



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

September 19, 2013

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

In Sup and Yong Ja Song  
1015 Sanders Drive  
Moraga, CA 94556-1916

(Sent via E-mail to: [marvin.katz@shell.com](mailto:marvin.katz@shell.com))

Joseph H. Chan and Ivy T. Wong Trust  
21213-B Hawthorne Blvd., #5146  
Torrance, CA 94609

Subject: Landowner and Public Notification for Fuel Leak Case No. RO0000264 and GeoTracker Global ID T0600101265, Shell #12-9452, 500 40<sup>th</sup> Street, Oakland, CA 94609

Dear Responsible Parties:

Alameda County Environmental Health (ACEH) is reviewing the fuel case file for the above referenced site for potential case closure. Site investigation and groundwater monitoring from underground storage tank leaks have been performed at the subject property to which you are named as the primary or active responsible party. Pursuant to Section 25297.15 (a), ACEH, the local agency, shall not consider cleanup or site closure proposals from the primary or active responsible party, issue a closure letter, or make a determination that no further action is required with respect to a site upon which there was an unauthorized release of hazardous substances from an underground storage tank subject to this chapter unless all current record owners of fee title to the site of the proposed action have been notified of the proposed action by the primary or active responsible party. ACEH is required to notify the primary or active responsible party of their requirement to certify in writing to the local agency that the notification requirement in the above-mentioned regulation has been satisfied and to provide the local agency with a complete mailing list of all record fee title owners.

To satisfy the above-mentioned requirement, please complete the enclosed "List of Landowners Form," and mail it back to ACEH within thirty (30) days from the date of this letter. Also your comments must be considered prior to the proposed cleanup or closure. Please respond within 60 days from the date of this letter for your comments to be considered.

Public participation is a requirement for the Corrective Action Plan and case closure process. In order to notify potentially affected members of the public of the potential fuel leak case closure, we request that you distribute the attached Notification of Potential Case Closure to the addresses shown on the attached mailing list and the cc list to this correspondence **no later than September 26, 2013**. We also request that you distribute the attached notification to any persons, corporations, or government agencies you are aware of that may have an interest in this fuel leak case. The Notification of Potential Case Closure requests that landowners or residents submit any comments or questions to ACEH regarding potential case closure by November 25, 2013. Notifications to duplicate addresses may be omitted. Following distribution by U.S. Mail to the attached mailing list, please submit written verification of the date that the Notification of Potential Case Closure was distributed. ACEH will consider all comments from the public prior to potential case closure.

This case is expected to be closed with the following site management requirement:

*"This fuel leak case has been evaluated for closure consistent with the State Water Resources Control Board Low-Threat Underground Storage Tank Closure Policy (LTCP). Sub-slab soil vapor data indicate that petroleum vapor intrusion to indoor air does not pose a significant risk to human health for the current commercial buildings. However, the concentrations of ethylbenzene and the reporting limits for benzene in soil vapor samples collected five feet bgs during one or more sampling events have exceeded the numerical media-specific criteria in the LTCP for petroleum vapor intrusion to indoor air (with no bioattenuation zone). If the site were to be redeveloped, there is a potential for vapor intrusion to pose a future risk. Therefore, case closure is granted for the current commercial land use and existing building configuration only.*

*If a change in land use or if any redevelopment occurs, Alameda County Environmental Health (ACEH) must be notified as required by Government Code Section 65850.2.2. Due to the potential for vapor intrusion to indoor air for future buildings, ACEH will re-evaluate the case upon receipt of approved development/construction plans.*

*Excavation or construction activities in areas of residual contamination require planning and implementation of appropriate health and safety procedures by the responsible party prior to and during excavation and construction activities.*

*This site is to be entered into the City of Oakland Permit Tracking System due to the residual contamination on site."*

In order to expedite the closure process, you may schedule well decommissioning for one to two weeks after the end of the public comment period. If public comments require a longer period of time for responses, it may be necessary to postpone well decommissioning.

