



10/21/2011

Ladies and Gentlemen:

SUBJECT: FIRST AMENDMENT TO THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR MOE'S STOP GAS & SERVICE STATION EIR

The Planning Commission of the City of San Jose will hold a Public Hearing to consider the Final Environmental Impact Report (FEIR) prepared for the project described below. A copy of the First Amendment to the Draft EIR is attached for your review. Together, the First Amendment and the Draft EIR constitute the Final EIR for the project.

Project Description and Location: Conditional Use Permit to allow the demolition of an existing single-family detached residence and the expansion of an existing gas and service station located at the southeast corner of McKee Road and N. 33rd Street in San Jose. Three additional gas pumps and a canopy for the new pumping facility will be constructed. The driveway into the station on 33rd Street will be relocated to allow a new exit and entry.

Hearing Date: 11/2/2011

Contact Person: John Davidson
Department of Planning, Building & Code Enforcement
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Attachment

First Amendment
to the
Draft
Environmental Impact Report
Moe's Stop Gas & Service Station

City File #CP11-049
State Clearinghouse #2011062068

City of San Jose

October 2011

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ATTACHMENTS:

Attachment 1 Groundwater Monitoring & Supplemental Reports

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1.0 INTRODUCTION

1.1 Background

This First Amendment together with the Draft EIR constitute the Final Environmental Impact Report for the Moe's Stop Gas & Service Station. This Amendment consists of an introduction, comment letters received during the 45-day public review period, responses to comments, and revisions to the Draft EIR.

The project is located on a 0.51-acre site at the southeast corner of N. 33rd Street and McKee Road in San Jose. The Moe's Stop project consists of the demolition of an existing single-family detached residence and the expansion of an existing gas and service station, consisting of three additional gas pumps and a canopy for the new fuel pumping facilities.

An Initial Study/Negative Declaration (ND) was prepared for the project by the City of San Jose in 2009. A neighboring business sued the City on the grounds that the ND did not adequately address traffic. The case went to the California Superior Court for Santa Clara County on March 11, 2011 (case no. 1-10-CV-0176412). The court issued a Writ of Mandate requiring the City to prepare an EIR for the project, specifically to evaluate traffic impacts. This EIR is prepared in accordance with the requirements of the Writ.

1.2 Public Participation

In accordance with CEQA, this document is included in the official public record for the EIR. Based on the information contained in the public record, decision makers will be provided with documentation on the projected environmental consequences of the proposal.

The City notified all responsible and trustee agencies, interested groups, and individuals that a Draft EIR had been completed for the proposed project. The City used the following methods to solicit input during the preparation of the EIR. The following is a list of the actions taken during the preparation, distribution, and review of the Draft EIR.

- The Notice of Preparation (NOP) was filed with the State Clearinghouse on June 28, 2011 and circulated for a 30-day review period ending on July 28, 2011. The California State Clearinghouse assigned the Clearinghouse Number 2011062068 to the Draft EIR.
- The NOP was distributed by the City to responsible and trustee agencies, and interested groups, organizations and individuals.
- On September 1, 2011, the Draft EIR was distributed for a 45-day public review period to responsible and trustee agencies, interested groups, and individuals. The public review period for the Draft EIR ended on October 17, 2011.

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2.0 Response to Comments

2.1 Introduction

This section provides responses to comments on the Draft EIR. This section contains all information available in the public record related to the Draft EIR as of October 20, 2011, and responds to comments in accordance with Section 15088 of the CEQA Guidelines.

2.2 List of Comment Letters

The following is a list of comment letters received on the Draft EIR:

Public

A. Law Offices of James M. Dombroski received 10/17/11

2.3 Response to Comments

Each letter received on the Draft EIR is presented in this chapter, as identified in Section 2.2 above. Individual comments in each letter are numbered. Correspondingly numbered responses to each comment are provided in the discussion following the comment letter.

Where comments raise environmental issues that require additions or deletions to the text, tables, or figures in the Draft EIR, a brief description of the change is given and the reader is directed to Section 3.0, Revisions to the Draft EIR. Some comments do not raise environmental issues, or do not require additional information. A substantive response to such comments is not required within the context of CEQA.

Law Offices of
JAMES M. DOMBROSKI

LETTER A

ATTORNEY AT LAW
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P.O. BOX 751027
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FAX (707) 769-0419
Email Address: jdomski@aol.com

October 17, 2011

Via Email (john.davidson@sanjose.ca.gov)
and Fax (408-292-6055)

Mr. John Davidson
Senior Planner
Department of Planning, Building
and Code Enforcement
200 E. Santa Clara Street, 3rd Floor
San Jose, California 95113

Re: City File No. CP11-049 (formerly CP09-115)
Draft EIR for Moe's Stop Gas & Service Station

Dear Mr. Davidson:

This office represents Andy Saberi, property owner and business owner, and Andy's BP, Inc., dba Gas & Shop (hereinafter "Andy's BP"), located at the southwest corner of McGee Road on N. 33rd Street, across the street from Moe's Gas, applicant in the above-referenced proceeding. This office also represents the same parties in the case against the City of San Jose, as Respondent, and Mr. Amir Shirazi, et al., real parties in interest, in the Superior Court of the State of California for the City and County of Santa Clara, Case No. 110 CV 176412.

Andy's BP objects to the "Draft" EIR based upon the following:

1. The EIR erroneously omits review of the applicant's leaking underground fuel tanks;
2. The EIR erroneously relies on false data re traffic analysis;
3. The EIR erroneously fails to address the applicant's failure to comply with state and local laws.

A. The EIR is Flawed: No Analysis of the Leaky Underground Tanks.

- 1. The Applicant's Leaky Underground Fuel Tanks Was Addressed in Andy's BP Petition for Writ of Mandate.**

Petitioner's reply brief in support of the Verified Petition for Writ of Mandate, stated, in part, as follows:

On August 13, 2009, the County of Santa Clara sent a letter to Shirazi regarding a fuel leak investigation at Moe's Stop. (SJ 87) The letter refers to the fact that Moe's Station was a site where fuel leaks had occurred, i.e., a "fuel leak site." (SJ 87; emphasis added)

The site of the Project was on the "LUST" (Leading Underground Storage Tanks) list, i.e., a site with issues regarding soil contamination involving leakage of underground gasoline storage tanks. (SJ 107) At a meeting, Respondent's staff member stated, "...I did some further investigation into it and it appears that there still are kind of issues going on with that, so, basically, as an active-active leaking underground storage tank site, while development on the property can still proceed, it is true that we cannot find this to be exempt from CEQA, so that we—the staff—the applicant would need to do some kind of environmental clearance, either a— you know, a negative declaration or, you know, if required, an EIR." (SJ 107; emphasis added..) Respondent's staff speaker further stated, "...I found, you know, a trail of—I guess he discussed correspondence from the Santa Clara County. I did, I believe, find the same correspondence he did. That was dated from June of this year, so, clearly there's still activity on the site with regard to the — to the leaking underground storage tank. So again, you know, it's not an issue that, you know, this development can't happen, it's just that the exemption will not cover it." (SJ 108-109; emphasis added.)

A1

On March 29, 2010, Respondent, through its representative Avril Baty, executed an initial study indicating that the Project would result in 41 net new average daily trips. (SJ 45) It further indicated that:

"The Municipal Environmental Compliance Officer and the Santa Clara County Department of Environmental Health have reviewed the soils report, and have determined that the groundwater at the site has been impacted by an historic release of gasoline,..." (SJ 41; emphasis added.)¹

On April 14, 2010, a supplemental memorandum was prepared regarding the Project, in relation to information received regarding an issue regarding a leaking underground fuel tank not originally identified by the Fire Department. (SJ 58)

¹ The opposition brief submitted by Respondent Shirazi fail to address the issue of Respondent's admission that "the site has been impacted by an historic release of gasoline." This admission alone is good grounds to require an EIR.

The letter from Petitioners' counsel states that substantial evidence supported the conclusion that significant impacts may occur, and as a consequence, an EIR was mandated. (SJ 65) [*The substantial evidence clearly shows: (1) geology and soils may be impacted based upon applicant's leaking gasoline tanks; (b) hazards and hazardous materials may be impacted based upon applicant's leaking gasoline tanks; and (c) transportation/traffic may be impacted based upon the 'Generation Study' by Traffic Data Service. [p] 'If the Planning Commission simply believes an impact may occur, an EIR must be required. Applicable treatises and laws clearly mandate an EIR if an impact may occur. Here, applicant's history of 'out of compliance' with its underground tanks, coupled with the possible leaking, is sufficient to require an EIR. An impact may occur is sufficient to require an EIR. In addition, there can be no doubt based upon the TDS Study that traffic may be impacted. This is sufficient to require an EIR.* (SJ 65)].)

A1

On April 21, 2010, a planning commission meeting was held. (SJ 119 et seq.) Based on the report of TDS, Mr. Dombroski argued that the Project would double traffic because Moe's Stop is a origin/destination in and of itself because it has the lowest gasoline prices in the area. (SJ 123) He noted that customers were observed waiting up to 15 minutes in line to use the station, negating the inference that customers arose from driving by the facility alone. (SJ 124) Thomas Saberi further stated at the meeting that Geotracker, a public website, failed to reflect that the site was in compliance with respect to underground gasoline leakage and contamination. (SJ 125) Mr. Saberi requested the commission order an EIR based on issues relating to traffic and contamination from leakage of gasoline. (SJ 125) At the conclusion of the meeting the application for conditional use permit was approved in light of the negative declaration and a finding it was in compliance with CEQA. (SJ 127-128)

2. The Expert Retained by Andy's BP Confirms Contamination Caused By Applicant.

The expert retained by Andy's BP is Bob Clark-Riddell. His resume is attached as Exhibit A (8 pages). Mr. Clark-Riddell's expert report is attached as Exhibit B (20 pages).

A2

This is substantial evidence that significant impacts may occur and as a consequence, an EIR is mandated. For these reasons, the EIR is patently flawed.

B. The EIR Relies on False Data Regarding the Traffic Analysis.

At page 13 of the EIR, it states that "gas prices" at Andy's BP Gas & Shop are "comparable to Moe's Stop" and that "prices don't typically vary by one cent per gallon on a daily basis." These predicate facts in the EIR are false. In fact, studies by Andy's BP

A3

show that at least 2/3 of the time, Moe's Gas is cheaper and the prices vary by more than one cent per gallon.

