

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



05/22/01

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

May 21, 2001
StID #4596
RO 0000505

Mr. William Platt, III Esq.
Senior Manager, Environmental Claims
Shell Oil Company
P.O. Box 2463
One Shell Plaza
Room 1442
Houston, TX 77252-2463

Re: Former Shell Station at 2350 Harrison St., Oakland CA 94612

Dear Mr. Platt:

As requested in your May 18, 2001 letter, enclosed, please find copies of a site map with sample locations, analytical results and chain of custody documents for soil samples collected by Groundwater Technology, Inc. Also enclosed is a site map indicating the location of the former tank pit area, existing and dispenser islands. The documents verify the detection of petroleum hydrocarbons at this site. I trust that you will authorize Equiva to proceed with performing an investigation to determine the extent of such contamination in soil and groundwater.

Please have Equiva submit an appropriate work plan to our office within 45 days or no later than July 5, 2001.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

Enclosure (Mr. Platt only)

C: B. Chan, files

Ms. K. Petryna, Equiva Services, P.O. Box 7869, Burbank, CA 91510-7869

Mr. R. Burge, One Kaiser Plaza, Suite 1010, Oakland CA 94612

Mr. Bob Vasquez, The Southland Corporation, 5820 Stoneridge Mall Rd., Suite 310,
Pleasanton, CA 94586

Resp2350Harrison

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



04-05-01

R0505

April 4, 2001
StID # 4596

Ms. Karen Petryna
Equiva Services
P.O. Box 7869
Burbank CA 91510-7869

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

**Re: Request for Investigation at Former Shell Oil Service Station, 2350 Harrison St.
Oakland CA 94612**

Dear Ms. Petryna:

It is my assumption that Equiva Services is aware and will assume environmental responsibility for the investigation of the referenced former Shell Oil service station. Briefly, this site was a Shell gasoline station up to 1977 at which time the gasoline (and other?) underground tanks were removed. Later investigation found that Shell Oil Co. was issued a permit by the City of Oakland to remove 1-5000, 1-8000, 1-10000 and 1-550 gallon tank. No documentation exists pertaining to the tank removals. The site is currently a 7-11 retail food facility. Apparently, during the installation of two light poles in November 1992 at this site, petroleum contaminated soils were encountered. At that time, the developer, Burge Development Company contracted Groundwater Technology, Inc. (GTI) to collect samples from the two stockpiles generated. Up to 3200 ppm TPH as lubricating oil (GC-FID), 89 ppm TPH as gasoline and 0.24, 0.31, 0.22, 2 ppm BTEX, respectively were detected in these soil samples. No map exists which indicates the location of these two locations. Based upon these results, our office requested additional investigation. Burge Development had GTI prepare a work plan. On March 4, 1993, four additional borings were advanced by GTI. Up to 7900 ppm TPH as lubricating oil and 620 ppm TPH as gasoline was identified in the soil samples. Unfortunately, no BTEX analysis was performed nor were any water samples collected.

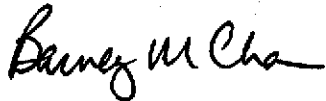
Burge Development never operated underground tanks at this site since their purchase in 1977. Because of the historical use of fuel tanks at this site, Shell Oil was named as a responsible party. Mr. Thomas Maher, Senior Manager, Environmental Claims Management was informed of this request to participate in the investigation and he replied in his May 25, 1999 letter to Ms. Eva Chu of this office, copy of letter enclosed. As you will note in his letter, he questioned that appropriate sampling of the initial samples. The contractor may have biased the soil samples since they were not environmental consultants. That may have been the case, however, the additional investigation performed by GTI was done in a professional manner and these results confirm a minimally a release of TPHg and TPHmo. In Mr. Maher's letter, he states that Shell is "certainly willing to perform a subsurface investigation at 2350 Harrison St. if a more reliable indication that a release of product occurred during Shell's occupancy is now available or is discovered in the future." Therefore, it appears that Shell should now proceed with this investigation.

Ms. Karen Petryna
2350 Harrison St., Oakland CA 94612
Std # 4596
April 4, 2001
Page 2.

