

Shell Oil Products Company



JTE

95 SEP 14 AM 10:06

P O Box 4023
Concord CA 94524

East Bay Retail Marketing District

1390 Willow Pass Road
Suite 900
Concord CA 94520

ST 10454

September 13, 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:

As you know, a Pre-Enforcement Review Panel hearing was conducted regarding the above referenced site on August 16, 1995. As a result, Shell was given thirty (30) days to provide a written response to the Panel in order to show cause, if any, for the exclusion or inclusion of any of the parties present at the hearing as being named responsible for closure, site assessment, clean-up and mitigation of contamination at the site. The following constitutes Shell's written response to the Panel and other interested parties regarding this matter.

Currently, there are three potentially responsible parties for this site. They include Mr. Rod Kwan, current property owner, Acme Western Ambulance Service, and Shell Oil Products Company. Shell has conducted an extensive search for any records it may still have on the site and could not locate any records excepting a computer data base entry which confirmed Shell's ownership of the property as being between 1959 and 1979 (Attachment A). Acme Western Ambulance Company owned the property between 1979 and 1986 while Mr. Kwon has owned the property since 1986. Since Shell was unable to locate any substantive records, it conducted a limited Phase I Environmental Site Assessment on the site. The results of the Phase I Environmental Site Assessment are included as Attachment B.

It is Shell's understanding that it removed three underground storage tanks of approximately 10,000 gallon capacity from the site upon its vacation of same in 1979. Sometime around 1980, Acme installed a 2,000 gallon underground storage tank at the site in order to dispense fuel for its ambulance(s). When Mr. Kwon purchased the site in 1986, he apparently also purchased the 2,000 gallon tank, but reportedly never used it. Mr. Kwon has owned and operated an automobile repair shop (Auto Tech West) since purchasing the site.

In October 1994, KTW & Associates removed the 2,000 gallon underground storage tank on behalf of Auto Tech West. Although the structural integrity of the tank was reported to be in good condition, visual evidence suggested that soils encountered during tank excavation activities were impacted with petroleum hydrocarbons. In fact, the KTW report indicates that while removing the soil covering the top of the 2,000 gallon tank, strong hydrocarbon odors were observed and the materials removed contained a high level of discoloration. This was confirmed by laboratory analysis of two soil samples taken at a depth of 11 feet, or approximately 2 feet below the bottom of the tank. One sample was taken at the north end of the excavation and one sample was taken at the south end of the excavation. Although KTW reported encountered soils to consist of clays and bay muds, you observed the soils to be sands. KTW also noted that large pieces of concrete and other debris were encountered approximately 2 feet below the 2,000 gallon tank indicating that this was also the location of the former Shell gasoline tanks. This probability has subsequently been confirmed by review of aerial photographs taken of the site during Shell's tenancy. Due to the confirmed release of petroleum hydrocarbons revealed during the removal of the 2,000 gallon tank, Alameda County requested further investigation as to the extent of the release.

In May 1995, ACC Environmental Consultants conducted a Phase II Environmental Site Investigation on behalf of Acme Western Ambulance Company. Nine soil borings (B1 through B9) were drilled on the site as part of this investigation from which soil samples were obtained at approximately five foot intervals. Additionally, groundwater grab samples were collected from borings B1, B2, B5, B6, B7, B8, and B9. Laboratory analysis of the soil samples indicated concentrations of TPHg ranging from ND to 830ppm and benzene ranging from ND to 1.8ppm. Laboratory analysis of the grab samples of groundwater indicated concentrations of TPHg ranging from ND to 89,000ppb and benzene ranging from ND to 21,000ppb. It should be noted that free product was observed in borings B1, B5, B6, and B9. A sample from the product in boring B5 was submitted to Friedman & Bruya, Inc. for fingerprint characterization and lead content analysis. Friedman & Bruya concluded that the product showed the possible presence of a suite of lead additives characteristic of old leaded gasoline. The organic lead content of the product sample was quantified as 4g/gal. It would appear that based on this information ACC came to the conclusion that the major impact to soil and groundwater was the result of Shell's previous operation of the site since the 2,000 gallon underground storage tank reportedly only contained unleaded fuel and was found to be in good condition upon its removal.

As you know, Shell currently has no information available from its records which would indicate that a release occurred during its tenancy at the site nor does it have any records of the condition of its tanks upon their removal sometime around 1979. It should also be noted that no release of petroleum hydrocarbons was reported during the installation of