At page 14 of the EIR, it refers to "pass-by trip reduction" for the proposition that traffic is not generated by the gas station. Application of this principle is wrong because the area has the distinction for "cheap gas", the cheapest in the San Jose metropolitan area. In fact, Moe's Stop advertises on a website that applicant's posts daily with his prices to obtain overflow traffic.

A3

All of these facts were ignored in the EIR. Additionally, the EIR acknowledges at page 13 to 14 that it relies on these false assumptions. Accordingly, the EIR is patently flawed.

C. The EIR Fails to Address the Applicant's Failure to Comply With State and Local Laws.

An acknowledged condition for obtaining the conditional use permit, the applicant must be in compliance with all state and local laws. Here, applicant has violated state and local laws by failing to comply with the Court's Order and Judgment Granting Peremptory Writ of Mandate filed March 29, 2011. These violations are documented in the attached email to counsel for the City of San Jose and applicant's counsel, dated October 14, 2011, attached as Exhibit C.

A4

It is clear that based upon the above, the City of San Jose, in concert with the applicant, have violated the fundamental constitutional due process rights of Andy's BP, entitling Andy's BP to pursue appropriate Court intervention in a federal civil rights complaint.

For these reasons, it is requested that the EIR be revised to address and evaluate the substantial impacts which may occur.

Very truly yours,

JAMES M. DOMBROSKI

JMD:sd



Bob Clark-Riddell, P.E.
President/Principal Engineer

EXPERIENCE AND SKILLS

Mr. Clark-Riddell has significant experience in the environmental and civil engineering field, featuring:

- Over 25 years of experience,
- Registration as a Civil Engineer in California,
- Emphasis in client interaction, project management and staff supervision,
- Coordination of a wide range of services for multiple clients,
- Extensive regulatory negotiation, cost recovery, and liability minimization experience, and
- Focus on soil and groundwater assessment/remediation/compliance sampling, fixed price remediation (with cleanup cost cap policies), Phase I & II environmental site assessments and due diligence, cleanup fund work, regulatory compliance, and litigation support/expert witness reporting.

Mr. Bob Clark-Riddell founded Pangea Environmental Services, Inc. to provide his clients with top quality, reliable and cost-effective environmental and engineering services. Mr. Clark-Riddell has over 25 years of experience, which includes his role as a co-founder of Cambria Environmental Technology, Inc., which he helped grow to more than \$11M in annual revenues, as well as tenures at Weiss Associates, ICF/Kaiser Engineers, the U.S. Postal Service, and the Superior Electric Company. As Pangea's Owner/Principal Engineer, Mr. Clark-Riddell is responsible for all business development, technical work, and administration. Mr. Clark-Riddell works intimately with clients, staff, subcontractors and regulators. He trains and manages engineering staff, applies innovative remedial technologies, designs remediation programs, oversees engineering projects, and provides technical quality control. He has designed and supervised remediation projects at over 200 sites in California and has conducted numerous feasibility studies, corrective actions and cost evaluations. Most recently, Mr. Clark-Riddell has coordinated many property transaction and redevelopment projects, requiring extensive due diligence and regulatory interaction to negotiate risk-based cleanup standards, considering engineering/administrative controls, and pursuing case closure. He has also assisted with litigation support on several matters. He has experience with geotechnical evaluations, construction management, asbestos-related services, hazardous material management, industrial water/wastewater, stormwater compliance, and wetlands restoration.

EDUCATION

B.S., Mechanical Engineering, University of Pennsylvania, Philadelphia PA, 1985

Additional Studies:

Litigating Groundwater Cases-Plaintiff and Defendant Perspectives, Bar Assoc. of SF, CA, 2003

Management Action Program Workshop, Anaheim, CA, 2003

Environmental Forensics Workshop, Groundwater Resources Association, Emeryville, CA, 2002

Brownfields Forum, Tanner Insurance, San Ramon, CA, 2002

Litigation Support and Expert Witness Workshop, Oakland, CA, 2000

Civil Engineering Fundamentals, Bechtel Corporation, San Francisco, CA, 1991

Legal Aspects of Construction, University of California Extension, Berkeley, CA, 1990

Ground Water Remediation, University of California, Berkeley Extension, Berkeley, CA, 1990

Environmental Law and National Environmental Policy Act, U.S.D. Agriculture, Wash., DC, 1989

REGISTRATION AND AFFILIATIONS

Registered Civil Engineer (PE), State of California, No. C49629

National Society of Professional Engineers (NSPE)

Professional Environmental Marketing Association (PEMA)

Groundwater Resources Association (GRA)

Rotary Club of Oakland (#3)

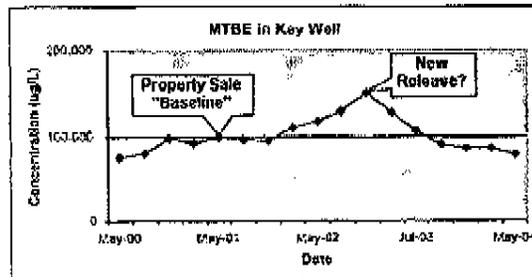
PROFESSIONAL HISTORY

- 2004 - Present **President/Owner/Principal Engineer, Pangea Environmental Services, Inc., Oakland, California:** Founder and principal engineer.
- 1994 - 2004 **Principal Engineer, Cambria Environmental Technology, Inc., Oakland, California:** Co-founder and principal engineer. As leader of the Investigation-Remediation Group and profit center for over five years, Mr. Clark-Riddell was responsible for managing a technical group of up to 16 staff to provide a wide range of services to numerous clients. Mr. Clark-Riddell was responsible for business development and technical work product and quality. The IR Group/profit center had annual revenues of approximately \$2M and 15% profitability. The primary services were Phase I & II environmental site assessments for due diligence/property transaction, assessment/remediation for UST cleanup fund projects, regulatory compliance, litigation support/expert witness reporting, and storm water monitoring. Contaminants were primarily petroleum hydrocarbons and chlorinated solvents, but also included interaction with U.S. EPA and California DTSC for metals contamination, Voluntary Cleanup Agreements, and Preliminary Endangerment Assessments.
- 1989 - 1994 **Project Engineer, Weiss Associates, Emeryville, California;** As lead engineer for a major oil company client, coordinated remediation projects for over 20 sites in Northern California. Supervised engineers, staff scientists and field technicians. Also worked on RI/FS and related reports for RCRA/CERCLA and U.S. DOE sites. Provided technical assistance for litigation support projects.
- 1986 - 1989 **Project Engineer, ICF Kaiser Engineers, Fairfax, Virginia;** Performed project management duties for environmental assessments, a feasibility study, and a site design guidelines study to comply with NEPA requirements. Also prepared procurement specifications, and inspected computerized industrial plant equipment for the Navy. Duties required coordination of nationwide vendors, vendor database, and personal inspection of equipment across the U.S. to confirm compliance with military procurement specifications.

REPRESENTATIVE PROJECTS AND EXPERIENCE

Environmental Litigation Support

Expert Testimony for Group of Service Station Owners: For a group of plaintiffs Mr. Clark-Riddell provided two long days of expert testimony to help preserve environmental indemnification and minimize environmental liability from alleged 'new' contamination. At issue was whether or not the new owners/operators had unauthorized releases that added to the known contamination at their sites. Observed concentration increases in site monitoring wells (primarily MTBE) are the focus of the litigation. Mr. Clark-Riddell reviewed site records and tank tightness testing to help document that the source of the increased concentrations was not the responsibility of the new owner. In some cases increased concentrations were explained by remediation system operation, or by fate and transport of known contamination. Constituent ratios, modeling, and forensic analyses are other tools used in dating site contamination. In addition to technical tasks, Mr. Clark-Riddell has been involved in regulatory interaction and discussion of strategic issues affecting the sites and the litigation. The case settled before trial. Settlement terms are confidential.



Expert Opinion Report and Deposition Testimony for former Boat Painting and Steel Coating Facility: Alameda, California – Prepared an expert report and provided expert testimony/deposition on behalf of a third-party defendant. Expert report presented five opinions supported by site data, project information, and industry literature. Reviewed numerous expert witness reports and depositions. At issue was soil and groundwater contaminated with PAHs, VOCs, and metals. The defendant had operated a wood treating facility from 1924 to 1968. The dispute involved three properties, two of which were owned by the plaintiff. The plaintiff alleged that chemical releases from the wood treating facility impacted his properties. The defendant filed counter claims and cross claims. Our client, a tenant on one of the properties, used coal tar pitch and coal tar epoxy resin, which contains PAHs. Our tenant also conducted steel sand blasting and painting, using paints and paint thinners and generated blast materials with metals. The expert report cost approximately 1/5th of the plaintiff's report cost, found unsubstantiated claims, and discovered several data points mistakenly located on incorrect property. Defendant obtained summary judgement on plaintiff's claim.

Expert Deposition Testimony regarding Inadequate Remediation of a Former Service Station Site: Oakland, California – Provided expert testimony/deposition on behalf of a plaintiff. Expert opinion provided on appropriateness of past, present and planned remedial efforts. Settlement allowed plaintiff to resume control (as lead administrator) of cleanup and obtain reimbursement from the State UST Cleanup Fund. With cleanup control, plaintiff has successfully accelerated cleanup efforts.

Mediation Assistance regarding Alleged Clean Water Act Violations from a Release at a Service Station Site: Richmond, California – On behalf of defendant, expedited site assessment to quickly fully delineate the contaminant extent in the site subsurface and help demonstrate that released compounds did not pose a significant risk to human health or the environment. Attended court-ordered mediation and presented documents related to site conditions and compliance actions conducted by defendant, which resulted in lowest settlement amount from the plaintiff (River Watch) as witnessed by the mediator.

Tidal Influence and Preferential Pathway Impact on Hydrocarbon Litigation: Oakland, California – For a large semi-public entity, Mr. Clark-Riddell coordinated a thorough subsurface evaluation of tidal impact on petroleum hydrocarbons. The goal of the work was to determine if storm drains were acting as conduits for contamination to the San Francisco Bay, and if bay water was affecting the fate and transport of known contamination. The results of this work are confidential.

Consultant Negligence Evaluation for Insurance Firm: South Lake Tahoe, California – On behalf of a leading environmental insurance company, Mr. Clark-Riddell evaluated the performance of an environmental consultant on an MTBE project near Lake Tahoe. Detailed review of public and private records was required to determine if the consultant performed within the 'standard of care' for the industry at the time.