### **TECHNICAL REPORT REQUEST**

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

- **September 27, 2013** – Verification that the Notification of Potential Case Closure was distributed to the attached mailing list

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). Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>. If your email address does not appear on the cover page of this notification, ACEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case

Sincerely,

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

Responsible Parties  
RO0000264  
September 19, 2013, Page 3

Attachments: Public Notification of Potential Case Closure (for distribution)  
Mailing List  
List of Landowners Form

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](mailto:lgriffin@oaklandnet.com)*)

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

Donna Drogos, ACEH (*Sent via E-mail to: [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org)*)  
Jerry Wickham, ACEH (*Sent via E-mail to: [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org)*)

GeoTracker, e-File



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Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

**NOTIFICATION OF POTENTIAL CASE CLOSURE**  
**SHELL #12-9452**  
**September 19, 2013**

**Site Location: 500 40<sup>th</sup> Street, Oakland, CA 94609**  
**Fuel Leak Case RO0000264 and GeoTracker Global ID T0600101265**

**Summary** – This fact sheet has been prepared to inform community members and other interested parties of potential case closure for a fuel leak case at the shopping center located at 500 40<sup>th</sup> Street at the intersection of 40<sup>th</sup> Street and Telegraph Avenue in Oakland, California (see attached map on back). The site formerly operated as a Shell service station until 1987, when the current shopping center was constructed on the property. A fuel leak in piping over the underground storage tanks was reported in 1982.

Site investigation activities, which began in July 1982 and most recently occurred in July 2013, have included soil, groundwater, and soil vapor sampling at both on-site and off-site locations. A total of 13 groundwater monitoring wells have been constructed to determine the extent of contamination in groundwater. Remediation at the site consisted of the manual bailing and periodic batch extraction of gasoline using a vacuum truck.