Please feel free to review our files and respond to this request in writing within 45 days or no later than May 19, 2001.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

Enclosure (Ms. Petryna)

C: B. Chan, files

Mr. Richard Burge, One Kaiser Plaza, Suite 1010, Oakland CA 94612
Mr. Bob Vasquez, The Southland Corporation, 5820 Stoneridge Mall Rd., Suite 310,
Pleasanton, CA 94586

Wprq2350Harrison

Shell Oil Company



One Shell Plaza
PO Box 2463
Houston TX 77252-24

20505

MAY 25, 1999

Ms. Eva Chu, Hazardous Materials Specialist
Environmental Health Services
Alameda County Health Care Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Re: Former Shell Oil Company Service Station Located at
2350 Harrison Street, Oakland, California

Dear Ms. Chu:

Please excuse my long delay in responding to your inquiries concerning the former Shell Oil Company service station once located at 2350 Harrison Street in Oakland. I apologize for the inconvenience my delay caused.

One of the reasons for my delay is that the information you sent me about the site in early 1998 was lost during a subsequent relocation of our offices. Therefore, I am relying on my recollection of that information in responding to your April 20 letter.

As I recall, the current occupant of the premises installed certain self-standing lighting fixtures on the property. The soil excavated during the installation was stockpiled on site and eventually sampled and analyzed. Because the analysis revealed the presence of petroleum products, you requested that Shell perform further investigation to determine if a release from the underground storage tanks had occurred during for the time Shell occupied the premises.

I believe that I left a telephone message for you that indicated Shell was reluctant to perform further investigation because we felt that the analysis of the stockpiled soil was not sufficient evidence as to warrant further investigation. Shell has not changed its position in that regard. Let me explain.

If Shell were to perform a subsurface investigation for any site under the County's jurisdiction, you would insist that the sampling protocols utilized prevent soil samples from coming into contact with contaminated augurs, tools, sampling devices and storage containers. All such devices would have to be thoroughly cleaned and rinsed before they came into contact with the soil to be sampled. Otherwise, the County could not accept the soil analysis as being representative of actual conditions.

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ENVIRONMENTAL
PROTECTION

Ms. Eva Chu, Hazardous Materials Specialist

May 25, 1999

Page 2

There is no indication that any reasonable protocol was used when samples were taken from the soil excavated during the installation of lighting fixtures at 2350 Harrison Avenue. Indeed, it is doubtful that any contractor employed to install lighting fixtures would even be aware of the protocols necessary to obtain representative samples. Presumably, the soil sampled was excavated by a machine that first dug through asphalt paving or by hand tools that could have previously been used for any number of projects that exposed their surfaces to petroleum products. In view of these factors, Shell believes that the analytical results obtained by testing the soil samples taken from 2350 Harrison Avenue are not sufficiently reliable as to warrant the expenditure of the thousands of dollars that an appropriate Phase II investigation would cost.

Please let me make it clear that Shell is certainly willing to perform a subsurface investigation at 2350 Harrison Avenue if a more reliable indication that a release of product occurred during Shell's occupancy is now available or is discovered in the future. Since I will soon be leaving employment with Shell, you should contact Mr. W. E. Platt, III, at the address provided above whenever more reliable information becomes available.

Yours truly,



Thomas F. Maher

Senior Manager, Environmental Claims Management

Shell Oil Company

Writer's direct telephone: (713) 241-0434; facsimile: (713) 241-6926

cc: W. E. Platt, III

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



Ro# 505

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

StID 4596

April 20, 1999

Mr. Tom Maher
Shell Oil Company
777 Walker Street, Room 1148
Houston, TX 77002

**RE: Second Notice for Additional Investigations at 2350 Harrison Street,
Oakland, CA**

Dear Mr. Maher:

In August 1998 I requested additional investigations be conducted to determine if the former USTs removed in March 1977 had contributed to soil and possible groundwater contamination at the above referenced site. A workplan for this phase of investigation was due to this office by November 1998. To date, I have not received a workplan from you.

This letter is a reminder that the required workplan is due. If you have any questions or comments concerning the content of this and my previous letter, I can be reached at (510) 567-6762.

eva chu
Hazardous Materials Specialist

c: Richard Burge
One Kaiser Plaza, Suite 1010
Oakland, CA 94612

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

RO# 505

ENVIRONMENTAL HEALTH SERVICES

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

StID 4596

August 14, 1998

Mr. Alex Perez
Shell Oil Products
P.O. Box 8080
Martinez, CA 94553

RE: Soil and Groundwater Investigation at 2350 Harrison Street, Oakland, CA

Dear Mr. Perez:

I am the case worker and have completed review of the file for the above referenced site. Records indicate that Shell Oil had owned the subject property and sold it to Mr. Richard Burge in March 1977. At that time the fuel underground storage tanks (USTs) were also removed.