Redevelopment and Imminent Domain (Taking): San Jose, California – When the San Jose Redevelopment Agency was 'taking' a property, Mr. Clark-Riddell was retained to quantify environmental liability related to residual contamination. The property owner and legal counsel desired to reduce the large discount on the property price attributed to the known contamination.

Litigation Support for Large Soil Excavation: Los Angeles, California - Prepared comments on cost appropriateness of \$6 million project for excavation of metal and hydrocarbon contamination at a former refining facility. Included a detailed evaluation of soil treatment and disposal options such as soil washing, metals neutralization, stabilization, pH control, capping, thermal treatment and insitu vitrification.

Litigation Support for Cost Apportionment: Homer Spit, Alaska -Performed technical review of case activities to determine cost apportionment for contractual cost sharing agreement. Involved assessment of the scope and cost of all project activities and regulatory directives.

Impacted Drinking Water and Property Value: Anderson Valley, California - Assisted downgradient property owner in recovering for damages to property from soil and ground water impact due to upgradient leaking UST. Involved file review, meeting with regulatory agency, site inspection, corrective action review, wellhead protection review, and written technical assessment.

Tidal Influence on Free Product and Hydrocarbon Plumes: Napa, California - Evaluated tidal influence on free product occurrence in site wells at a bulk transfer facility adjacent the Napa River. Reviewed site data and recommended alternative remedial approach for the site. Homer, Alaska - Reviewed a hydrogeologic study that evaluated the tidal influence on petroleum hydrocarbon fate and transport beneath the Homer Spit. The ground water flow direction varied 360 degrees, with a preferential flow perpendicular to the closest shoreline.

Property Transaction and Land Development

Experience Overview: During preparation of Phase I and II environmental site assessments (ESA's) for property/business sale or purchase, Mr. Clark-Riddell has provided extensive interaction with client's representatives and others, including attorneys, real estate brokers, lending institutions, tenants, other consultants, and contractors. Mr. Clark-Riddell had worked closely with client to conduct appropriate work scope to achieve client objectives for cost control and liability minimization. He has helped establish baseline conditions, especially important for active service stations with USTs. ESA are typically performed to in compliance with ASTM standards. The ESA's are used to identify potential environmental concerns on the subject property or on adjacent properties. When appropriate, Mr. Clark-Riddell recommends and manages Phase II ESA (subsurface sampling), prepares remediation cost estimates, and oversees Phase III remediation work.

Phase II ESA, Regulatory Interaction, and Liability Assessment for an Industrial Facility in Richmond: For this former industrial facility in Contra Costa County, California, Mr. Clark-Riddell was retained further characterize subsurface chlorinated compounds to help facilitate property sale and liability assumption for residual contamination. The goal of the activity is to further define chlorinated compounds and hopefully demonstrate that detected compounds do not pose a significant risk to human health or the environment. These efforts are designed to quickly outline a plan for monitored natural attenuation, and to minimize the uncertainty pertaining to future compliance costs and potential liability. Pangea was hired through the client's legal counsel to review the new information and estimate lifecycle costs for environmental compliance. Pangea calibrated its cost estimates by contacting key regulatory personnel and discussing site data without site disclosure. Consistent with Pangea's expectations, the regulatory agency indicated that the site would require additional assessment and long-term monitoring at a minimum. Site remediation would only be required if contamination represented a significant threat to human health and/or the environment, to be evaluated by soil gas sampling and a sensitive receptor survey.

Given the project uncertainty, Pangea prepared cost estimates for various assessment and remediation scenarios, and offered a probability analysis of the different scenarios. This approach effectively illustrated the range and likelihood of potential costs. Pangea assisted the client and legal counsel with an evaluation of transaction alternatives for negotiation of final transaction terms with the prospective purchaser. Pangea is currently completing sampling of soil gas, soil and groundwater to assess site conditions, and will update remediation and compliance cost scenarios.

Client quote: "Bob Clark-Riddell went the extra mile for us, and carefully documented possible scenarios and likely costs related to our situation. He also summarized transaction alternatives for managing environmental risk and cost. From a corporate perspective, Mr. Clark-Riddell's reports enabled appropriate action to be discussed at all levels in the organization with no ambiguity. A refreshing approach to a delicate issue."

Remediation for Residential Development and Property Transfer: Mr. Clark-Riddell was the lead manager for remediation and closure of a high-profile former industrial site on approximately 2 acres in Emeryville, CA. The site subsurface was prepared for approximately high-density housing in conjunction with the remediation. Petroleum hydrocarbons impacted the site from two USTs and four ASTs, with free product present. With the escrow deadline approaching, Mr. Clark-Riddell prepared and successfully implemented site remediation to negotiated cleanup standards within nine months. Mr. Clark-Riddell's cost control kept the project on track despite the excavation volume exceeding the prior consultant's estimate by four times. Approximately 17,000 tons of contaminated soil and perched groundwater was



removed. Shallow soil gas sampling and risk assessment services helped demonstrate no significant risk to the future site residents. Deed restrictions and vapor barriers were required to facilitate closure. Meetings were held with the RWQCB's risk manager, Alameda County Health Care Services Agency, City of Emeryville, attorneys, developers, property owners, and nearby community members. Resulted in closure without ongoing groundwater monitoring of residual contamination, completed before the final escrow deadline.

Residential Redevelopment using Oakland's Urban Land Redevelopment (ULR) Program: Mr. Clark-Riddell managed site remediation and cleanup level negotiation to facilitate residential redevelopment in Oakland, California. To establish site-specific target levels (SSTs), Mr. Clark-Riddell used the City of Oakland's *Oakland Risk-Based Corrective Action: Technical Background Document* from the ULR Program. Remediation involved soil excavation, and installation of oxygen releasing compound within a 10-ft deep trench to stimulate degradation of residual hydrocarbons. To influence hydrocarbons offsite, hydrogen peroxide was injected in two wells over a six-week period. A sensitive receptor survey identified and safeguarded known receptors.

Liability Assessment and Mitigation: San Francisco, California - Prepared reports estimating potential cost liability associated with known USTs or discovered lead or hydrocarbon impact. Oakland, San Francisco and San Mateo, California - Helped secure "comfort letters" from regulatory agencies on property owner's behalf, which indicate that a third party is responsible for the known contamination. Has assisted with securing indemnification during property transaction process.

Site Assessment and Remediation of Petroleum Hydrocarbons

Soil and Groundwater Assessment and Remediation of Petroleum Hydrocarbons: Lead engineer for scoping site assessment of petroleum hydrocarbons and conducting risk evaluation. In many cases,



assessment activities define the lateral and vertical extent of contamination in a rapid, dynamic manner to control cost and expedite closure. When site cleanup is necessary, Mr. Clark-Riddell evaluates traditional and innovative remedial options and coordinates feasibility and pilot testing. He has designed, permitted and implemented remediation for gasoline service stations for a major oil companies, small oil companies, and independent station owners/dealers. He has coordinated remediation at over 200 service station using dual phase extraction, air sparging, soil vapor extraction, ground water pump and treat, free-product recovery and biosparging. Setup operation and maintenance programs and achieved regulatory case closure.

Free Product Recovery for UST/Hydrant System: Mr. Clark-Riddell was the lead engineer and manager to remediate two-acre vehicle maintenance and fueling facility in San Francisco. Tasks included removal of 4 USTs and 850 linear feet of fiberglass piping from the pressurized hydrant system; installation of a soil and groundwater remediation and treatment system; remediation of stockpiled soil impacted with hydrocarbons and lead to avoid expensive soil disposal as hazardous waste; intensive regulatory negotiations; and ongoing compliance. The insitu remediation system consisted of Soil Vapor Extraction (SVE) and Total Fluid Extraction (TFE) with submersible pneumatic pumps. The TFE system extracted floating hydrocarbons (LNAPL) and groundwater. Aboveground soil bioremediation of 1,000 cubic yards of soil

involved vapor extraction, nutrient addition, and proprietary hydrocarbon degraders. The soil was reused onsite with regulatory approval.

Remediation System Selection and Standardization: Standardized remediation approach and developed equipment for soil vapor extraction and treatment. Compared capabilities, features and cost of blowers, carbon adsorption systems, diffuser stacks, and advanced oxidation equipment such as internal combustion engines and thermal and catalytic oxidizers. Assisted with standardization of remediation work plans and systems for ground water extraction and treatment. Incorporated standardized systems and work plans into remediation projects. Made presentations to major oil companies.

UST Cleanup Fund Assistance: Managed all aspects of UST Cleanup Fund projects, including claim application preparation, pre-approval requests, reimbursement requests. Experience with approximately 25 claimants, projects, including sites in Burlingame, Fremont, Hayward, Milpitas, Mountain View, Oakland, Palo Alto, Sacramento, San Jose, San Francisco, San Mateo, South San Francisco, and Weed. Successful in scoping projects to facilitate full reimbursement from the Fund and to achieve regulatory case closure.



Chlorinated Hydrocarbon Assessment & Remediation

Guaranteed Remediation of PCB and Solvent Plume and Insurance Program: To end the legal stalemate between two manufacturing firms, Mr. Clark-Riddell offered an incentive-based performance guarantee featuring a blend of proven and innovative low-cost remedial solutions combined with sophisticated insurance instruments. The contaminants of concern were PCB and chlorinated solvents (primarily dichlorobenzenes (DCBs) and trichlorobenzenes (TCBs)) in soil and groundwater straddling the property boundary. During negotiations with the RWQCB and the development of site remediation goals, proposed and got approval for, depth-specific cleanup levels to control cost. Approximately 1,200 tons of contaminated soil was removed from the site and VOC concentrations in groundwater have decreased by two orders of magnitude.

PCE and Stoddard Solvent at Former Dry Cleaners: Emeryville, California – Performed lateral and vertical assessment of PCE and Stoddard solvent in multiple shallow water bearing zones. Installed wells in different depths. Effort related to property transaction and litigation. Used dynamic techniques to adequately assess contamination quickly and cost effectively.