the 2,000 gallon tank. Due to the construction debris found at the bottom of the excavation during the removal of the 2,000 gallon tank and analysis of the aerial photographs provided in ACC's report, it is a reasonable conclusion that the 2,000 gallon tank was located within the former Shell tank farm. Since Shell has historically utilized pea gravel as backfill to surround its operating underground storage tanks and no pea gravel was reported to have been encountered during the removal of the 2,000 gallon tank, it is also reasonable to conclude that a clean sand fill was imported to the site in order to be used as backfill subsequent to the removal of the Shell gasoline tanks. This conclusion is consistent with your visual observations when the tank was removed on October 11, 1994. The bottom of a 10,000 gallon tank would have been located approximately 14 to 16 feet below ground surface. The soil samples taken during the 2,000 gallon tank removal were collected from a depth of 11 feet below ground surface. Laboratory analysis of these soil samples indicated concentrations of TPHg ranging from 870ppm to 18,000ppm and benzene ranging from 2.9ppm to 100ppm. Based on the above, including the fact that upon removal of the 2,000 gallon tank strong odors were observed when the topsoil was disturbed and on the fact that the tank had no overspill protection installed, one could reasonably conclude that an overspill or overspills occurred during Acme's operation of this tank. Also, it is not atypical for petroleum hydrocarbon concentrations to increase with depth in sandy, relatively permeable, subsurface environments as was reported by KTW. This would be especially true in this case since no gasoline tanks have been operated at the site for at least 9 years.

As to the lead content of the free product analyzed by Friedman & Bruya, average lead usage for leaded gasoline peaked around 1970 at slightly less than 3g/gal. The U.S. EPA set the average lead content of gasoline (total of leaded and unleaded gasoline) to 0.8g/gal in 1979 and to 0.5g/gal in 1980. The average lead content of gasoline was reduced to 0.1g/gallon in 1986. Therefore, while the goal for unleaded gasoline is zero lead content, unleaded fuel may have contained lead during the time period in which Acme used the 2,000 gallon tank. Also, leaded and unleaded gasoline are frequently piped from the refinery to a distribution plant via the same pipeline. Therefore, unleaded gasoline can pick up some lead as it passes through the pipeline to the distribution plant. This could explain why the product analyzed by Friedman & Bruya was quantified as containing 4g/gal. That is, overspills from the 2,000 gallon tank may have contributed to the overall lead content present in groundwater beneath the site.

Finally, irrespective of the lead content of the free product and the conclusion drawn from that fact by ACC, under the California Code of Regulations, Title 23, Division 3, Chapter 16, Article 11, Water Resources Control Board Section 2720, a responsible party is defined as follows:

Any person who owns or operates an underground storage tank used for the storage of a hazardous substance;

In the case of any underground storage tank no longer in use, any person who owned or operated the underground storage tank immediately before the discontinuation of its use;

Any owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred; and

Any person who had or has control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance.

Acme owned and operated the 2,000 gallon underground storage tank from approximately 1980-1986. Evidence suggests that an overspill or overfills occurred during this time period. Acme was also the last person to operate the 2,000 gallon tank immediately before the discontinuation of its use.

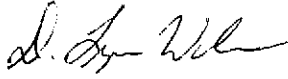
Mr. Kwon purchased the property from Acme in 1986 and is the current owner of same. The 2,000 gallon tank apparently was part of that purchase. Mr. Kwon is therefore the owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred. Mr. Kwon is also the person who had control over an underground storage tank following an unauthorized release of a hazardous substance.

In conclusion and due to the foregoing discussion, Shell believes that the Panel has sufficient evidence before it to include both Acme and Mr. Kwon as responsible parties for the closure, site assessment, clean-up and mitigation of contamination at the above referenced location.

Additionally, Shell recommends a 30 day continuance of the Pre-Enforcement Review Panel. As discussed at the last hearing, Shell is interested in working with Acme and Mr. Kwan in trying to remediate the subject property. The broad outline of Shell's proposal is that they will be prepared to finance and oversee the remediation of the property on the basis that they are named as a co-payee on the UST Fund application by property owner Mr. Kwan. Shell would commence such remediation after the Fund has issued a letter of commitment to Mr. Kwan. Shell has now retained the law offices of Larson & Burnham to assist in the drafting of an agreement based on this outline. It would appear that there is tentative agreement from the parties to this proposal subject to reviewing the draft agreement. Paul Caleo, Esq., of the law offices of Larson & Burnham is currently preparing a draft agreement for the parties' review. A copy of the draft agreement will be forwarded to you once it has been circulated amongst the parties.

It is anticipated that a continuation of the hearing for 30 days would allow sufficient time for the parties to reach an agreement which would be acceptable to both you and the district attorney's office.

Respectfully submitted,



D. Lynn Walker
Environmental Engineer

Attachments

cc: Mr. Gil Jensen, Alameda County District Attorney
Mr. Kevin Graves, RWQCB
Mr. Rod Kwan, Auto Tech West
Mr. Kim Johansen, Acme Western Ambulance Company

CONFIDENTIAL

SECRET
ATTACHMENT A

PRELIMINARY REPORT

WESTERN TITLE INSURANCE COMPANY

21021 CORSAIR BLVD. • HAYWARD, CA 94545 • P.O. BOX 5031, 94540 • (415) 887-0810

The form of policy of title insurance contemplated by this report is:

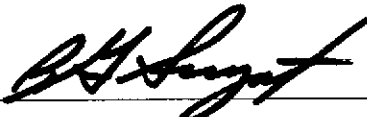
CALIFORNIA LAND TITLE ASSOCIATION STANDARD COVERAGE POLICY

AND/or ALTA LOAN POLICY - 1970

In response to the above referenced application for a policy of title insurance, WESTERN TITLE INSURANCE COMPANY hereby reports that it is prepared to issue, as of the date hereof, a Policy or Policies 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 Schedules, Conditions and Stipulations of said policy form.