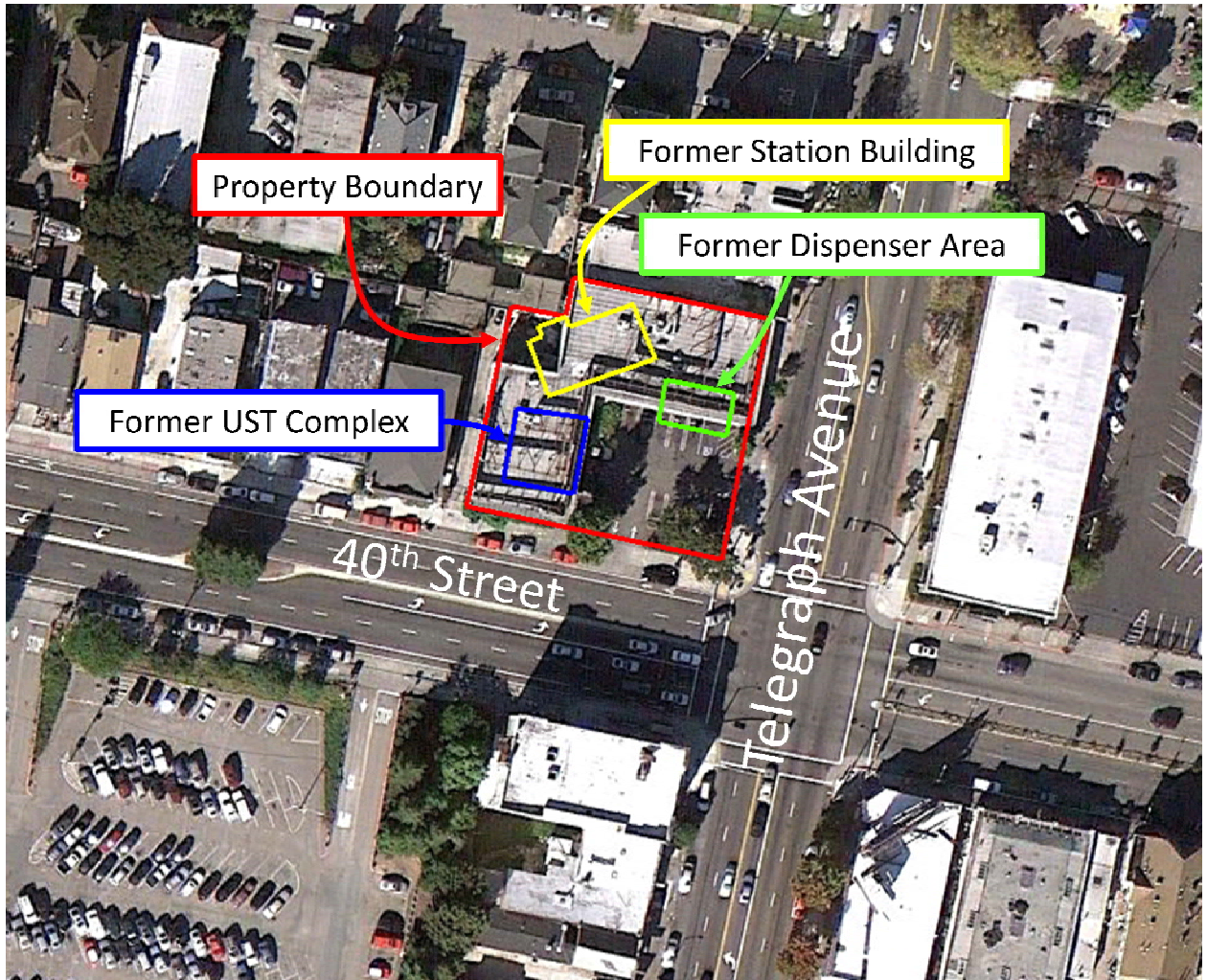
Soil sampling indicates that residual soil contamination is typically encountered approximately 10 feet below ground surface (fbgs) and extends from the former UST and dispenser areas on site beneath 40<sup>th</sup> Street. The highest concentrations of residual contamination detected in soil were 210 parts per million (ppm) of total petroleum hydrocarbons as gasoline (TPHg).

Groundwater sampling data indicate that a groundwater plume containing dissolved petroleum hydrocarbons likely extends from the site south southwest beneath 40<sup>th</sup> Street. The highest concentrations of petroleum hydrocarbons detected in groundwater during the most recent sampling event on March 26, 2012 were 2,900 parts per billion (ppb) TPHg and 2.9 ppb benzene. Groundwater monitoring data indicate that concentrations continue to decrease over time. The site has been evaluated in accordance with the State Water Resources Control Board Low-Threat Closure Policy. Site investigation and cleanup activities have been completed and it does not appear that the fuel release presents a risk to human health for nearby residents or site workers. Therefore, ACEH is considering potential closure of the fuel leak case. Due to the residual contamination on site, the site would be closed with site management requirements that require further evaluation if the site is to be redeveloped in the future.

The property across 40<sup>th</sup> Street (in the direction of groundwater flow) from the site is a Site Cleanup Program site regulated by the San Francisco Regional Water Quality Control Board. A BART Transit Village is planned to be constructed at this location.

**Next Step** – The public is invited to review and comment on the potential closure of the fuel leak case. The entire case file can be viewed over the Internet on the ACEH website (<http://www.acgov.org/aceh/lop/ust.htm>) or the State of California Water Resources Control Board GeoTracker website (<http://geotracker.swrcb.ca.gov>). Please send written comments to Jerry Wickham at the address below; all comments will be forwarded to the responsible parties. **Comments received by November 25, 2013** will be considered and responded to prior to a final determination on the proposed case closure.