Dry Cleaner Sites: Berkeley, California – Performed extensive site assessment, indoor air testing, and mitigation testing in a fast and dynamic manner to evaluate conditions and respond to discovered subsurface PCE and related degradation compounds at an operating dry cleaning facility. Helped determine PCE extent in soil gas, soil and groundwater. Used membrane interface probe equipment to provide real-time data on contaminant concentrations and soil conductivity to better assess conditions and select confirmation soil and groundwater sampling locations. Conducted indoor air sampling within operating cleaner and adjacent buildings to assess potential impact to indoor air. Completed testing of subsurface vapor extraction for site interim remediation and vapor collection. Worked with client and legal counsel. Oakland, California – Helped design and implement a remedial approach for a former dry cleaner site, which resulted in case closure from the Water Board. Abandoned facility had been idle for over six years and under litigation. Emeryville, California – Performed lateral and vertical assessment of PCE and Stoddard solvent in multiple shallow water bearing zones. Installed wells in different depths. Effort related to property transaction and litigation. Used dynamic techniques to adequately assess contamination quickly and cost effectively.

Soil Vapor Extraction of TCE: Mountain View, California - After evaluating different remedial alternatives and feasibility testing, designed and installed vapor extraction system to remove TCE and other chlorinated compounds from soil and ground water.

TCE and PCE Remediation: Palo Alto, California - Represented property owner's interest in evaluating and improving remediation efforts using dual-phase extraction and ground water extraction at a former plating facility.

TCE and Vinyl Chloride Remediation: Livermore, California - Negotiated for shutdown of pump and treat system after achieving asymptotic removal rates. Used field testing to demonstrate other remedial technologies were not cost effective or applicable.

Feasibility Studies: Prepared remedial feasibility studies for several sites in the San Francisco Bay Area with either hydrocarbons or halogenated volatile organic compounds. Evaluated numerous equipment suppliers and system effectiveness of remedial technologies, including ultraviolet/hydrogen peroxide treatment of ground water for halogenated and non-halogenated compounds.

Remediation Engineering for DOE: U.S. EPA Superfund Sites, Livermore, California - Prepared economic and performance evaluation of in-situ air sparging compared to conventional vapor and ground water extraction for remediation of TCE based on field tests at DOE in Savannah River. Prepared cost estimates for remediation alternatives. Evaluated soil vapor treatment system included automated carbon adsorption and thermal oxidation with vapor phase scrubbing for sites in the Mocho and Spring Subbasins and the Altamont Hills.

Metals Containment & Remediation

Lead Containment: Oakland, California - Evaluated remedial strategies for lead-bearing soil at a former scrap yard. Researched naturally-occurring lead concentrations in Oakland. Selected remedial strategy consisting of lime treatment of shallow soil and capping to control pH in site soil for preventing lead mobilization.

Arsenic and Hydrocarbon Remediation: Hayward, California - Designed a ground water extraction and treatment system to remediate gasoline-range hydrocarbons and arsenic. Activated alumina cartridges were used to treat the arsenic, which apparently originated from pesticide use in old orchards. Complex interbedded clay and sandy units complicated the remedial efforts.

Zinc in Soil and Groundwater: Oakland, California - For this property transaction at an industrial facility, Bob Clark-Riddell interfaced with the California EPA (DTSC), the Regional Water Quality Control Board, seller and their legal counsel to assess and remediate metals (zinc and other compounds) and low pH at the site.

Barium Excavation During UST Removal: Berkeley, California - Coordinated removal of a 1,000-gallon waste oil tank and 250 cubic yards of Class I hazardous soil due to elevated barium concentrations. Used mobile laboratory to expedite project and control costs. Excavated to fullest extent practical without undermining a street and building. Received regulatory closure.

Regulatory Compliance/Hazardous Materials



Regulatory Compliance for Large Private Firm: San Francisco, California - For this large client Mr. Clark-Riddell has been providing regulatory compliance services for up to 10 years, assisting with a wide range of compliance needs at their many facilities. Services have HMBPs, SPCCs & compliance audits, air permit updates, waste discharge sampling and reporting, DTSC Voluntary Cleanup Agreement, and site remediation and monitoring.

Stormwater: Northern California - For several school districts and industrial/commercial facilities Mr. Clark-Riddell has been managing preparation of stormwater pollution prevention plans (SWPPPs) and annual stormwater monitoring.

Bob Clark-Riddell, P.E.
Page 8 of 8

Waste Disposal: For the City of Oakland Mr. Clark-Riddell has coordinated disposal of hazardous materials. Includes profiling assistance and working with disposal contractors and disposal facilities. Provided waste disposal services for numerous assessment and remediation projects.

Land Development Feasibility Studies under NEPA: Arlington, Virginia - Managed a feasibility study and site design guidelines study per NEPA requirements for a development of 4.4 millions square feet of occupiable office space in a congested urban setting. Involved site review and geotechnical and subsurface investigations which indicated the presence of freon, PCBs, and petroleum hydrocarbons. Also involved assessing the impact to waterfowl and other wildlife habitats, water quality, wetlands, and the transportation and other socioeconomic infrastructure. Managed a second study to develop a six-story 1.0 million square feet building in a wooded suburban setting along a creek, requiring habitat delineation, urban planning and community relations.

Wetlands Delineation and Restoration

Wetlands Delineation and Restoration: San Mateo, California - Under oversight by the U.S. Army Corps of Engineers, Mr. Clark-Riddell coordinated a wetlands delineation study and subsequent restoration for this small airport parcel. Mr. Clark-Riddell worked closely with a Certified Wetlands Scientist to survey the parcel and implement restoration.

Construction Management

Office Building Construction: Silver Spring, Maryland - Was onsite engineer responsible for inspecting electrical and mechanical construction with respect to construction drawings for a 12-story office building for the U.S. General Services Agency.

USPS Facility Upgrade: San Francisco, California - Project manager for oversight of \$5 million upgrade of main mail processing facility for U.S. Postal Service.

Remediation System Installation: Oversight of remediation systems throughout California, including inspection of civil, mechanical, and electrical disciplines.

Technical Proposal Services

Proposal Preparation Services: Los Angeles, California - Hired as technical writer for preparation of large government proposals including Emergency Response Services for EPA Region 4 of the Southeastern U.S., and assessment and remediation services for the TERC for the Army Corps of Engineers. Invaluable experience with large teams of technical staff/writers, graphic illustrators, and senior management under tight time frames and high stakes.

Andy's BP Inc v. Amir Shirazi et al
1590 and 1604 McKee Road, San Jose, CA

Opinion #1: Gasoline-related contamination from 1604 McKee (1) has likely impacted 1590 McKee property in the past and may still currently impact 1590 McKee, and (2) has likely impacted property nearby 1590 McKee where the regulatory agencies have required additional contamination delineation by the 1590 McKee responsible party.

This opinion is based on the following information:

1. **A significant release of gasoline-related compounds occurred at 1604 McKee (Moe's Arco), as evidenced by soil and groundwater contamination at the site [Groundwater Investigation Report by WellTest, September 25, 2009].**
2. **"The stability of the dissolved-phase groundwater plume has not been determined"** for the 1604 McKee release [Groundwater Investigation Report by WellTest, September 25, 2009]. Additional evaluation of plume stability is required [Well Installation Report by WellTest, January 7, 2010]
3. **The groundwater direction from 1604 McKee is partially toward 1590 McKee, with 1590 McKee in the cross/downgradient direction from 1604 McKee [Figure 1].** Dissolved contamination tends to move in a downgradient direction, and to diffuse laterally (including crossgradient) due to the contaminant concentration gradient.
4. **MTBE is highly soluble in water and tends to migrate in groundwater significantly faster than other gasoline-related compounds due to its high solubility and low rates of adsorption to soil.**
5. **Subsurface utility conduits are present under McKee Road and slope downward past 1604 McKee toward 1590 McKee.** The invert (flow line) of the storm drain sewer is approximately 6 ft deep, with the storm drain backfill material extending to approximately 7 ft deep. The water depth in Arco well MW-2 has ranged from approximately 5 to 8 ft depth. Therefore, when the groundwater is shallower than the storm drain trench bottom the storm drain is a potential conduit for contaminant migration toward the 1590 McKee site. Sanitary sewers also run past both sites on both sides of McKee Road, but the depth is not shown on the reviewed maps. These sanitary sewers may also be conduits for contaminant migration from 1604 McKee toward 1590 McKee. [Storm drain and sanitary sewer maps].
6. **MTBE detected in Arco well MW-5 located downgradient of 1604 McKee on the Anne Darling School property suggests that MTBE has migrated at least 150 ft from the 1604 McKee site (and that MTBE is present across McKee Road from the 1590 McKee site) [Well Installation Report by WellTest, January 7, 2010].** For comparison, contamination from nearby former Chevron site apparently migrated approximately 250 ft downgradient according to well locations [Figure 1], while contamination from a petroleum hydrocarbon release at 1590 McKee (Gas & Shop)(first discovered during a 1988 fuel piping repair) apparently migrated approximately 220 ft downgradient assuming MTBE detected in offsite Gas & Shop well MW-12 is not from another source such as 1604 McKee [Gas & Shop Monitoring Reports].

