



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

February 9, 2010

Mr. Denis Brown (*Sent via E-mail to: [denis.l.brown@shell.com](mailto:denis.l.brown@shell.com)*)  
Shell Oil Products US  
20945 S. Wilmington Ave.  
Carson, CA 90810-1039

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

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

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, "*In situ Chemical Oxidation Pilot Test Report*," dated November 30, 2009 (Report). The Report, which was prepared on Shell's behalf by Conestoga-Rovers & Associates, presents results from insitu chemical oxidation (ISCO) events conducted in August 2009. Groundwater sampling data indicate that the ISCO injections have resulted in decreases in concentrations of petroleum hydrocarbons in several on-site wells. In order to further evaluate the effectiveness of ISCO treatments, the Report recommends monthly groundwater monitoring during the fourth quarter of 2009 and quarterly groundwater monitoring during the first half of 2010.

Based on our review of the "*In situ Chemical Oxidation Pilot Test Report*," dated November 30, 2009 and quarterly groundwater monitoring reports in the case file, we request that you address the following technical comments, perform the proposed work, and send us the reports described below.

#### **TECHNICAL COMMENTS**

1. **Groundwater Monitoring.** The proposal to conduct quarterly groundwater monitoring during the first half of 2010 to evaluate the effectiveness of ISCO treatments is acceptable. Following the first quarter 2010 sampling event, we request that you review the sampling results including petroleum hydrocarbon concentrations, dissolved oxygen, and oxygen reduction potential to potentially identify wells or areas of the site where additional ISCO injection may be beneficial. Please present these data and your recommendations in the First Quarter 2010 Groundwater Monitoring Report requested below.

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2. **Discharges to BART Tunnel.** Approximately 2,600 gallons of a gasoline and water mixture were removed from the KE BART tunnel between October 1979 and April 1980. Separate phase product samples identified the gasoline as Shell Regular gasoline. Based on a review of construction diagrams for the BART system, the product was believed to gain access to the BART tunnel at the juncture of the cut and cover section of the KE line with the driven or tunneled section of the line, which occurs beneath the intersection of Broadway and 7<sup>th</sup> Street (*Considerations on Infiltration of Gasoline into BART KE Line*, prepared by Groundwater Technology, Inc., ACEH case files). Neoprene seals in the driven portion of the tunnel were reported to show evidence of deterioration from the gasoline allowing greater in-flow of water and product. Seepage of the hydrocarbon and water mixture was reported to enter the KE BART tunnel and flow into a drain that conveyed the liquid across the tunnel to a sump and pump station located on the southeast corner of 7<sup>th</sup> and Broadway. The sump and pump station reportedly discharged to the storm drain (*Considerations on Infiltration of Gasoline into BART KE Line*, prepared by Groundwater Technology, Inc., ACEH case files). We request that you contact BART to determine whether groundwater discharges continue into the KE line in this area, whether petroleum hydrocarbons have been observed or detected in the discharges, and whether any sampling of the discharges has occurred. Two spigots were reportedly installed in the driven section of the BART tunnel circa 1980. Free product was observed to discharge from one spigot and a mixture of dissolved gasoline and water from the other spigot (*Considerations on Infiltration of Gasoline into BART KE Line*, prepared by Groundwater Technology, Inc., ACEH case files). Please inquire as to whether these spigots remain in place and whether groundwater samples can be collected from them. Please present these results in the Supplemental Survey of Downgradient Receptors requested below.
  
3. **Downgradient Receptors.** Soil vapor sampling has been conducted within the basement of the building immediately southwest of the site. Based on the results obtained to date, no further sampling of the off-site soil vapor probes is requested at this time. A review of the document entitled, "*Sensitive Receptor Survey, Well Survey, Conduit Study and Cross Sectional Diagram Report*," dated February 11, 2002 indicates that no schools, churches, hospitals, or wells are located immediately downgradient of the site. However, the report does not indicate whether any of the downgradient buildings have basements, sumps, or dewatering systems that potentially could be receptors for the dissolved phase plume. We request that you review the construction of the existing buildings located on both sides of Broadway between 6<sup>th</sup> and 8<sup>th</sup> Streets to determine whether any of the buildings have basements, sumps, or dewatering systems that potentially could be receptors for the dissolved phase plume. Please present this information in the Supplemental Survey of Downgradient Receptors Report requested below.

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### **TECHNICAL REPORT REQUEST**

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

- **March 15, 2010** – Groundwater Monitoring Report – First Quarter 2010
- **March 30, 2010** – Supplemental Survey of Downgradient Receptors Report
- **June 15, 2010** – Groundwater Monitoring Report – Second Quarter 2010

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.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.

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#### 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.

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

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

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

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)*)

Grover Buhr, Treadwell & Rollo, 501 14<sup>th</sup> Street, 3<sup>rd</sup> Floor, Oakland, CA 94612 (*Sent via E-mail to: [gsbuhr@treadwellrollo.com](mailto:gsbuhr@treadwellrollo.com)*)

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

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>ISSUE DATE:</b> July 5, 2005
	<b>REVISION DATE:</b> March 27, 2009
	<b>PREVIOUS REVISIONS:</b> December 16, 2005, October 31, 2005
<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

- 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 My Le Huynh.
  - 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 @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.