The exceptions and exclusions from the coverage of said policy or policies are attached. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements 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.



Authorized Signature

AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY FORM B — 1970
(AMENDED 10-17-70)
SCHEDULE OF EXCLUSIONS FROM COVERAGE

These are the exclusions from coverage which are set forth in the American Land Title Association Owner's Coverage Policy — 1970.

"The following matters are expressly excluded from the coverage of this policy:

1. Any law, ordinance or governmental regulation (including but not limited to building and zoning ordinances) restricting or regulating or prohibiting the occupancy, use or enjoyment of the land, or regulating the character, dimensions or location of any improvement now or hereafter erected on the land, or prohibiting a separation in ownership or a reduction in the dimensions of area of the land, or the effect of any violation of any such law, ordinance or governmental regulation.
2. Rights of eminent domain or governmental rights of police power unless notice of the exercise of such rights appears in the public records at Date of Policy.
3. Defects, liens, encumbrances, adverse claims, or other matters (a) created, suffered, assumed or agreed to by the insured claimant; (b) not known to the Company and not shown by the public records but known to the insured claimant either at Date of Policy or at the date such claimant acquired an estate or interest by this policy and not disclosed in writing by the insured claimant to the Company prior to the date such insured claimant became an insured hereunder; (c) resulting in no loss or damage to the insured claimant; (d) attaching or created subsequent to Date of Policy; (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy."

AMERICAN LAND TITLE ASSOCIATION LOAN POLICY — 1970
WITH A.L.T.A. ENDORSEMENT FORM 1 COVERAGE
(AMENDED 10-17-70)
SCHEDULE OF EXCLUSIONS FROM COVERAGE

These are the exclusions from coverage which are set forth in the American Land Title Association Loan Policy — 1970.

"The following matters are expressly excluded from coverage of this policy:

1. Any law, ordinance or governmental regulation (including but not limited to building and zoning ordinances) restricting or regulating or prohibiting the occupancy, use or enjoyment of the land, or regulating the character, dimensions or location of any improvement now or hereafter erected on the land, or prohibiting a separation in ownership or a reduction in the dimensions or area of the land, or the effect of any violation of any such law, ordinance or governmental regulation.
2. Rights of eminent domain or governmental rights of police power unless notice of the exercise of such rights appears in the public records at Date of Policy.
3. Defects, liens, encumbrances, adverse claims, or other matters (a) created, suffered, assumed or agreed to by the insured claimant; (b) not known to the Company and not shown by the public records but known to the insured claimant either at Date of Policy or at the date such claimant acquired an estate or interest insured by this policy or acquired the insured mortgage and not disclosed in writing by the insured claimant to the Company prior to the date such insured claimant became an insured hereunder; (c) resulting in no loss or damage to the insured claimant; (d) attaching or created subsequent to Date of Policy (except to the extent insurance is afforded herein as to any statutory lien for labor or material or to the extent insurance is afforded herein as to assessments for street improvements under construction or completed at Date of Policy).
4. Unenforceability of the lien of the insured mortgage because of failure of the insured at Date of Policy or of any subsequent owner of the indebtedness to comply with applicable "doing business" laws of the state in which the land is situated."

That parcel of land 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.

DIRECT ALL CORRESPONDENCE TO:
Western Title Insurance Company
21021 Corsair Boulevard
Hayward, California 94545
(415) 887-0810

Kwon-Sommers Company
1120 59th Street
Oakland, California 94608
Attn: Andrew Kwon

Order No. 105995
W-7

ESCROW OFFICER
Jan Asmussen

PROPERTY:
2703 Grove Street
Oakland, California

Buyer: Rodney Kwan

This report is dated as of February 11, 1986, at 7:30 a.m.

The estate or interest in the land described herein and which is covered by this report is:

A FEE

Title to said estate or interest at the date hereof is vested in:

RICHARD F. ANGOTTI, described as a married man, by Deed recorded
October 1, 1979

At the date hereof exceptions to coverage in addition to the exclusions contained in said policy
form would be as follows:

1- Supplemental Real Property Tax Assessments (Chapter 498,
Statutes of 1983, as amended);

The lien of supplemental taxes, if any, assessed pursuant to the
provisions of Chapter 3.5 (commencing with Section 75) of the
Revenue and Taxation Code of the State of California.