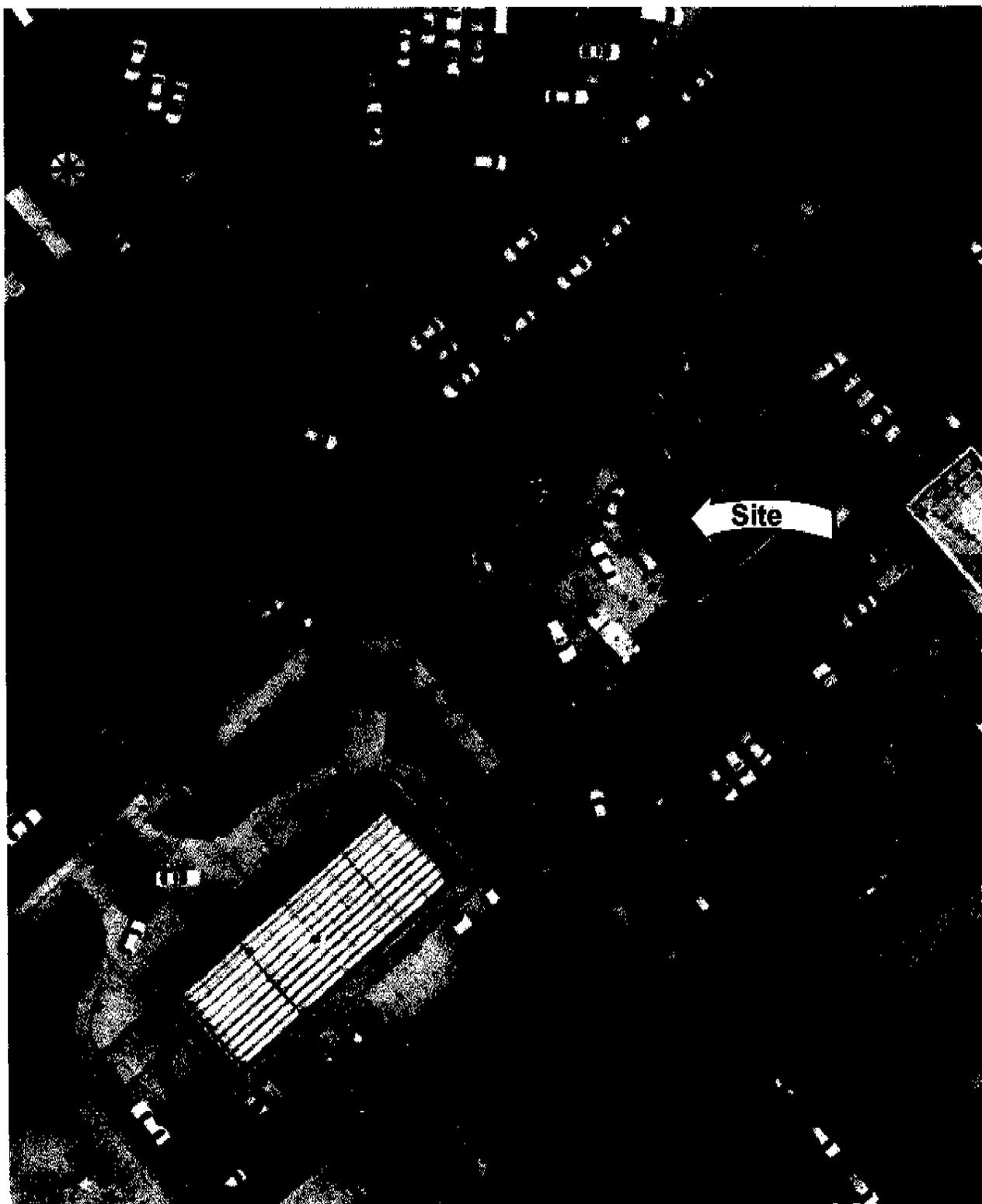
7. **The highest MTBE concentrations in groundwater have been observed at 1604 McKee:** 4,900 ug/L in well MW-2 on 10/21/01 versus 4,040 ug/L at 1590 McKee in MW-9 on 9/24/04 [Groundwater Monitoring Reports]
8. **MTBE concentrations in groundwater could be higher than observed** because the well screen (13'-18' depth) for Arco well MW-2 has been consistently submerged [Well Installation Report by WellTest, January 7, 2010], and shallower gasoline-related contamination was detected shallower (10' depth) in site soil 1604 McKee, including the only MTBE detected in soil. [Table 2, Groundwater Investigation Report by WellTest, September 25, 2009]. Similarly, the well screen for MW-5 is also submerged so dissolved constituent concentrations may not be representative and could be higher than reported [Well Installation Report by WellTest, January 7, 2010].
9. When MTBE was first discovered in Arco well MW-2, the closest well at the 1590 McKee site was Gas & Shop well MW-2 [Figure 1]. **MTBE concentrations in Gas & Shop well MW-2 are significantly lower than in upgradient Arco well MW-2 and exhibit a similar concentration trend** [Figure 2]. During the first monitoring of Arco well MW-2 on January 13, 2000, an elevated MTBE concentration of 3,000 ug/L was detected. Approximately nine months later the MTBE concentration in Gas & Shop well MW-2 increased from 13 ug/L to 320 ug/L [Monitoring Reports].

Opinion #2: Contamination emanating from 1604 McKee has caused the 1590 McKee owner/responsible party (RP) to incur estimated damages ranging from \$8,600 to \$43,000.

This opinion is based on the following information:

1. **1590 McKee owner/RP was required to install and monitor well MW-8 in 33rd Street between 1590 and 1604 McKee sites.**
2. 1590 McKee owner/RP was required to install and monitor wells MW-10 and MW-11 in McKee Road, which are located in the cross/downgradient direction from both 1590 and 1604 McKee sites.
3. **Wells MW-10 and MW-11 are located nearby underground storm drain and sanitary sewer utilities that could have acted as preferential pathways for contaminant migration from the 1604 McKee site to the McKee Road impact monitored by these wells.**
4. Well installation costs include workplan preparation, interaction with agency oversight staff, permitting, other pre-field planning activities, drilling by a licensed contractor, soil sampling, well materials, well development, laboratory analyses, soil and water disposal, traffic control, wellhead surveying, and reporting. These well installation and related costs are estimated to cost approximately \$15,000.

5. **Twenty eight monitoring events have been performed on well MW-8, MW-10 and MW-11, for a total of 84 well monitoring/samplings** over an eight year period (2003 to 2011). Each monitoring event includes cost for well gauging, well sampling, laboratory analyses, field supplies, permitting, traffic control (including hiring of off-duty San Jose Police officers), water disposal, and reporting. Assuming a cost of approximately \$800/well for monitoring, the monitoring costs for the 84 well monitoring episodes is approximately \$67,000.
6. Project management costs for well installation and monitoring of these wells are estimated to be approximately \$4,000, assuming approximately \$500/year for eight years.
7. **Combining the above 'corrective action' costs yields a total cost of approximately \$86,000** incurred by 1590 McKee RP.
8. Parties with commingled contaminant plumes often apportion cost responsibility to each contributor based on the estimated relative contaminant contribution from each hydrocarbon release. For cost estimation purposes, I estimate that the **contribution from 1604 McKee** release to the area near and downgradient of the 1590 McKee site (between MW-8 and MW-11) **could range from 10% to 50%**. Correspondingly, the corrective action costs or **damages incurred by 1590 McKee RP range from \$8,600 to \$43,000**.
9. This cost range does not include costs incurred for the following offsite assessment performed nearby 1590 McKee in locations where contamination could have migrated from 1604 McKee: soil and groundwater investigation within McKee Road in 2005 (Borings HP-1 through HP-8); offsite well installation in 2006 (MW-12, MW-13 and MW-14); monitoring of offsite wells MW-12, MW-13 and MW-14; and groundwater investigation in 2010 (Borings HP-11 through HP-17).



Aerial Photograph Source: Google Earth 2009

WellTest, Inc.
P.O. Box 8548
San Jose, CA 95155

Aerial Photograph of Site Area
Roy's Mobil
197 East Jackson Street
San Jose, CA

FIGURE

2

JOB NO. 2072

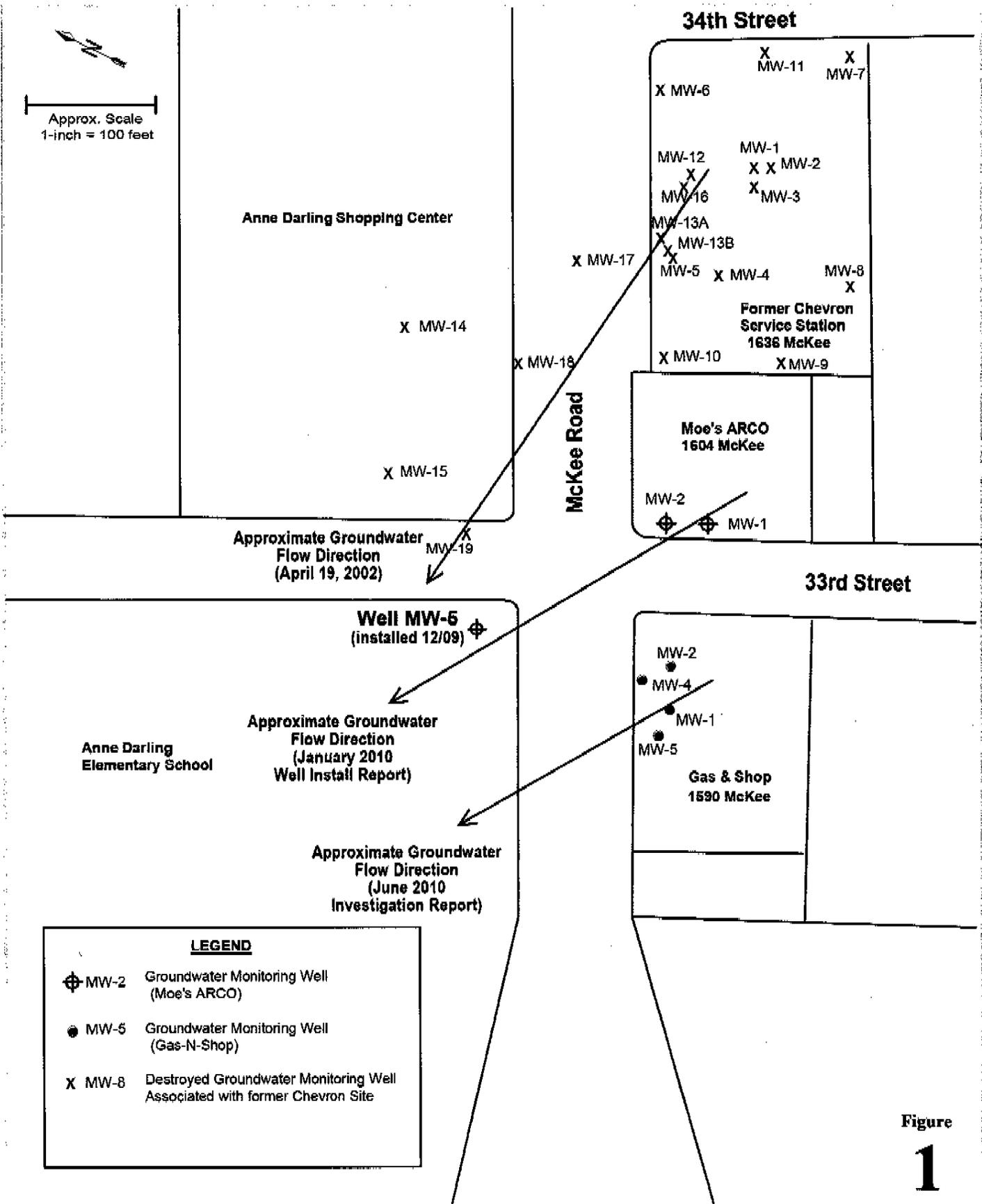


Figure
1

Gas & Shop and Moe's ARCO
1590 & 1604 McKee Road
San Jose, California



Historic Well Locations (2002)
and Groundwater Flow Direction

Approx. Scale
1-inch = 100 feet

Anne Darling Shopping Center

X MW-14

X MW-15

X MW-19

34th Street

X MW-6
X MW-11
X MW-7
MW-12
MW-1
X X MW-2
MW-16
X MW-3
MW-13A
X MW-13B
X MW-5
X MW-4
MW-8
X
Former Chevron Service Station
1636 McKee Rd.
X MW-10
X MW-9

