



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

July 20, 2010

Mr. Wilfrid Kintonouza
721 31st Street
Oakland, CA 94598

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

Dear Mr. Kintonouza:

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. A fuel leak from a former service station at 2703 Martin Luther King, Jr. Way has resulted in soil and groundwater contamination in the area of the site. The extent of the soil and groundwater contamination is not fully defined but may extend to your property at 663 28th Street.

Alameda County Environmental Health (ACEH) is requiring Shell Oil Products US to characterize the extent of contamination from their site. In order to do this, soil sampling has been proposed on your property at 663 28th Street. We understand that Conestoga-Rovers & Associates (on behalf of Shell Oil Products US) sent you a Request for Access on March 6, 2010 and May 18, 2010 (attached). We understand that no agreement has been completed to date and request that you resolve this access agreement promptly and reasonably in order to define the extent of contamination and prevent future contaminant migration. It is important to complete the investigation as part of the current fuel leak case. By not allowing the investigation to be completed under the current fuel leak case, you may be retaining some future liability for any contamination that may exist beneath your property.

ACEH requests you complete negotiations with Conestoga-Rovers & Associates, on behalf of Shell Oil Products US, by August 23, 2010. 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.

If you have any questions, please call me at 510-567-6791 or send me an electronic mail message at jerry.wickham@acgov.org. Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

Sincerely,

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

Attachment: Request for Access dated May 18, 2010

Mr. Wilfrid Kintonouza
RO0000145
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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*)

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

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

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

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



**CONESTOGA-ROVERS
& ASSOCIATES**

5900 Hollis Street, Suite A, Emeryville, California 94608
Telephone: 510-420-0700 Facsimile: 510-420-9170
www.CRAworld.com

May 18, 2010

Reference No. 240781

Wilfrid Kintonouza
729 31st Street
Oakland, California 94609-2924

Dear Mr. Kintonouza:

Re: Request for Access to 663 28th Street, Oakland
Former Shell Service Station
2703 Martin Luther King Jr. Way
Oakland, California

We sent a copy of this request to you on March 6, 2010 but have not received a response. We need your response to complete our investigation as required by Alameda County Environmental Health.

If you have any questions or require additional information, please contact me at (510) 420-3319. Thank you for your help.

Yours truly,

CONESTOGA-ROVERS & ASSOCIATES


Peter Schaefer, CEG, CHG

PS/aa/1

c.c.: Denis Brown, Shell Oil Products US, 20945 South Wilmington Avenue,
Carson, California 90810

Equal
Employment
Opportunity Employer

May 18, 2010

Wilfrid Kintonouza
729 31st Street
Oakland, California 94609-2924

Re: Request for Access to Property Located at
663 28th Street, Oakland California

Dear Wilfrid Kintonouza:

As a result of an ongoing environmental assessment at the former Shell service station located at 2703 Martin Luther King Boulevard, Oakland, California, Shell Oil Products US ("SOP US") has been advised that there may be hydrocarbons (gasoline, oil, etc.) in or about your property located at 663 28th Street, in the vicinity of the former service station. Therefore, on behalf of SOP US we request permission to enter your property and perform the work outlined below to determine if hydrocarbons originating from the 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 SOP US 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 locations for the borings are indicated on the attached site map.

A licensed contractor retained by SOP US will perform the above work. This work is being performed on behalf of SOP US 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 Shell service station are present and, to the extent required, such hydrocarbons have been remediated. SOP US agrees to indemnify you from any and all claims by third parties arising out of the work performed by SOP US under this agreement.

Please sign below to signify your consent and return this letter in the enclosed stamped envelope.

We appreciate your cooperation in this matter and would appreciate your timely response. If you have any questions, please call Peter Schaefer at (510) 420-3319.

Very truly yours,

SOP US

By:

I have reviewed your request and I hereby consent to the entry by SOP US upon my property for the purpose of performing the work described herein. I understand that I may be prevented from using a portion of my property and I agree to the minor disruption of the normal use of my premises as described.

I further represent and warrant that I am the owner of the property located at 663 28th Street, Oakland, California, with full authority to provide the consent given above.

Wilfrid Kintonouza

By: _____

Date: _____