No soil sampling has been conducted in off-site areas to the west or immediately north of the waste oil AST. However, it is likely that the surface spillage or leakage from the waste oil AST extends into the off-site areas. The shallow excavation must be expanded as necessary to remove fill material containing elevated concentrations of TPHd, TPHmo, and PAH in the area of the waste oil AST.

Extending the shallow excavation to the property boundaries adjacent to the AST and then conducting sidewall confirmation sampling will not provide sufficient data to determine that shallow contamination is not present in the off-site areas. Sampling and/or shallow excavation will be required in the off-site areas adjacent to the waste oil AST. As discussed during a February 4, 2010 meeting between Denis Brown of Shell Oil Products US, Peter Schaefer of Conestoga-Rovers & Associates, and Jerry Wickham of ACEH, sampling of the off-site areas should be conducted prior to excavation in order to define and help plan the extent of shallow excavation. Sampling of the off-site area may proceed without submitting a Work Plan to ACEH provided that the sampling and analytical methods used for boring HA-1 through HA-8 are applied. Please present the results of the off-site sampling in the Soil Sampling and Door to Door Survey Report requested below.

2. **Soil Vapor Sampling.** The "*Soil Vapor Sampling Report*," dated January 26, 2010 concludes that BTEX concentrations for soil vapor probes VP-6 through VP-9 are below Environmental Screening Levels (San Francisco Bay Regional Water Quality Control Board May 2008) for residential land use with the exception of a benzene concentration of 110 micrograms per cubic meter detected in VP-6-3' on May 2007. The Report recommends that soil vapor monitoring be suspended. We do not object to suspending soil vapor monitoring at this time pending the information requested in technical comment 3 regarding potential downgradient receptors.
3. **Downgradient Receptors.** A review of the previous Door to Door Survey indicates that it is unknown as to whether the residences at 668, 670, and 672 27th Street and 665 28th Street have basements or wells. These residences are located directly downgradient from or immediately adjacent to the site. Several soil vapor probes that were proposed adjacent to these residences were not installed due to access or logistical issues. We request that you conduct an additional door to door survey specifically for these residences to help assess the potential for these residences to be receptors for the site. The Door to Door survey should find out whether the residence has a basement, the depth of the basement, and whether a well or sump exists on the property. Please present these results in the Soil Sampling and Door to Door Survey Report requested below.
4. **Proposed Off-Site Monitoring Wells and Vapor Probe VP-10.** Please obtain access agreements to install off-site monitoring wells MW-9 through MW-11 and soil vapor probe VP-10.
5. **Groundwater Monitoring.** Please continue groundwater monitoring according to the established semi-annual monitoring schedule. Results are to be presented in the Groundwater Monitoring Reports requested below.

TECHNICAL REPORT REQUEST

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

- **April 29, 2010** – Soil Sampling and Door to Door Survey Report
- **August 12, 2010** – Excavation Report
- **August 4, 2010** – Second Quarter 2010 Groundwater Monitoring Report
- **February 4, 2011** – Fourth Quarter 2010 Groundwater and Soil Vapor Monitoring Report

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

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of reports in electronic form. The electronic copy replaces paper copies 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 all 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, these same reporting requirements were added to Spills, Leaks, Investigations, and Cleanup (SLIC) sites. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites is 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.

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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.

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 2032 (*Sent via E-mail to: lgriffin@oaklandnet.com*)

Scott Merillat, 664 27th Street, Oakland, CA 94612

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Monique Oatis, 670 27th Street, Oakland, CA 94612

Peter Schaefer, Conestoga-Rovers & Associates, 5900 Hollis Street, Suite A
Emeryville, CA 94608 (*Sent via E-mail to: pschaefer@croworld.com*)

Donna Drogos, ACEH (*Sent via E-mail to: donna.drogos@acgov.org*)
Jerry Wickham, ACEH
Geotracker, File

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: March 27, 2009
	PREVIOUS REVISIONS: December 16, 2005, October 31, 2005
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

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 My Le Huynh.
 - 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 @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) If site is a new case without an RO# use the street address instead.
 - d) If your document meets the above requirements and you follow the submission instructions, you will receive a notification by email indicating that your document was successfully uploaded to the ftp site.