MW-4
Moe's ARCO
1604 McKee Rd.
MW-3
MW-2
MW-1

McKee Road

33rd Street

Well MW-5

Anne Darling Elementary School

(6' DEEP) STORM DRAIN
SANITARY SEWER

Approximate Direction of Groundwater Flow

MW-10
MW-2
MW-6
MW-4
MW-1
MW-5
Gas & Shop
1590 McKee Rd.
MW-9
MW-7

LEGEND

- ⊕ MW-2 Groundwater Monitoring Well (Moe's ARCO)
- X MW-8 Destroyed Groundwater Monitoring Well Associated with former Chevron Site
- MW-5 Groundwater Monitoring Well (Gas-N-Shop)
- ⊕ DPW-6 Proposed Groundwater Monitoring Well (Direct-Push Method Well)

BASIC MAP FROM
WellTest, Inc.

P.O. Box 8548
San Jose, CA 95155

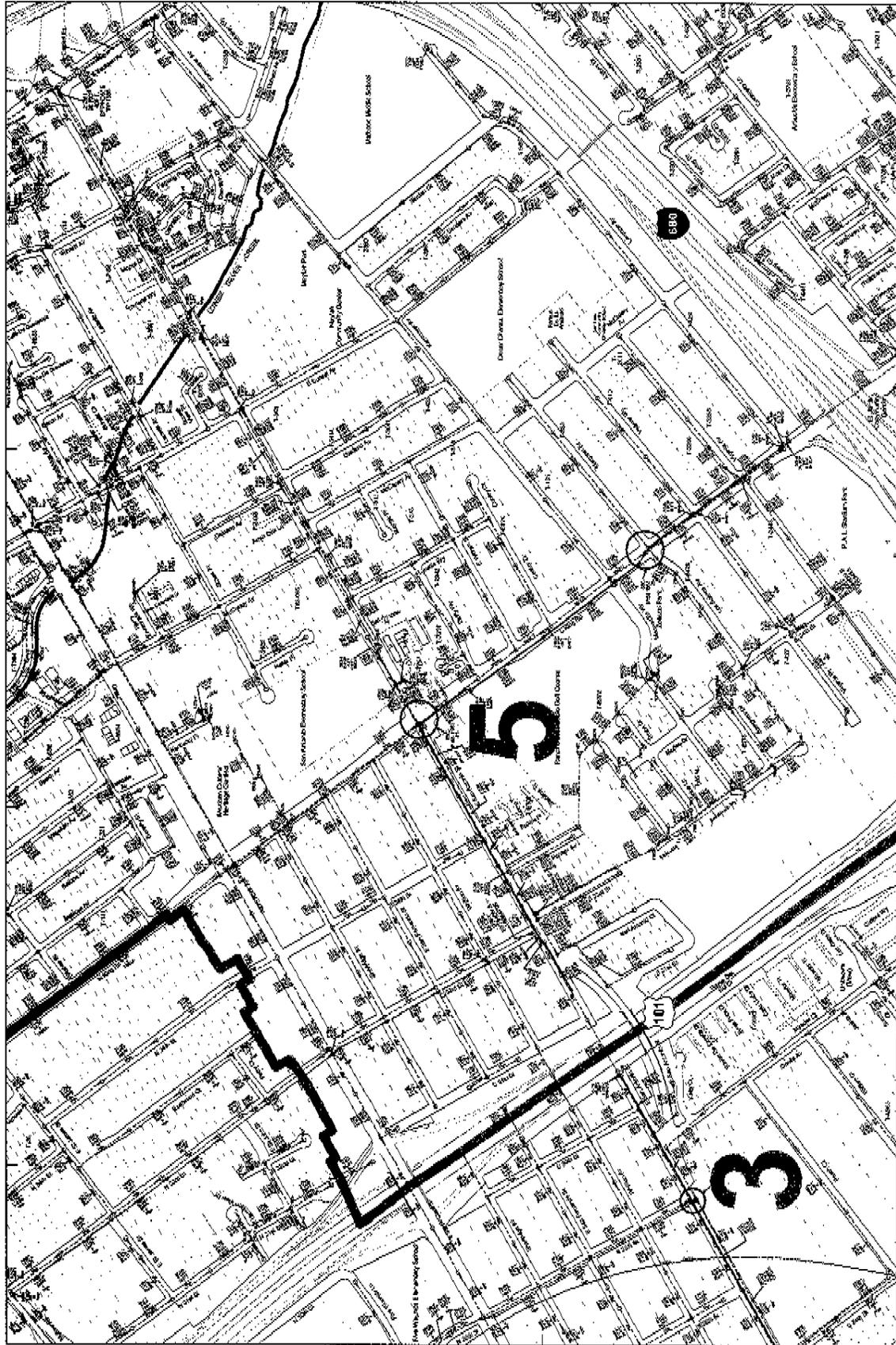
Generalized Site Map

Moe's ARCO
1604 McKee Road
San Jose, California

WITH UNDERGROUND CONDUITS

FIGURE

3

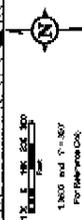


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DATE	BY	CHKD	APP'D

SANITARY SEWER SYSTEM

Last Revised: 7/28/2008



City of San José
 Department of Public Works
 Key Allen, Director
 SANITARY SEWER SYSTEMS DIVISION

TABLE 1
Well Construction Details
Moe's ARCO
1604 McKee Road
San Jose, CA

Well I.D.	Well Type	SCWWD Permit #	DWR #	Installation Date	Casing Diameter (Inches)	Borehole Depth (ft bgs)	Screened Interval (ft bgs)	TOC Elevation (ft. MSL)	DTW (htoc) (03/10/10)	Well Screen Flooded?
MW-1	Monitoring	99W00787	714577	12/22/99	2	18	13 to 18	84.76	5.10	Yes
MW-2	Monitoring	99W00788	714578	12/22/99	2	20	13 to 20	84.64	5.63	Yes
MW-3	Monitoring	09W00320	e0091120	07/15/09	¾	18	13 to 18	Not Surveyed	5.44	Yes
MW-4	Monitoring	09W00319	e0091119	07/15/09	¾	18	13 to 18	Not Surveyed	5.97	Yes
MW-5	Monitoring	09W00760	e0099572	12/21/09	¾	20	15 to 20	Not Surveyed	7.23	Yes

TABLE 2
Groundwater Monitoring Data
Moe's ARCO
1604 McKee Road
San Jose, CA

Well Number	Date	TPHg	B	T	E	X	MTBE	MTBE*	DIPE	ETBE	TAME	TBA	EDB	1,2-DCA	Meth.	Eth.	Depth to GW	TOC Elev.	GW Elev.	Screen Submerged?
MW-2 (Screened 13 - 20')	01/13/00	2,000	53	4.1	34	11	2,400	3,000	<50	<50	<50	<50	<250	<0.5	<0.5	<0.5	7.41	84.64	77.23	Yes
	04/20/00	440	8.1	<0.5	1.9	0.96	3,100	na	na	na	na	na	na	na	na	na	5.33	84.64	79.31	Yes
	07/26/00	770	29	2.3	7.0	3.1	4,100	na	na	na	na	na	na	na	na	na	6.77	84.64	77.87	Yes
	01/12/01	320	30	2.0	0.86	3.4	3,900	na	na	na	na	na	na	na	na	na	6.41	84.64	78.23	Yes
	07/13/01	590	22	<1.0	<1.0	0.93	4,700	4,500	<50	<50	<50	1400	na	na	na	na	6.71	84.64	77.93	Yes
	10/12/01	290	20	<0.5	<0.5	<0.5	4,900	4,600	<100	<100	<100	<500	na	na	na	na	7.55	84.64	77.09	Yes
	01/11/02	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	6.19	84.64	78.45	Yes
	02/25/02	<250	0.5	<0.5	<0.5	<0.5	3,400	3,600	<100	<100	<100	<500	na	na	na	na	7.95	84.64	77.09	Yes
	04/19/02	130	<1	<1	<1	<1	2,900	3,500	<50	<50	<50	570	na	na	na	na	6.12	84.64	78.52	Yes
	09/30/02	130	1.2	0.83	<0.5	3.2	1,600	2,200	<50	<50	<50	<500	na	na	<50,000	<5,000	6.14	84.64	78.50	Yes
	12/26/02	<100	<1	<1	<1	<1	2,200	2,200	<50	<50	<50	<500	na	na	na	na	5.55	84.64	79.08	Yes
	02/03/03	<150	<1.5	<1.5	<1.5	<1.5	2,300	na	na	na	na	na	na	na	na	na	5.82	84.64	78.82	Yes
	04/23/03	<150	<1.5	<1.5	<1.5	<1.5	2,500	na	na	na	na	na	na	na	na	na	5.41	84.64	79.23	Yes
	07/07/03	120	<0.5	<0.5	<0.5	<0.5	1,800	na	na	na	na	na	na	na	na	na	6.33	84.64	78.31	Yes
	10/09/03	190	0.78	<0.5	<0.5	<0.5	1,900	na	na	na	na	na	na	na	na	na	6.76	84.64	77.88	Yes
	02/08/04	170	<0.5	<0.5	<0.5	2.0	1,600	na	na	na	na	na	na	na	na	na	6.02	84.64	78.62	Yes
	06/22/04	160	0.72	<0.5	<0.5	<0.5	1,300	na	na	na	na	na	na	na	na	na	6.60	84.64	78.04	Yes
	09/20/04	410	25	1.7	4.0	2.0	810	na	na	na	na	na	na	na	na	na	7.06	84.64	77.58	Yes
	12/29/04	170	2.3	<0.5	0.52	1.8	930	na	na	na	na	na	na	na	na	na	6.30	84.64	78.34	Yes
	03/18/05	220	2.4	<0.5	<0.5	0.75	850	na	na	na	na	na	na	na	na	na	5.25	84.64	79.39	Yes
	06/15/05	220	5.3	<0.5	1.7	0.64	750	na	na	na	na	na	na	na	na	na	6.05	84.64	78.59	Yes
	09/29/05	110	3.3	<0.5	1.1	1.1	710	na	na	na	na	na	na	na	na	na	7.15	84.64	77.49	Yes
	03/30/06	150	2.5	<0.5	0.67	0.9	430	340	<50	<50	<50	160	na	na	<5,000	<500	5.22	84.64	79.42	Yes
	06/27/06	280	3.3	1.2	1.3	2.2	410	410	<10	<10	<10	130	<10	na	na	na	6.53	84.64	78.11	Yes
	09/26/06	120	1.0	0.72	0.53	2.5	470	550	<17	<17	<17	<170	<17	na	na	na	7.56	84.64	77.08	Yes
	12/06/06	180	0.87	<0.5	<0.5	1.1	280	280	<10	<10	<10	<100	<10	<10	na	na	7.42	84.64	77.22	Yes
	02/20/07	180	1.90	0.67	0.52	1.9	280	280	<50	<50	<50	<50	<50	<50	na	na	6.70	84.64	77.94	Yes
	05/25/07	90	1.30	<0.5	<0.5	<0.5	260	280	<50	<50	<50	<50	<50	<50	na	na	6.87	84.64	77.77	Yes
	09/24/07	280	3.0	0.29	0.30	0.76	120	170	<50	<50	<50	180	<50	<50	<5,000	<500	7.65	84.64	76.99	Yes
	12/06/07	180	0.68	<0.5	<0.5	<0.5	84	na	na	na	na	na	na	na	na	na	7.52	84.64	77.12	Yes
03/26/08	230	1.8	<0.5	0.78	2.6	<400	na	na	na	na	na	na	na	na	na	6.10	84.64	78.54	Yes	
06/05/08	220	0.81	<0.5	<0.5	<0.5	59	na	na	na	na	na	na	na	na	na	7.02	84.64	77.62	Yes	
08/01/08	170	2.1	<0.5	<0.5	<0.5	43	na	na	na	na	na	na	na	na	na	7.68	84.64	76.96	Yes	
10/31/08	150	1.4	<0.5	<0.5	<0.5	32	na	na	na	na	na	na	na	na	na	8.15	84.64	76.49	Yes	
03/29/09	91	<0.5	<0.5	<0.5	<0.5	32	na	na	na	na	na	na	na	na	na	6.08	84.64	78.56	Yes	
07/20/09	87	<0.5	<0.5	<0.5	<0.5	53	na	na	na	na	na	na	na	na	na	7.43	84.64	77.21	Yes	
03/09/09	100	<1.0	<1.0	<1.0	<1.0	na	43	<1.0	<1.0	<1.0	<1.0	120	<1.0	<1.0	na	5.63	84.64	79.01	Yes	