2- Deed of trust to secure payment of \$40,000.00 and any other amounts secured thereby;
 Dated: August 15, 1979
 Trustor: Richard F. Angotti
 Trustee: American Securities Company, a corporation
 Beneficiary: Wells Fargo Bank, N.A., a national banking association, 468 Columbus Avenue, San Francisco, CA 94133
 Loan No.: none shown
 Recorded: October 1, 1979
 Series No. 195021

Assignment of Lessor's Interest in Lease given as additional security for payment of the indebtedness secured by said deed of trust;
 Executed by: Wells Fargo Bank, National Association
 Recorded: October 3, 1979
 Series No.: 197585

3- Covenants, conditions and restrictions embodied in the instrument recorded October 1, 1979, Series No. 195020;

4- An unrecorded lease upon the terms, covenants and conditions therein provided, dated August 15, 1979, recorded October 3, 1979, Series No. 79-197585;
 Lessor/Transferer: Richard F. Angotti
 Lessee/Transferee: Golden Gate Associates, Inc., dba ACEM-Western Ambulance Service
 Disclosed by: Assignment of Lessor's Interest in Lease

1985-86 Taxes: TAX INFORMATION
 Assessor's Reference No.: 9-691-3-1; Tracer No.: 01807500;
 Code Area: 17-001; Tax Rate: 1.2725;
 1st Installment: \$508.54 paid
 2nd Installment: \$508.54 paid
 Land: \$42,420.00
 Improvements: \$33,783.00
 Personal Property: none
 Exemption: none

NOTE NO. 1: The fee for our policy, or policies of title insurance, will be based on the over 2 year rate.

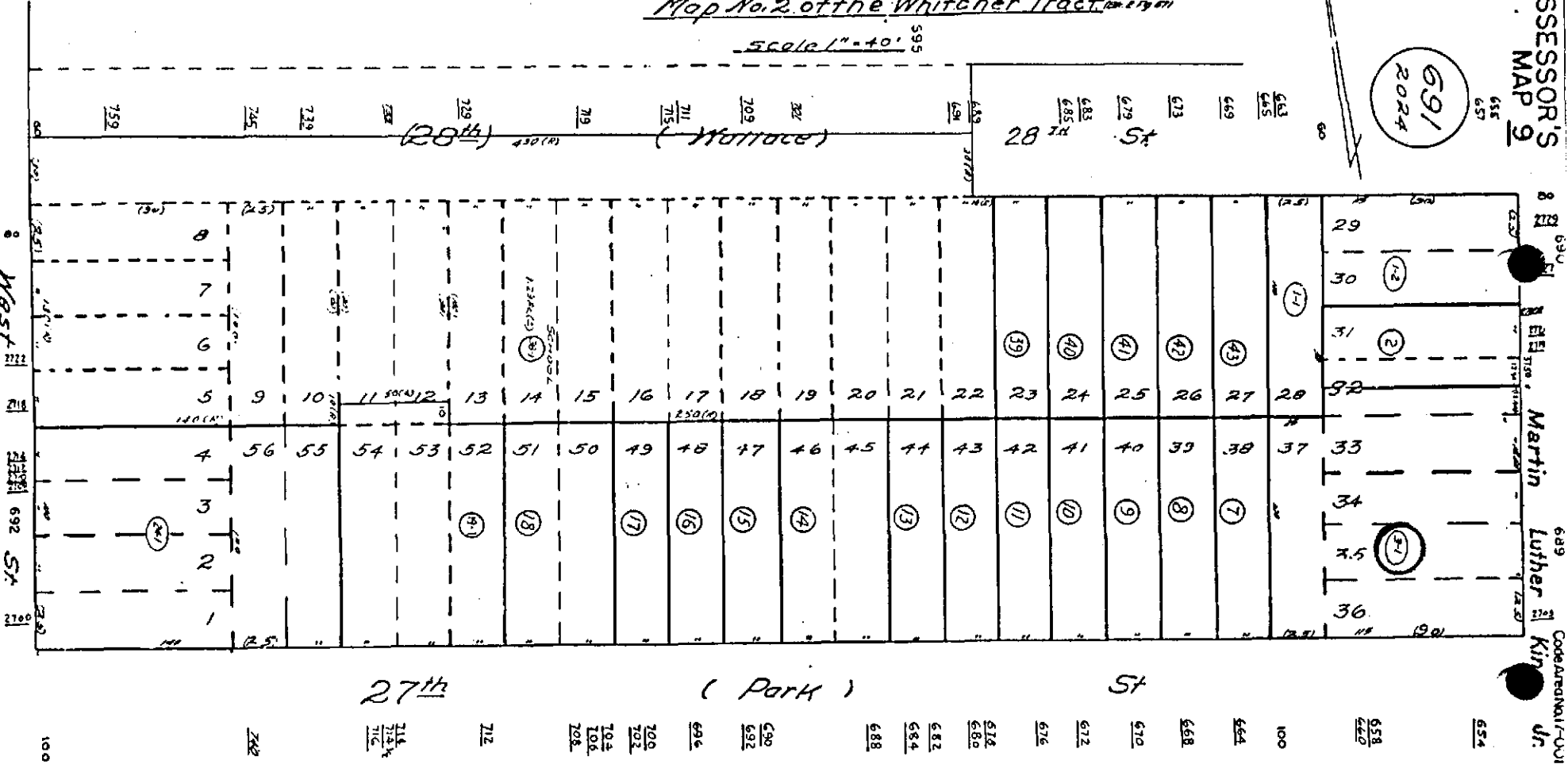
NOTE NO. 2: The City of Oakland imposes a property transfer tax of 3/4 of 1% of the total consideration.

