

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



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ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
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April 24, 2008

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

Mr. John Ward, Trust Real Estate  
Wells Fargo Bank  
P.O. Box 693939  
San Francisco, CA 94163

Mr. Anye Spivey  
AFE Broadway 8LLC  
EF Evans  
1000 Broadway, Ste. 300  
Oakland, CA 94507

Subject: Fuel Leak Case No. RO0000343 and Geotracker Global ID T0600101263, Shell, 461 8<sup>th</sup> Street, Oakland, CA 94607

Dear Mr. Brown, Mr. Spivey, and Mr. Ward:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above referenced site, including the recently submitted document entitled, "*Remedial Action Plan*," dated April 17, 2008 (RAP). The RAP, which was prepared on Shell's behalf by Conestoga-Rovers & Associates (CRA), presents responses to ACEH's March 14, 2008 technical comments and proposes limited soil excavation. The "*Site Investigation and Pilot Test Report, and Corrective Action Plan*," recommended a remedial alternative consisting of soil vapor extraction and air sparging based on the results of pilot testing. In previous correspondence dated March 14, 2008, ACEH provided technical comments on the February 25, 2008, "*Site Investigation and Pilot Test Report, and Corrective Action Plan*," and requested that Shell address the technical comments and prepare a Revised Site Investigation/Pilot Test Report and Draft Corrective Action Plan. On April 1, 2008, ACEH staff met with representatives of Shell and the property owner (A.F. Broadway LLC) to discuss recommendations presented in the CAP. As a result of those discussions with the property owner, Shell has elected to proceed with excavation in order to potentially accelerate remediation in anticipation of site development.

The proposed excavation may be implemented as an interim remedial action provided that the technical comments below are addressed and incorporated during the proposed excavation activities. Submittal of a revised RAP is not required unless an alternate scope of work outside that described in the RAP and technical comments below is proposed. If it is not feasible to incorporate some portion of the technical comments below without significant changes to the proposed scope of work, please submit a revised work plan or response to comments to identify how the technical comments will be addressed.

We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

### **TECHNICAL COMMENTS**

1. **Extent of Excavation.** Excavation to a depth of approximately 20 feet bgs is currently proposed in three stages over a 20 by 60 feet area adjacent to two former dispenser islands. The proposed excavation area covers roughly the northeastern half of the two former dispenser islands. Seven soil borings have apparently been advanced within the proposed excavation area. Soil analytical data from five of the seven soil borings within the proposed excavation area indicate that the highest concentrations of fuel hydrocarbons were generally detected at depths of 20 feet bgs or shallower. However, we note that elevated concentrations of fuel hydrocarbons were detected at a depth of 25 feet bgs in soil samples from borings B-10 and B-11 which are located beneath the southwestern half of the former dispenser island outside the proposed excavation area. Total petroleum hydrocarbons as gasoline were detected in soil at a depth of 25 feet bgs at concentrations of 7,800 and 3,500 milligrams per kilogram in borings B-10 and B-11, respectively. Benzene was detected in soil at a depth of 25 feet bgs at concentrations of 49 and 30 milligrams per kilogram in borings B-10 and B-11, respectively. We request that you expand the excavation to include the impacted soil encountered beneath the southwestern half of the dispenser islands in borings B-10 and B-11.
2. **Confirmation Soil Sampling.** No sidewall sampling is proposed due to the need for shoring. The RAP currently proposes the collection of one soil sample from the base of the excavation with a minimum of one sample from near each sidewall if no standing water is present in the excavation. The total number of proposed confirmation samples is somewhat unclear. For clarification purposes, we request that you collect one confirmation soil sample from the base of the excavation and four soil samples from the base of the excavation adjacent to each sidewall within each staged area (a total of five soil samples from each of the three stage areas) if standing water is not present in the excavation. We request that you increase the number of confirmation soil samples in any areas where it is not feasible to remove impacted soil. Please provide a minimum of 48 hours advance notification of confirmation soil sampling (e-mail preferred to [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org)) in order for ACEH to observe conditions. ACEH potentially may request additional confirmation soil sampling based upon observed conditions.
3. **Well Replacement.** Decommissioning of several wells will be required within the excavation area. The RAP currently proposes that the wells be re-installed within the excavation backfill and designed similarly to the removed wells if replacement wells are required by ACEH. Groundwater monitoring will be required following excavation to evaluate the effectiveness of the soil excavation. However, we request that new locations and potentially revised well designs be evaluated and proposed to monitor the effectiveness of the excavation. Therefore, we request that you submit a work plan for installation of monitoring wells as requested below.
4. **Off-site Vapor Sampling.** The proposal in the RAP to complete off-site soil vapor sampling is acceptable. Please report the results of the off-site soil vapor sampling by July 25, 2008.
5. **Vertical Delineation.** Soil borings SB-24 through SB-27 met refusal prior to the planned total depth of 50 feet bgs. Therefore, depth-discrete grab groundwater sampling could not be

Mr. Denis Brown  
Mr. Anye Spivey  
Mr. John Ward  
RO0000343  
April 24, 2008  
Page 3

completed for delineating the vertical extent of contamination. No soil samples were collected deeper than 10 feet bgs from boring B-25 due to drilling refusal. Boring B-25 was proposed in order to evaluate whether fuel hydrocarbons had migrated downward in the southern corner of the site. Fuel hydrocarbons have been detected in lower intervals in borings to the southwest along Broadway. We do not believe that data on the vertical extent of contamination from elsewhere on the site can be extrapolated to the southern corner of the site. Therefore, we request that you present plans in the Work Plan requested below to complete vertical delineation by advancing borings to 50 feet bgs in the southern portion of the site.

6. **Long-term Effectiveness of Remediation.** Soil excavation is conditionally approved as an interim remedial action. The long-term effectiveness of the proposed excavation to meet remedial objectives has not been evaluated.

#### **TECHNICAL REPORT REQUEST**

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

- **June 10, 2008** – Work Plan for Vertical Delineation and Monitoring Well Installation
- **July 25, 2008** – Excavation Report and Results of Off-Site Soil Vapor Sampling
- **45 days following end of each quarter** – Quarterly Groundwater Monitoring Reports

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

Mr. Denis Brown  
Mr. Anye Spivey  
Mr. John Ward  
RO0000343  
April 24, 2008  
Page 4

Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](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.

#### 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.

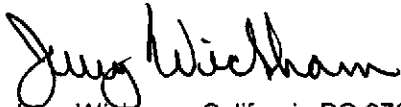
#### AGENCY OVERSIGHT

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.

Mr. Denis Brown  
Mr. Anye Spivey  
Mr. John Ward  
RO0000343  
April 24, 2008  
Page 5

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).

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

Leah Goldberg, Meyers Nave, 555 12<sup>th</sup> Street, Suite 1500, Oakland, CA 94607

Jacquelyn England, Conestoga-Rovers & Associates, 19449 Riverside Drive, Suite 230, Sonoma, CA 95476

Grover Buhr, Treadwell & Rollo, 501 14<sup>th</sup> Street, 3<sup>rd</sup> Floor, Oakland, CA 94612

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

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

Effective **January 31, 2006**, 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](mailto:dehloptoxic@acgov.org)  
or
    - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of Alicia Lam-Finneke.
  - 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](mailto: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 at acgov.org. (e.g., [firstname.lastname@acgov.org](mailto: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)