



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

July 25, 2012

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

Zheng Xiaoyi  
639 Kearney Street  
El Cerrito, CA 94530-3126

Au Energy LLC  
c/o Nick Goyal  
41805 Albrae Street, 2<sup>nd</sup> Floor  
Fremont, CA 94538-3120

Subject: Landowner Notification for Case Closure Consideration for Fuel Leak Case No. RO0000303 and GeoTracker Global ID T0600101240, Shell#13-5676, 230 West MacArthur Boulevard, Oakland, CA 94611

Dear Mr. Brown, Mr. Goyal, and Zheng Xiaoyi:

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 30 days from the date of this letter for your comments to be considered.

ACEH will review the case for possible closure under a commercial land use scenario with the following site management requirements:

*"Case closure for the fuel leak site is granted for the current commercial land use as a gasoline service station only. If a change in land use to any residential or other conservative land use scenario occurs at this site, Alameda County Environmental Health (ACEH) must be notified as required by Government Code Section 65850.2.2. ACEH will re-evaluate the case upon receipt of approved development/construction plans. Excavation or construction activities in the 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."*

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 attached mailing list and the cc list to this correspondence **no later than August 1, 2012**. 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 August 31, 2012. 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.

### **TECHNICAL REPORT REQUEST**

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

- **August 1, 2012** – 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

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, File

## 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#13-5676

Address: 230 West MacArthur Boulevard

City, State, Zip: Oakland, CA 94611

Record ID #: RO0000303

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: Zheng Xiaoyi

Address: 639 Kearney Street

City, State, Zip: El Cerrito, CA 94530-3126

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

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

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

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

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



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**NOTIFICATION OF POTENTIAL CASE CLOSURE**  
**SHELL #13-5676**  
**July 25, 2012**

**Site Location: 230 West MacArthur Boulevard, Oakland, CA 94611**  
**Fuel Leak Case RO0000303 and GeoTracker Global ID T0600101240**

**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 Shell-branded service station located at 230 West MacArthur Boulevard in Oakland, California (see attached map on back). Surrounding land use is mixed commercial and residential. The adjacent property to the northwest located at 240 West MacArthur Blvd. is also a leaking fuel case.

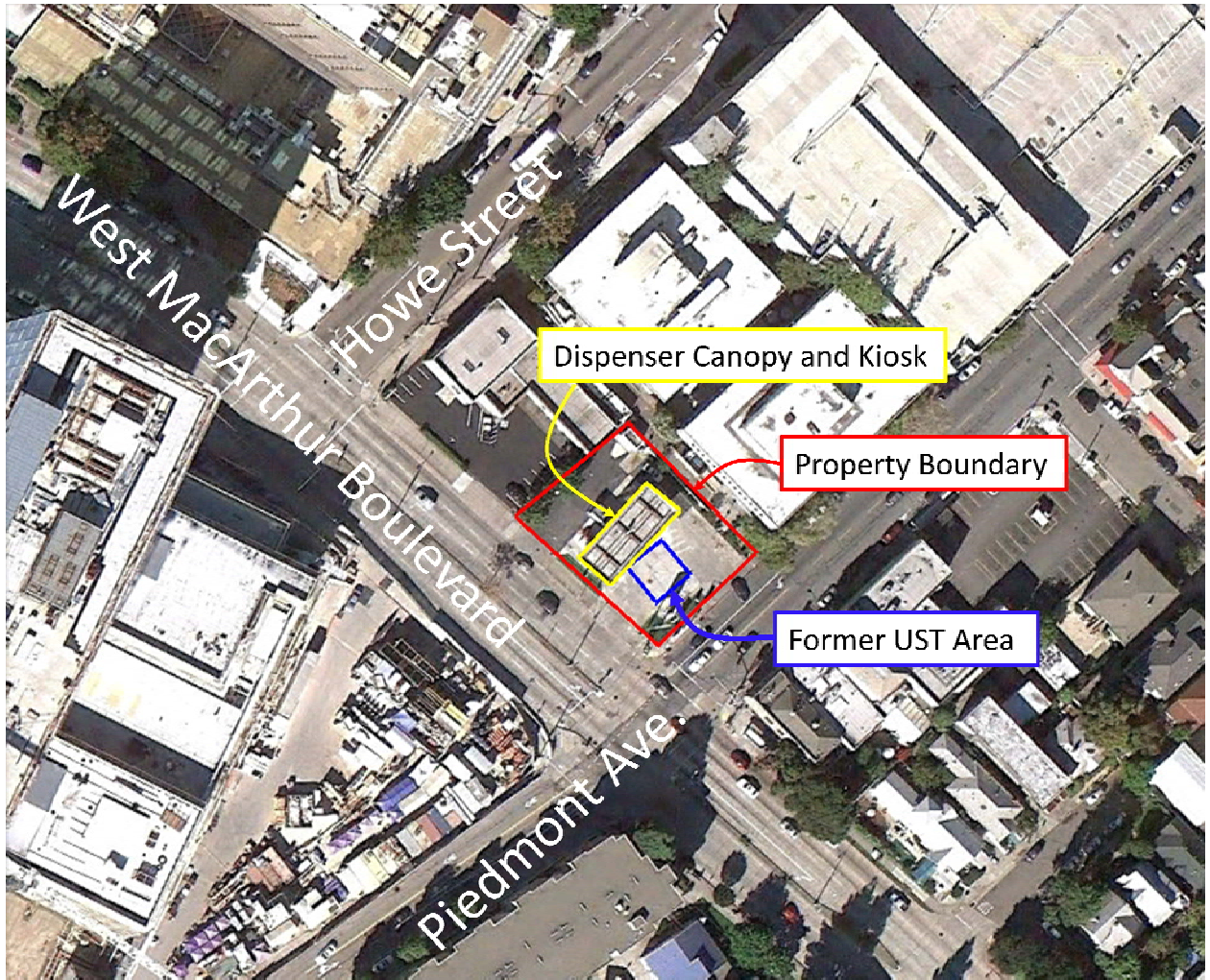
In April 1986, four exploratory borings were drilled in the vicinity of the on-site underground storage tank (UST) area and petroleum hydrocarbons were detected in the soil samples collected from the borings. Four USTs were removed and replaced in November 1987. During the removal, eight soil samples were collected beneath the tanks which contained Total Petroleum Hydrocarbons as gasoline (TPHg) at concentrations up to 480 parts per million (ppm).