Additional information: Contact Jerry Wickham of the Alameda County Department of Environmental Health, 1131 Harbor Bay Parkway, Alameda, CA 94502 at 510-567-6791 or by email at [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org)



500 40<sup>th</sup> Street, Oakland, CA  
Aerial View of Property (Google, 2012)

**MAILING LIST FOR FACT SHEET (3 PAGES)**

Thomas Francis  
East Bay Municipal Utility District  
375 11<sup>th</sup> Street, M.S.407  
Oakland, CA 94607-1055

Leroy Griffin  
Oakland Fire Department  
250 Frank H. Ogawa Plaza, Ste. 3341  
Oakland, CA 94612-2032

Cherie McCaulou  
San Francisco Bay Regional Water Quality Control Board  
1515 Clay Street, Suite 1400  
Oakland, CA 94612  
San Francisco Bay Regional Water Quality

Mark Johnson  
San Francisco Bay Regional Water Quality Control Board  
1515 Clay Street, Suite 1400  
Oakland, CA 94612  
San Francisco Bay Regional Water Quality

6300 TELEGRAPH ASSOCIATES  
Parcel #: 12-970-1  
3916 TELEGRAPH AVE  
OAKLAND CA 94609

AVERY JAMES E & RENATE M  
Parcel #: 12-1012-52-1  
15 TWEED TER  
SAN RAFAEL CA 94901

BANGERT JAMES C & SNOW  
Parcel #: 12-1012-6  
PO BOX 11041  
OAKLAND CA 94611

DARLEY CHARLES E &  
Parcel #: 12-1013-8  
528 41ST ST  
OAKLAND CA 94609

EAST BAY CHURCH OF  
Parcel #: 12-1010-1  
4130 TELEGRAPH AVE  
OAKLAND CA 94609

FAUSSNER ROBERT E TR  
Parcel #: 12-1013-9  
P.O. BOX 219  
SAN BRUNO CA 94066

FRANKS JIMMIE M TR  
Parcel #: 12-1013-7-1  
1104 PARKRIDGE DR  
EL SOBRANTE CA 94803

HARMONY MISSIONARY  
Parcel #: 12-1013-4  
4113 TELEGRAPH AVE  
OAKLAND CA 94609

HONG KONG OAKLAND LP  
Parcel #: 12-1012-7  
1750 SACRAMENTO ST #105  
SAN FRANCISCO CA 94109

HONG KONG OAKLAND LP  
Parcel #: 12-1012-8  
1750 SACRAMENTO ST #105  
SAN FRANCISCO CA 94109

LDR LLC  
Parcel #: 12-970-2  
4186 MAPLE AVE  
OAKLAND CA 94602

MACARTHUR TRANSIT  
Parcel #: 12-969-3-1  
345 SPEAR ST #700  
SAN FRANCISCO CA 94105

MACARTHUR TRANSIT  
Parcel #: 12-969-2  
345 SPEAR ST #700  
SAN FRANCISCO CA 94105

MAHARLIKA PARTNERS LLC  
Parcel #: 12-1012-51  
4844 TELEGRAPH AVE  
OAKLAND CA 94609

MARLER KENNETH C &  
Parcel #: 12-1012-55  
523 41ST ST  
OAKLAND CA 94609

MAST FAMILY PARTNERSHIP  
Parcel #: 12-1011-18-2  
4 CIELO CT  
ORINDA CA 94563

MOYER TERENCE W &  
Parcel #: 12-1012-5-2  
PO BOX 20800  
OAKLAND CA 94620

NGUYEN TONG V & LUONG  
Parcel #: 12-1012-11  
542 40TH ST  
OAKLAND CA 94609

RESIDENT  
Parcel #: 12-969-3-1  
3915 TELEGRAPH AVE  
OAKLAND CA 94609

RESIDENT  
Parcel #: 12-970-2  
493 40TH ST  
OAKLAND CA 94609

RESIDENT  
Parcel #: 12-969-1  
505 40TH ST  
OAKLAND CA 94609

RESIDENT  
Parcel #: 12-969-2  
3921 TELEGRAPH AVE  
OAKLAND CA 94609

RESIDENT  
Parcel #: 12-969-53-5  
532 39TH ST  
OAKLAND CA 94609

RESIDENT  