NOTE NO. 3: According to the public records, there have been no deeds conveying the property described in this report recorded within a period of six months prior to the date of this report, except as follows: NONE

691
2024

Map No. 2 of the Witcher Tract

Scale 1" = 40'



THIS IS NOT A SURVEY OF THE LAND, BUT IS COMPILED FROM DATA SHOWN BY THE PUBLIC RECORDS
WESTERN TITLE INSURANCE COMPANY

Way

* PROPERTY DATA *

WTC: 204 5508 1701 SOLD. LOST. TERMINATED

2703 GROVE ST

OAKLAND

CA 94612

FAST BAY

DISTRICT

WESTERN

MKTG/ARFA MGR

TERRITORY 03

SALES MANAGER 1

FINAL APPROVAL DATE 01 01 59

TRADE AREA

1221

PAD 743

STATUS P

EXPIRATION DATE 10 01 79

** MAKE CHOICES BELOW **

LAST CHANGE DATE 02 23 93

STATUS:

- 3 1. PENDING ACCEPTANCE
- 2. DISPOSABLE
- 3. SOLD. LOST. TERMINATED
- 4. NON-RESIDENT
- 5. HOLDING-A
- 6. HOLDING-B
- 7. HOLDING-C
- 8. CANCEL-LOCATION WTC
- 9. TERMINATED-FIN PENDING

TYPE LOC:

- 3 1. I-URBAN
- 2. I-RURAL
- 3. NOT I-ROAD

TYPE DEAL:

- 4 1. FFF
- 2. GROUND LEASE
- 3. STORAGE-LEASE
- 4. SIB
- 5. LESSOR BUILT
- 6. WATERWAY AGREEMENT
- 7. TWO PARTY JOBBER
- 8. OTHER:

TYPE USE:

- 1 1. SERVICE STATION
- 2. DISTRICT OFFICE
- 3. EXCESS PROPERTY
- 4. MARTIN DEALER
- 5. T/A WAREHOUSE
- 6. RESTAURANT
- 7. TRAINING CENTER
- 8. OTHER:

9034 NOTE ENTER TRADE AREA AND PAD ONLY

ENVIRONMENTAL
95 SEP 14 AM 10:04

PROPERTY DATA *

WTC 204 5508 1701 SOLD. LOST. TERMINATED

TYPE ACTIVITY (CHOOSE ONE): 1

- 1. DIRECT S/S
- 2. LEASED JOBBER S/S
- 3. COMMISSION STOCK ORIGIN
- 4. OTHER STOCK ORIGIN
- 5. OTHER SHELL OPERATING
- 6. MISC. OPERATING
- 7. JOBBER LOCATION
- 8. OTHER CUSTOMER LOCATION

SPECIAL NEW TO SHELL IND :

TYPE IMPROVEMENT (UP TO 20 CHARACTERS):

PROPERTY DIMENSIONS:

FINANCE AMOUNT \$ 000000 INTEREST RATE 000.00 NO. YEARS LOAN 000

PRIMARY ORIGIN 104696 PRODUCT TYPE B (TYPE IND. BUICK-B.PACKAGE-P.T/A-T)

ALTERNATE ORIGIN 1. 104609 B 2. 104688 PRODUCT TYPE P

3.

4.

5.

FREE FORM REMARKS:

1

2

3

4

9034 NOTE ENTER ORIGIN INFORMATION ONLY

* DELIVERY TANK DATA *

WTC 204 5508 1701 TAC 00000 DISTRICT 286 TERRITORY 03
 SOLD. LOST. TERMINATED
 2703 GROVE ST OAKLAND CA94612

PRODUCT DESCRIPTION TANK CHART CODE
 CODE TANK1 TANK2 TANK3

* SERVICE STATION DEALER CHANGE *

WTC 204 5508 1719 HAROLD J:YAFGER

GROVE/27TH

2703 GROVE ST

OAKLAND

CA94612

HOME: STREFT/HWY 2452-B.EAST 21ST. STREET

CITY

OAKLAND

STATE CA

ZIP 94612

PHONE

415 532 7562

WTC 204 5508 1719

* REMARKS *
HAROLD J:YAFGR

1 DEALER CHANGE EFFECTIVE 12-11-74

2

3

4

ADDITIONAL COMMENTS

5

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14

* SERVICE STATION DEALER CHANGE

WTC 204 5508 1727 RAYMOND S. WILLIAMS

2703 GROVE ST

OAKLAND

CA94612

HOME: STREET/HWY 4496 BROADWAY

CITY OAKLAND

STATE CA ZIP 94611

PHONE 415 547 9697

WTC 204 5508 1727

* REMARKS *
RAYMOND S:WILLIAMS

- 1 START 233 COLLECTION 6/23/77.
- 2 DEALER TERMINATION EFF. 12/07/77.