Site investigation activities to define the extent of petroleum hydrocarbons in soil and groundwater were conducted at various times between 1987 and 1990 and from 2004 through 2008. Remediation activities on the site have included soil vapor extraction, which was conducted between March 1987 and November 1987. Groundwater monitoring began in July 1988 and was most recently performed in March 2011. During the most recent groundwater sampling event in March 2011, groundwater from the monitoring well nearest the on-site dispenser islands contained 7,600 parts per billion of TPHg, which was the maximum concentration detected.

The soil and groundwater data indicate that a plume containing dissolved petroleum hydrocarbons likely extends from the Shell site northwest beneath West MacArthur Boulevard. The plume appears to be stable and residual petroleum hydrocarbons in soil and groundwater are expected to biodegrade over time. 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.

**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 August 31, 2012** 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)



Aerial View of Property (Google, 2012)

BOWEN JOHN A  
Parcel #: 12-938-33  
1980 149TH AVE  
SAN LEANDRO CA 94578

CHANG GRACE & JANE  
Parcel #: 12-938-38  
700 EDDY ST  
SAN FRANCISCO CA 94109

DOKHANCHY MEHRDAD &  
Parcel #: 12-938-37  
3262 WOODVIEW DR  
LAFAYETTE CA 94549

GANIARIS ALEXANDER &  
Parcel #: 12-938-34  
3769 LEIGHTON ST  
OAKLAND CA 94611

GRAPPO SUZANNE M &  
Parcel #: 12-938-39-2  
PO BOX 2913  
ALAMEDA CA 94501

KAISER FOUNDATION  
Parcel #: 12-986-22-6  
1800 HARRISON ST #6  
OAKLAND CA 94612

KAISER FOUNDATION  
Parcel #: 12-1024-1  
1800 HARRISON ST #6  
OAKLAND CA 94612

KLY PIEDMONT PROPERTY  
Parcel #: 12-938-36  
238 SHERIDAN RD  
OAKLAND CA 94618

LUM BARON B & MAR  
Parcel #: 12-938-2  
12 BRIDGE RD  
BERKELEY CA 94705

PIEDMONT APARTMENTS LP  
Parcel #: 12-939-15-1  
151 KALMUS DR #J-5  
COSTA MESA CA 92626

POYWING GLEN & ELIZABETH  
Parcel #: 12-986-28  
240 W MACARTHUR BLVD  
OAKLAND CA 94611

RESIDENT  
Parcel #: 12-938-33  
3775 LEIGHTON ST  
OAKLAND CA 94611

RESIDENT  
Parcel #: 12-938-36  
3760 PIEDMONT AVE  
OAKLAND CA 94611

RESIDENT  
Parcel #: 12-938-38  
3768 PIEDMONT AVE  
OAKLAND CA 94611

RESIDENT  
Parcel #: 12-938-35  
214 W MACARTHUR BLVD  
OAKLAND CA 94611

RESIDENT  
Parcel #: 12-938-37  
3764 PIEDMONT AVE  
OAKLAND CA 94611

RESIDENT  
Parcel #: 12-939-15-1  
215 W MACARTHUR BLVD  
OAKLAND CA 94611

RESIDENT  
Parcel #: 12-938-39-2  
3770 PIEDMONT AVE  
OAKLAND CA 94611

RESIDENT  
Parcel #: 12-986-25-1  
230 W MACARTHUR BLVD  
OAKLAND CA 94611

RESIDENT  
Parcel #: 12-938-2  
11 YOSEMITE AVE  
OAKLAND CA 94611

RESIDENT  
Parcel #: 12-986-22-6  
3800 HOWE ST  
OAKLAND CA 94611

RESIDENT  
Parcel #: 12-1024-1  
3451 PIEDMONT AVE  
OAKLAND CA 94611

WEST ALONZO G & CYNTHIA  
Parcel #: 12-938-35  
P.O.BOX 20057  
PIEDMONT CA 94620

ZHENG XIAOYI  
Parcel #: 12-986-25-1  
639 KEARNY ST  
EL CERRITO CA 94530

## Attachment 1

### Responsible Party(ies) Legal Requirements / Obligations

#### REPORT REQUESTS

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.waterboards.ca.gov/water\\_issues/programs/ust/electronic\\_submittal/](http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)).

#### 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.

#### 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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>REVISION DATE:</b> July 20, 2010
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> 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

- **Please do not submit reports as attachments to electronic mail.**
- Entire report including cover letter must be submitted to the ftp site as **a single portable document format (PDF) with no password protection.**
- 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)

## 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 [deh.loptoxic@acgov.org](mailto:deh.loptoxic@acgov.org)
  - 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, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
  - b) Click on Page located on the Command bar on upper right side of window, and then scroll down to Open FTP Site in Windows Explorer.
  - 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 [deh.loptoxic@acgov.org](mailto:deh.loptoxic@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.