

## Nowell, Keith, Env. Health

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**From:** Nowell, Keith, Env. Health  
**Sent:** Thursday, October 09, 2014 4:29 PM  
**To:** 'Pete.Pugnale@shell.com'  
**Cc:** 'marvin.katz@shell.com'; 'Acool@CRAworld.com'; 'Peter Schaefer (Pschaefer@CRAworld.com)'; Weston, Robert, Env. Health; Roe, Dilan, Env. Health  
**Subject:** Fuel leak case RO2745- Shell#13-5032, 1601 Webster St., Alameda- Notice of Violation

Dear Mr. Pugnale,

Alameda County Department of Environmental Health (ACDEH) has clarified the situation surrounding its issuance of the Notice of Violation, dated October 9, 2014, after a discussion with Mr. Peter Schafer of Conestoga-Rovers & Associates (CRA). ACDEH was misled by the date of the Tank Removal report, dated July 10, 2014, the report submittal date of October 1, 2014, and the report retraction on October 7, 2014 for an unidentified administrative error. Also unclear to ACDEH was the time frame for the re-submittal of the report, due by October 2, 2014.

There has been an apparent disregard to ACDEH requests for this case, as there was an initial denial that the Tank Removal report was the responsibility of Shell, and after acknowledging its responsibility, Shell failed to meet the requirements of the tank removal permit.

CRA's Mr. Schafer indicated the above referenced administrative error included the report date, which should have read October 1, 2014, and a sentence within the report that required editing. Based on these minor edits to the Tank Removal report and the report resubmittal on October 9, 2014, ACDEH has withdrawn its Notice of Violation.

Should you have any questions regarding this correspondence or your case, please call me at (510) 567-6764 or send an electronic mail message at [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org).

Respectfully,  
Keith Nowell

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