The site is currently a 7-11 retail food facility. In November 1992 two light poles were installed in the planter area of the site. Hydrocarbon odors were detected by the construction crew. In March 1993 soil samples were collected at ~7.5' bgs and analyzed for various petroleum hydrocarbon constituents. There was no analysis for BTEX constituents. Up to 7,900ppm TPH as lubricating oil and 620ppm TPH as gasoline were identified. Groundwater was encountered at ~8' bgs but a water sample was not collected.

I contacted Mr. Tom Maher, of Shell's Environmental Claims Department, but he was not able to locate any information regarding the removal of the former USTs at the subject site. Therefore, additional investigations are required at this time to determine the extent and severity of soil and groundwater contamination at this site. A work plan for this phase of the investigation is due to this office by **November 2, 1998.**

Please be advised that this is a formal request for technical reports pursuant to Title 23, CCR, Section 2722(c). Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by this agency.

If you have any questions, I can be reached at (510) 567-6762.

eva chu
Hazardous Materials Specialist

c: Richard Burge, One Kaiser Plaza, Suite 1010, Oakland, CA 94612 (7-11-1)

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0505

RAHAT A. SHARIF, Regional Agency Director

Certify Mailer P 418 724 527

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Division
80 Swan Way, Rm. 200
Oakland, CA 94621
(510) 271-4320

June 1, 1993

Mr. Richard Burge
Burge Development Company
One Kaiser Plaza, Suite 1010
Oakland, CA 94612

Second Notice of Legal Obligation
RE: 7-11 Store, 2350 Harrison Street, Oakland, CA 94612

Dear Mr. Burge:

On May 26, 1993 I inspected the above site. There are twenty-one 55 gallon drums on your property that are not properly labelled. An employee of the store informed me that the drums contain contaminated soil. These drums must be properly labelled, and their contents tested for the presence of hazardous materials immediately. Once this is done, the waste must be disposed of in accordance to the applicable regulation.

A letter dated March 2, 1993 from our office was sent to you requesting that you submit a plan of correction within 30 days to address the soil contamination that was discovered at the above site. As of this date, we have not received your plan. Please submit your plan within 10 days of the receipt of this letter. If a plan of correction is not received within this time frame, your file will be submitted to the District Attorney's office for review.

Please submit another deposit/refund check for \$483.00 made payable to the County of Alameda within ten days. The current balance on your account is -\$69.00.

If you have any questions, please contact me at 271-4320.

Sincerely,


Larry Seto
Sr. Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney's Office
Bob Vesques, Southland Corp.
Rich Hiatt, RWQCB
Ed Howell, Chief, Hazardous Materials
Department of Toxic Substance Control

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



Cert # P 113 815 494 R0505

RAFAT A. SHAHID, Assistant Agency Director

March 2, 1993

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Division
80 Swan Way, Rm. 200
Oakland, CA 94621
(510) 271-4320

Mr. Richard Burge
Burge Development Company
One Kaiser Plaza #1010
Oakland, CA 94612

RE: 7-11 Store, 2350 Harrison Street, Oakland, CA 94612

Dear Mr. Burge:

It is my understanding from Groundwater Technology Inc. that your company is the property owner of the above address. During the excavation in December '92 for the installation of new light posts, soil contamination was discovered at the above site. Soil samples taken from the excavation contained up to 3,200 ppm of lubricating oil and 89 ppm of gasoline. Please submit to this office within 30 days of the receipt of this letter a plan of correction. This plan must include, but shall not be limited to:

1. Method(s) that will be used to determine the lateral and vertical extent of contamination
2. Method(s) that will be used to determine the source of this contamination
3. Proposed remediation method(s)
4. An investigation/remediation timetable including the expected date of completion

Groundwater Technology, Inc. has submitted a sampling plan titled, Soil Sampling For Light Pole Installation dated February, 11, 1993 for the above site. It is acceptable with the understanding that during the subsurface remediation, there may be a requirement that the light post(s) be removed.

If you have any questions, please contact me at 271-4320.

Sincerely,


Larry Seto
Sr. Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney's Office
Butch Kennedy, Harold Nutter & Son
Bob Vesquez, Southland Corp.
Rich Hiatt, RWQCB
Ed Howell, Chief, Hazardous Materials Division
Department of Toxic Substance Control