- 3
- 4

ADDITIONAL COMMENTS

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* SERVICE STATION DEALER CHANGE

WTC 204 5508 1735 :GRAFFENSTATTE CORP., INC. GRAFCO STATIONS

2703 GROVE ST

OAKLAND

CA94612

HOME: STRFFT/HWY P.O. BOX 1713

CITY SAN LEANDRO

STATE CA ZIP 94577

PHONE 415 483 4700

* SERVICE STATION DEALER CHANGE

WTC 204 5508 1735

COMPLETE ONLY A, B OR C BASED ON WHO INITIATED TERMINATION.

A. SELF INITIATED TERMINATION OR NON-RENEWAL FOR GOOD CAUSE

(CHOOSE ONLY ONE)

01. CONDEMNATION

03. UNILATERAL WITHDRAWAL

02. DEATH/DISABILITY

04. OTHER GOOD CAUSE

B. MUTUAL TERMINATION (CHOOSE ONLY ONE) 09

05. RETIREMENT/ILLNESS

08. INEFFICIENT MANAGEMENT

06. OPERATIONS/ADMIN.

09. MUTUAL WITHDRAWAL

07. FRANCHISE COMPLIANCE

10. OTHER (DEALER TERMINATED)

FAILURE

WAS LEGAL OR DEALER RELATIONS INVOLVED? N

WAS DEALER FINANCIAL EXPERIENCE SUCCESSFUL? N

WAS PAYMENT OF ADDITIONAL CONSIDERATION REQUIRED? N

C. MULTIPLE (ENTER X IF DEALER IS TERMINATING AT MORE THAN ONE LOCATION)

* REMARKS *

10/10

WTC 204 5508 1735

:GRAFFENSTATTF CORP., INC.

- 1 DEALER PERMANENTLY CLOSED EFF. 06/05/78.
- 2 ACCOUNTS RECEIVABLE FRAG/CREDIT TERMS REVISED 02/01/78.
- 3 REVISED EXPIRATION LEASE DATE.
- 4 ENTERED UCC-1 FILING DATE.

ADDITIONAL COMMENTS

- 5
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- 14

ATTACHMENT B

ENVIRONMENTAL

September 6, 1995

95 SEP 14 AM 10 RECEIVED

SEP 07 1995

ENVIRO BAY AREA

Mr. Lynn Walker
Shell Oil Products Company
P.O. Box 4023
Concord, California 94524

RE: PHASE I ENVIRONMENTAL SITE ASSESSMENT
Former Shell Service Station
2703 Martin Luther King Jr. Way (formerly Grove Street)
Oakland, California

Dear Mr. Walker:

Enviros, Inc. has prepared this report to document the methods and findings of a Phase I Environmental Site Assessment (ESA) conducted for the above referenced property. The purpose of this assessment was to provide information pertaining to the historic use of hazardous materials at the site. The assessment was a limited review of the subject property and surrounding vicinity based upon site observations and off-site research. The objectives of the assessment were to identify potential environmental concerns at the site pertaining to the use, storage or release of hazardous substances which could potentially impact soil or groundwater quality.

SCOPE OF WORK

The scope of work associated with the Phase I Environmental Site Assessment were limited to the following tasks:

- Field reconnaissance of the subject property and surrounding vicinity for obvious and significant evidence of hazardous substance use, storage, or spillage and the presence of underground storage tanks.
- Research of public agency records pertaining to historical land use of the site at the Regional Water Quality Control Board, San Francisco Bay Region (RWQCB), City of Oakland Fire Department, and the City of Oakland Building Department.
- A review of selected historical aerial photographs which were available at Pacific Aerial Surveys in Oakland, California for obvious surface features indicative of past land use.
- A review of selected historical city directories for past site occupants.
- Preparation of a report presenting the findings of the ESA.

SITE DESCRIPTION

The subject property is located at 2703 Martin Luther King Jr. Way in Oakland, California. The site is on the northwest corner of the intersection of Martin Luther King Jr. Way and 27th Street. The site is bordered by Martin Luther King Jr. Way to the east, 27th Street to the south, and residential properties to the north and west.

Property use in the immediate site vicinity consists primarily of residential to the west of Martin Luther King Jr. Way, and commercial/light industrial businesses to the east and along Martin Luther King Jr. Way. Foster Middle School is located approximately 400 feet to the northwest.

SITE RECONNAISSANCE

A reconnaissance of the site and a cursory visual inspection of adjacent properties was performed on August 31, 1995. The subject site is currently occupied by an automotive service business. The property is surrounded by perimeter chain-link fencing. The parking surface consists primarily of asphalt. A 2-bay auto repair building is located in the northwest portion of the property. Parked vehicles covered a large portion of the property. An excavation measuring approximately 15 feet by 15 feet covered by a blue tarp is located in the western portion of the property. The tarp could not be removed, precluding accurate measurements of the excavation; but, the excavation appeared to be approximately 10 feet in depth. Two soil stockpiles are located to the south (approximately 5 cubic yards) and southwest (approximately 25 cubic yards) of the excavation. Four circular markings consistent in appearance to backfilled soil borings were observed in the vicinity of the excavation. An additional suspected boring was observed in the eastern portion of the property near Martin Luther King Jr. Way. Eight used batteries, a steel drum labeled "Drained Used Oil Filters", and a white plastic drum with a blank hazardous waste label were located next to the east side of the service building. ~~There were no surface indications of underground tanks at the site. There~~ was no obvious evidence of wells (monitoring or domestic) at the site. ~~The northwest corner of the property was not surveyed due to the presence of two large security dogs which the occupant refused to relocate in that area of the property.~~

A sketch of the site and observed features was prepared and is presented on Plate 1.

