

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director



FAX (510) 337-9335

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

July 28, 2009

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

Subject: Fuel Leak Case No. RO0002985 and Geotracker Global ID T1000000423, Shell #16-5112, 4895 Hacienda Drive, Dublin, CA 94568 – Groundwater Monitoring Requirements

Dear Mr. Brown:

The purpose of this correspondence is to inform you of changes to groundwater monitoring requirements for all fuel leak cases in California. The California State Water Resources Control Board (State Water Board) has approved Resolution No. 2009-0042 (*Actions to Improve Administration of the UST Cleanup Fund and UST Cleanup Program*). Resolution No. 2009-0042 states that, "*Regional Water Board and LOP agencies shall reduce quarterly groundwater monitoring requirements to semiannual or less frequent monitoring at all site unless site-specific needs warrant otherwise and shall notify all responsible parties of the new requirements no later than August 1, 2009. If more than semiannual monitoring is required for a case, the responsible party and State Water Board shall be notified of the rationale and the notice shall be posted on Geotracker.*"

If your site does not have monitoring wells, the new groundwater monitoring requirements in State Water Board Resolution No. 2009-0042 do not affect you at this time. These new groundwater monitoring requirements potentially may apply if monitoring wells are installed at your site in the future.

Upon review of this case, we find that a Work Plan to investigate the extent of soil and groundwater contamination at the site is late. Please review our previous directive letter dated February 26, 2009 and submit the requested Work Plan no later than the September 28, 2009.

If you have any questions, please call me at 510-567-6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Wickham". The signature is fluid and cursive, written over a light background.

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Attachment: ACEH Directive Letter dated February 26, 2009

Responsible Parties
RO0002985, July 28, 2009, Page 2

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Cheryl Dizon (QIC 8021), Zone 7 Water Agency, 100 North Canyons Pkwy, Livermore, CA 94551
(Sent via E-mail to: cdizon@zone7water.com)

Suzanne McClurkin-Nelson, Delta Environmental, 312 Piercy Road, San Jose, CA 95138

Donna Drogos, ACEH (Sent via E-mail to: donna.drogos@acgov.org)
Jerry Wickham, ACEH

Geotracker, File

RESPONSIBLE PARTY OF RECORD AS OF 07/22/2009

RO0002985, SHELL #16-5112, 4895 HACIENDA DR , DUBLIN, CA, 94568

Alameda County Environmental Health (ACEH) has the following information on record regarding the Responsible Party(ies) for the above referenced site. Please update the following information for our records. Should you have contact information regarding additional Responsible Parties, please correct the information accordingly. Also, please check the "e-mail preferred" box to receive all future correspondences and notifications by e-mail.

E-mail Preferred

Hardcopy Preferred

ACEH is requesting your e-mail address so that we can correspond with you quickly and efficiently regarding your case. Please note that ACEH respects your privacy. Your e-mail address will remain confidential and will not be provided to any third party.

Current Information

DENIS BROWN
SHELL OIL PRODUCTS US
20945 S WILMINGTON AVE
CARSON CA 908101039
denis.l.browm@shell.com
7078650251
7072909101

Corrections or Additions

Name: _____
Company: _____
Address: _____
City: _____ State: _____ Zip: _____
E-mail: _____
Home Phone: (____) _____
Office Phone: (____) _____
Cell Phone: (____) _____

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February 26, 2009

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

Subject: Fuel Leak Case No. RO0002985 and Geotracker Global ID T10000000423, Shell #16-5112, 4895 Hacienda Drive, Dublin, CA 94568

Dear Mr. Brown:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above referenced site. Shell Oil Products is the owner of an active retail gasoline station at 4895 Hacienda Drive in Dublin, CA. Four soil borings were advanced at the site on August 20, 2008 as part of a Phase II Environmental Site Assessment. Soil samples from two of the four soil borings contained MTBE at concentrations up to 0.073 milligrams per kilogram. Groundwater samples were collected from two of the four soil borings. Total petroleum hydrocarbons as gasoline (TPHg) were detected in one of the two groundwater samples at a concentration of 320 micrograms per liter ($\mu\text{g/L}$). MTBE was detected in both groundwater samples at concentrations of 2.3 and 370 $\mu\text{g/L}$.

We request that you prepare a Work Plan by **May 19, 2009** to investigate the extent of soil and groundwater contamination at the site.

TECHNICAL REPORT REQUEST

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

- **May 19, 2009** – Work Plan

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).

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.

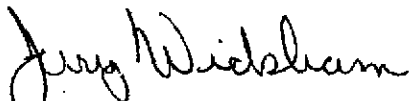
AGENCY OVERSIGHT

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.

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Mr. Denis Brown
RO0002985
February 26, 2009
Page 3

Sincerely,



Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Cheryl Dizon, QIC 80201
Zone 7 Water Agency
100 North Canyons Parkway
Livermore, CA 94551

Donna Drogos, ACEH
Jerry Wickham, ACEH
File