TABLE 2
Groundwater Monitoring Data
Moe's ARCO
1604 McKee Road
San Jose, CA

Well Number	Date	TPHg µg/L	B µg/L	T µg/L	E µg/L	X µg/L	MTBE µg/L	MTBE* µg/L	D1PE µg/L	ETBE µg/L	TAME µg/L	TBA µg/L	EDB µg/L	1,2-DCA µg/L	Meth. µg/L	Eth. µg/L	Depth to GW	TOC Elev.	GW Elev.	Screen Submerged ?
MW-3 (Screened 13 - 18')	07/20/09	75	<0.5	1.8	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	7.41	NS	NC	Yes
	03/09/10	<50	<0.5	<0.5	<0.5	<0.5	na	<0.5	<0.5	<0.5	<0.5	<2.0	<0.5	<0.5	na	na	5.44	NS	NC	Yes
MW-4 (Screened 13 - 18')	07/20/09	<50	<0.5	<0.5	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	12.60	NS	NC	Yes
	03/10/10	<50	<0.5	<0.5	<0.5	<0.5	na	<0.5	<0.5	<0.5	<0.5	<2.0	<0.5	<0.5	na	na	5.97	NS	NC	Yes
MW-5 (Screened 15 - 20')	01/05/10	<50	<0.5	<0.5	<0.5	1.9	na	1.4	na	na	na	na	na	na	na	na	9.40	NS	NC	Yes
	03/10/10	<50	<0.5	<0.5	<0.5	<0.5	na	1.4	<0.5	<0.5	<0.5	<2.0	<0.5	<0.5	na	na	7.23	NS	NC	Yes
DP-1	10/05/09	<50	<0.5	<0.5	<0.5	1.9	na	1.4	na	na	na	na	na	na	na	na	9.40	NS	NC	Yes

TABLE 3
Soil Sampling Data
Moe's ARCO
1604 McKee Road
San Jose, CA

Boring Name	Sample ID	Sample Depth (ft bgs)	Date	TPHg mg/Kg	B mg/Kg	T mg/Kg	E mg/Kg	X mg/Kg	MTBE mg/Kg
MW-1	S-MW1-5	5	12/22/99	<1.0	<0.005	<0.005	<0.005	<0.005	<0.05
	S-MW1-10	10	12/22/99	<1.0	<0.005	<0.005	<0.005	<0.005	0.23
	S-MW1-15	15	12/22/99	39	0.014	0.019	0.097	0.19	<0.05
MW-2	S-MW2-5	5	12/22/99	1.2	0.015	0.008	<0.005	0.016	<0.05
	S-MW2-10	10	12/22/99	140	3.14	0.33	5.8	0.31	<0.5
	S-MW2-15	15	12/22/99	930	4.3	1.0	5.7	1.9	<2
MW-3	MW-3d5.0	5	07/15/09	<1.0	<0.005	<0.005	<0.005	<0.005	<0.05
	MW-3d10.0	10	07/15/09	1.3	<0.005	0.012	<0.005	<0.005	<0.05
	MW-3d15.0	15	07/15/09	7.5	<0.005	0.16	0.015	<0.005	<0.05
MW-4	MW-4d5.0	5	07/15/09	<1.0	<0.005	<0.005	<0.005	<0.005	<0.05
	MW-4d10.0	10	07/15/09	<1.0	<0.005	<0.005	<0.005	<0.005	<0.05
	MW-4d15.0	15	07/15/09	<1.0	<0.005	<0.005	<0.005	<0.005	<0.05
None	S-P1-3	3	01/22/99	<1.0	<0.005	0.012	<0.005	0.032	<0.05
None	S-P2-3	3	01/22/99	<1.0	<0.005	0.007	<0.005	0.019	<0.05
None	S-P3-3.5	3.5	01/22/99	<1.0	<0.005	0.010	<0.005	0.025	<0.05
None	S-P4-3.5	3.5	01/22/99	2.0	<0.005	0.058	<0.005	0.19	<0.05
None	S-PLA-2.5	2.5	01/22/99	<1.0	0.005	0.007	0.022	0.015	<0.05
None	S-P1-3	3	01/22/99	<1.0	<0.005	<0.005	<0.005	<0.005	<0.05

Notes:

TPHg = total petroleum hydrocarbons as gasoline

B = benzene

T = toluene

MTBE = Methyl tert-Butyl Ether

Parts per million = ppm = mg/Kg

NA = not analyzed

nm = not measured

E = Ethylbenzene

X = Total Xylenes

* = Data unavailable

Samples LF-1, LF-2, and LF-3 collected by Levine-Fricke

Samples WT-1, WT-2, WT-3, and WT-4 collected by WellTest, Inc.

See Attachment F for a map showing the locations of the 01/22/99 soil samples

Date(s) Drilled December 21, 2009	Logged By Bill Dugan, PG	Checked By Bill Dugan, PG
Drilling Method Direct-Push	Drill Bit Size/Type 2.125" ESP Probe Rod with 2.375" Expendable Steel Tip	Total Depth of Borehole 20 feet bgs
Drill Rig Type GeoProbe 540-UD	Drilling Contractor WellTest, Inc. (C57-843074)	Approximate Surface Elevation 75 feet MSL
Groundwater Level and Date Measured 9.4 feet measured on 01/05/10	Sampling Method(s) 4' ESP Geo MC Sample Tube with PVC Liner	Hammer Data G42
Borehole Backfill Well Completion	Well elevation not surveyed	