~~A cursory reconnaissance of the surrounding properties did not reveal any obvious evidence of surface chemical discharges migrating onto the subject property.~~ The former site occupant, Acme West Ambulance Service, is currently located approximately 250 feet southwest of the site in the 600 block of 27th Street.

AERIAL PHOTOGRAPHS

Representative aerial photographs for the site vicinity were reviewed at Pacific Aerial Surveys in Oakland, California. Aerial photographs taken in 1953, 1968, 1971, 1973, 1977, 1981, 1985, 1990 and 1994 were reviewed. Because of the scale of some of the photographs, resolution of detailed site features and surrounding properties could not be ascertained.

In the 1953 aerial photograph, the subject property was occupied by two residential houses. There were no obvious indications of other service stations in the immediate vicinity of the site. Approximate locations of the houses are shown on Plate 1.

In the 1968 aerial photograph, the subject property appears to be occupied by a service station. The location of the underground storage tank (UST) pad and dispenser islands could not be ascertained because of the scale of the photograph.

In the 1971 and 1973 aerial photographs, the subject property is occupied by a service station. A concrete slab appears to be located near the southwest corner of the station building. Two dispenser islands are located in the southwest portion of the site parallel to 27th Street. One dispenser island is located in the eastern portion of the site parallel to Martin Luther King Jr. Way. A small concrete slab was observed to the west of the outside dispenser near 27th Street. Approximate locations of the building, slabs, and islands are shown on Plate 1.

In the 1977 aerial photograph, the subject property features appear to be similar to those observed in the 1971 and 1973 photographs. The concrete slab near the southwest corner of the station building could not be distinguished because of parked cars in this area.

In the 1981 and 1985 aerial photographs, the service station building is still present at the site. The dispenser islands appear to have been removed. A concrete slab, smaller than that observed in the 1971 and 1973 photographs, is located near the southwest corner of the station building. The approximate location of this slab is shown on Plate 1.

In the 1990 aerial photograph, the service station building is still present at the site. Approximately 20 vehicles are parked on the site lot. Further site features could not be ascertained due to the presence of the parked vehicles.

In the November 1994 aerial photograph, the service station building is still present at the site. An open excavation is located near the southwest corner of the station building. Soil stockpiles appear to be located along the southern side of the excavation.

CITY DIRECTORIES

City directories for the Oakland area were reviewed for the years of 1967, 1973, 1974, 1975, 1981, 1990, and 1993. There were no street directories available at the Oakland Public Library for the Oakland area prior to 1967.

Year	Address	Occupant
1967	2703 Grove Street 681 27th Street 740 27th Street	Al's Super Shell California Laundry Ken's Chevron
1973	2703 Grove Street 554 27th Street 681 27th Street	Grove Street Shell Mobil Service Station California Laundry
1974	2703 Grove Street	Grove Street Shell
1975	2703 Grove Street 2708 Grove Street 554 27th Street 681 27th Street 691 27th Street	No List Charm Cleaners Mobil Service Station California Laundry Proper Grinding Works
1981	2703 Grove Street 554 27th Street 681 27th Street 691 27th Street	No List Pacific Car Rental California Laundry Proper Grinding Works
1985	2703 Martin Luther King	No List
1990	2703 Martin Luther King 681 27th Street	No List ABC Cleaners
1993	2703 Martin Luther King 681 27th Street	No List ABC Cleaners

PUBLIC AGENCY RECORDS

Regional Water Quality Control Board - San Francisco Region

The RWQCB was contacted for records pertaining to the use, storage, and potential release of hazardous materials at the subject site and adjacent properties. The subject site was not listed on either the Leaking Underground Fuel Leak list or the SLIC (toxics) list.

City of Oakland Fire Department

The Oakland Fire Department was contacted for records pertaining to the use, storage, and/or potential release of hazardous materials at the subject site. The fire department purges their UST files every 3-5 years. The Oakland Fire Department did not have any information pertaining to the subject property or sites in the near vicinity.

City of Oakland Building Department

The Oakland Building Department was contacted for site records pertaining to the property. The building department records contained several building permits/applications for Shell Oil Company dated between January 1959 and July 1976. The building department records contained several building permits/applications for Acme West Ambulance Company/Richard Angotti dated between September 1979 and January 1984. The building department records related to Acme West Ambulance Company included an Electrical Inspection Division Correction Notice dated December 10, 1979 pertaining to the installation of a fuel pump and an Electrical Permit Application dated January 11, 1984 pertaining to a propane tank and dispenser.

SUMMARY

Available information collected during this ESA indicates 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.