Parcel #: 12-1011-18-2  
490 40TH ST  
OAKLAND CA 94609

RESIDENT  
Parcel #: 12-1012-1  
509 41ST ST  
OAKLAND CA 94609

RESIDENT  
Parcel #: 12-1012-56  
519 41ST ST  
OAKLAND CA 94609

RESIDENT  
Parcel #: 12-1012-5-3  
500 40TH ST  
OAKLAND CA 94609

RESIDENT  
Parcel #: 12-1012-6  
518 40TH ST  
OAKLAND CA 94609

RESIDENT  
Parcel #: 12-1012-51  
535 41ST ST  
OAKLAND CA 94609

RESIDENT  
Parcel #: 12-1012-52-1  
529 41ST ST  
OAKLAND CA 94609

RESIDENT  
Parcel #: 12-1013-4  
506 41ST ST  
OAKLAND CA 94609

RESIDENT  
Parcel #: 12-1012-7  
522 40TH ST  
OAKLAND CA 94609

RESIDENT  
Parcel #: 12-1012-5-2  
4055 TELEGRAPH AVE  
OAKLAND CA 94609

RESIDENT  
Parcel #: 12-1012-8  
526 40TH ST  
OAKLAND CA 94609

RESIDENT  
Parcel #: 12-1012-9-1  
530 40TH ST  
OAKLAND CA 94609

RESIDENT  
Parcel #: 12-1013-5  
510 41ST ST  
OAKLAND CA 94609

RESIDENT  
Parcel #: 12-1013-7-1  
514 41ST ST  
OAKLAND CA 94609

RESIDENT  
Parcel #: 12-1013-9  
530 41ST ST  
OAKLAND CA 94609

RESIDENT  
Parcel #: 12-1010-1  
4118 TELEGRAPH AVE  
OAKLAND CA 94609

RORICK HUCK TR & RORICK  
Parcel #: 12-1012-1  
2640 SILVERCREST ST  
PINOLE CA 94564

SAN FRANCISCO BAY AREA  
Parcel #: 12-969-53-5  
PO BOX 12688  
OAKLAND CA 94604

SLOBODNINK DENA A  
Parcel #: 12-1013-5  
PO BOX 20425  
OAKLAND CA 94620

SONG YONG J TR  
Parcel #: 12-1012-5-3  
1015 SANDERS DR  
MORAGA CA 94556

TREISMAN RUTH  
Parcel #: 12-969-1  
PO BOX 20046  
OAKLAND CA 94620

TYQUIENGCO JOEY & NAVAY  
Parcel #: 12-1012-56  
1 CATHY LN  
OAKLAND CA 94619

VO CUC K  
Parcel #: 12-1012-9-1  
530 40TH ST #6  
OAKLAND CA 94609



## LIST OF LANDOWNERS FORM

County of Alameda  
Environmental Health Services  
Environmental Protection 1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

### CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR:

Site Name: Shell#12-9452

Address: 500 40<sup>TH</sup> Street

City, State, Zip: Oakland, CA 94609

Record ID #: RO0000264

Please fill out item 1 if there are multiple site landowners (attach an extra sheet if necessary). 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 California 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:

Name: Joseph H. Chan and Ivy T. Wong Trust

Address: 21213-B Hawthorne Blvd., #5146

City, State, Zip: Torrance, CA 94609

E-mail Address: \_\_\_\_\_

Name: In Sup and Yong Ja Song

Address: 1015 Sanders Drive

City, State, Zip: Moraga, CA 94556-1916

E-mail Address: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

2. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I \_\_\_\_\_, certify that I am the sole landowner for the above site.

Sincerely,

\_\_\_\_\_  
Signature of Primary Responsible Party

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
E-mail Address