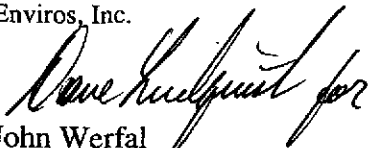
In 1979, several building permits were secured for Acme Western Ambulance Company to modify site structures. Two building permits secured in 1979 related to the installation of a fuel pump at the site.

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 1981 aerial photograph.

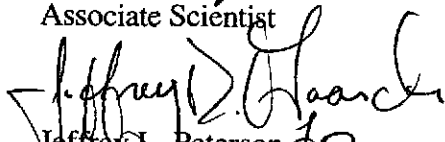
If you have any questions or comments regarding this report, please call.

Sincerely,

Enviros, Inc.



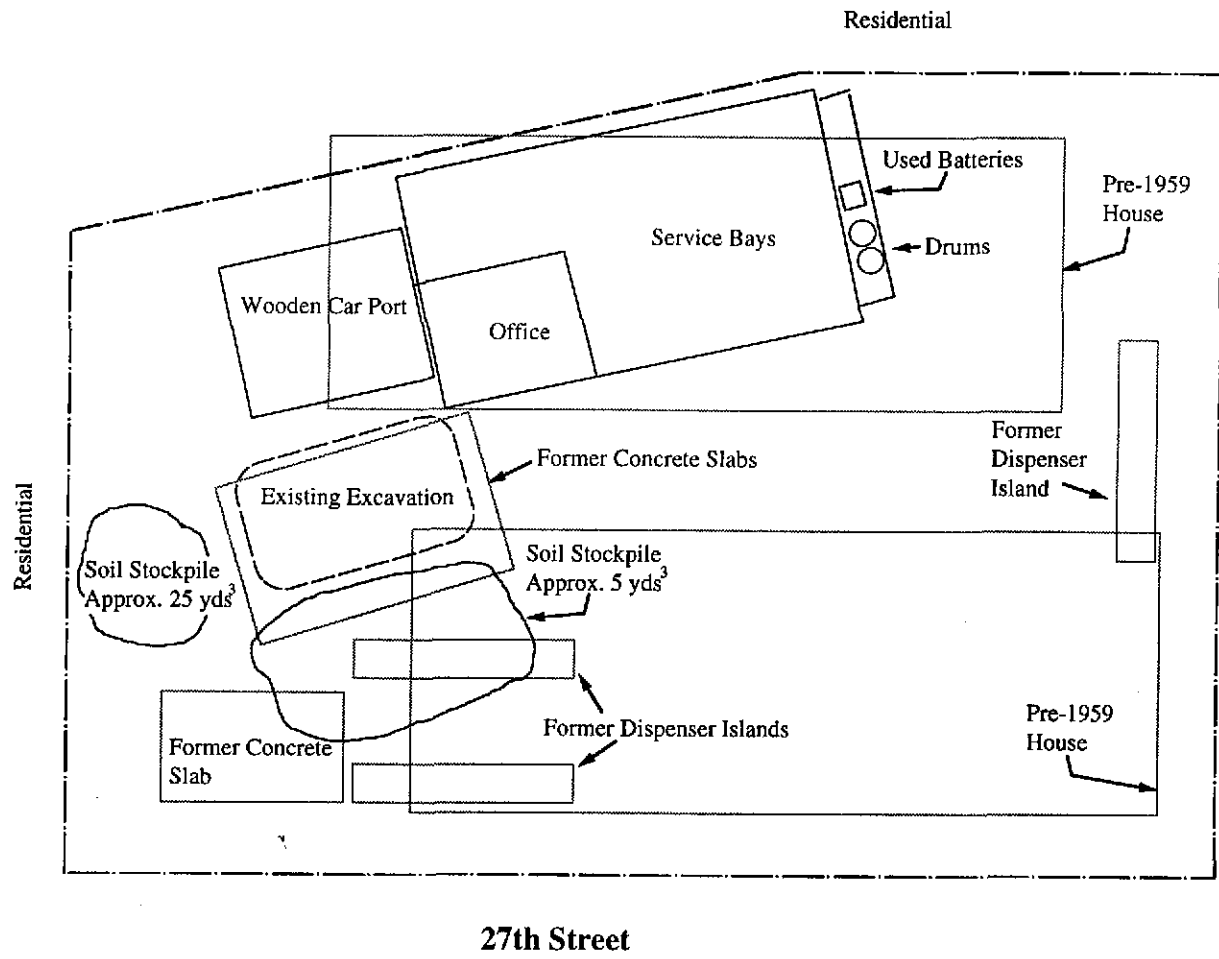
John Werfal
Associate Scientist



Jeffrey L. Peterson
Principal Hydrogeologist
R.E.A. No. 1021

Attachments:

Plate 1: Site Sketch



Martin Luther King Jr. Way

NOT TO SCALE

PLATE
1

SITE SKETCH
Shell Oil Products Company
2703 Martin Luther King Jr. Way
Oakland, California

enviros®
95324

Drawn By: JPW

Date: 9-5-95

Approved By: *[Signature]*

Date: *9-6-95*