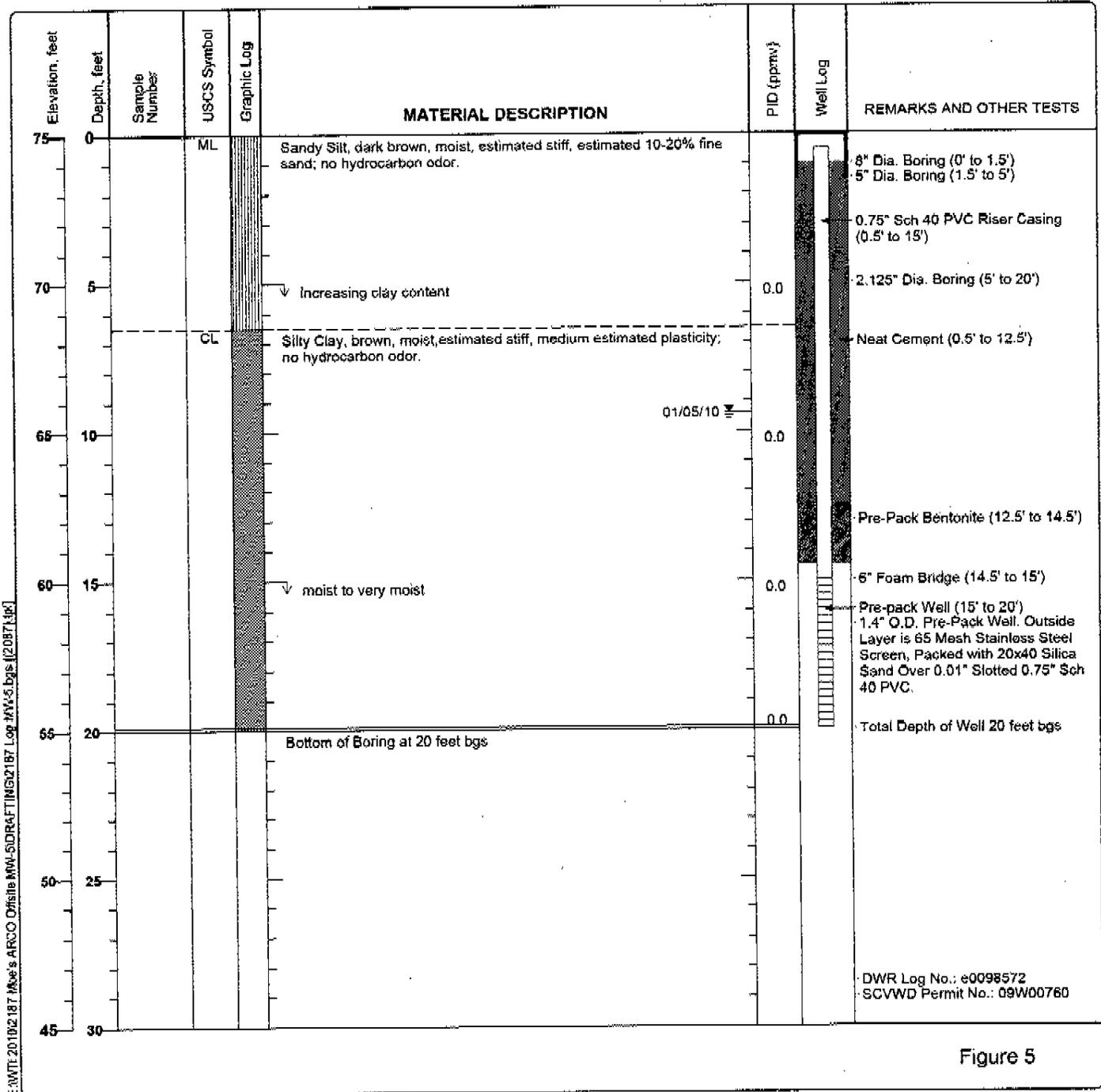


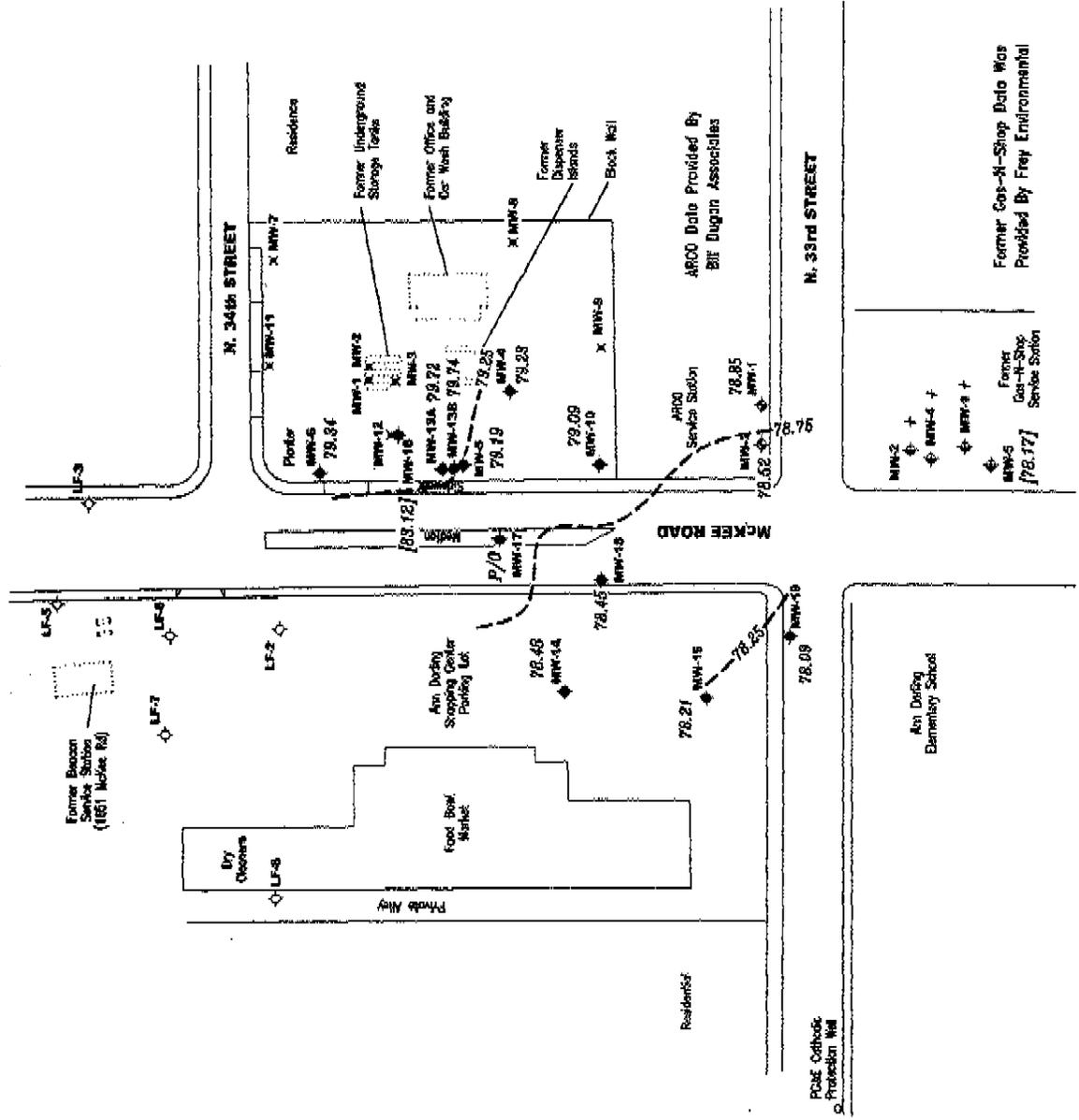
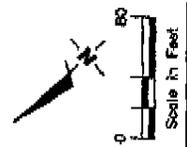
Figure 5

E:\WTL\2010\2187 Moe's ARCO Offsite MW-5\DRIFTING\2187 Log MW-5.bgs [2009.12.21]

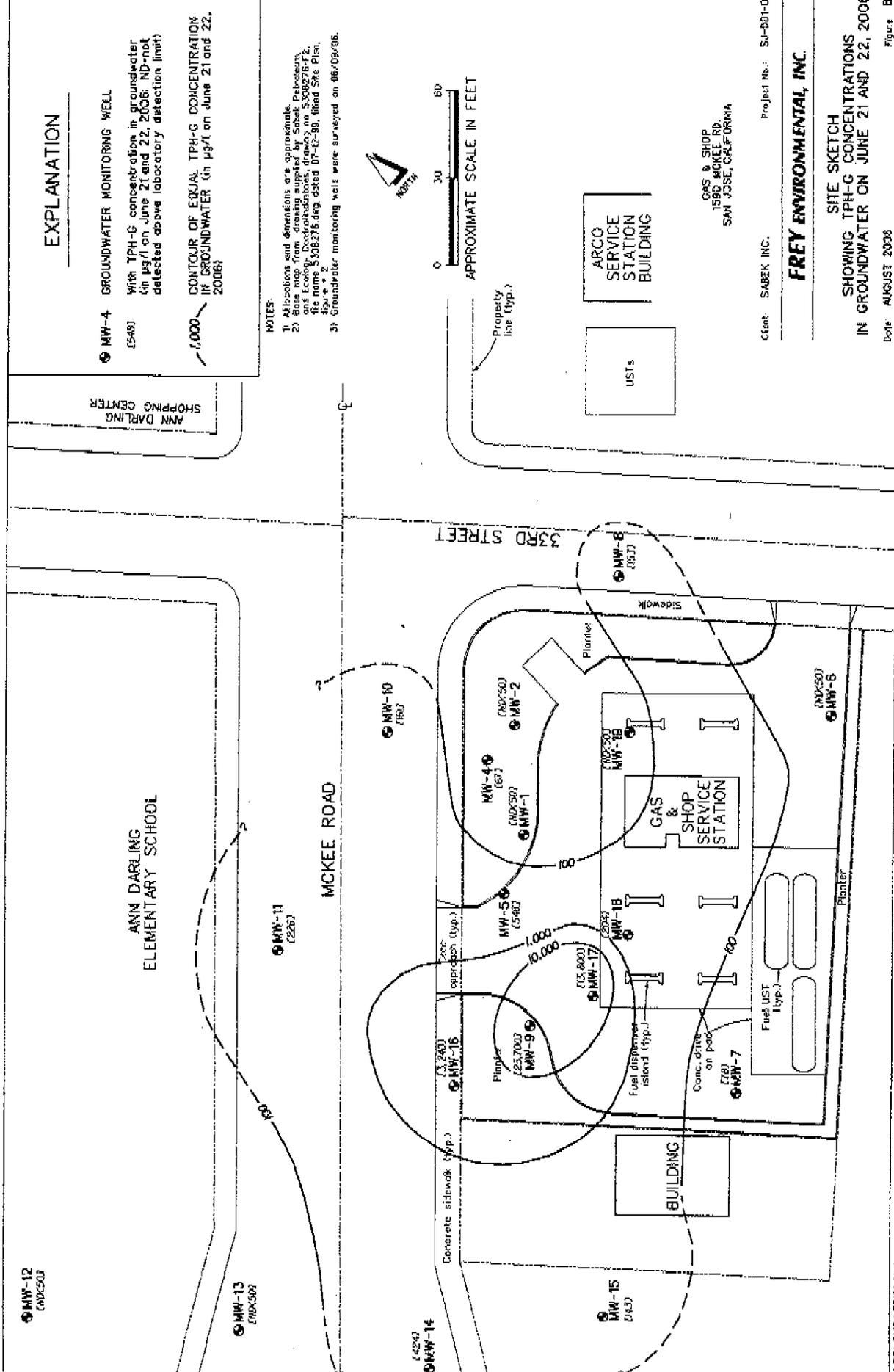
GETTEN - RYAN INC.


EXPLANATION

- ◆ Groundwater monitoring well
 - ◆ Groundwater monitoring well (ARCO)
 - ◆ Groundwater monitoring well (Former Gas-N-Shop)
 - ◇ Groundwater monitoring well (Former Beacon)
 - ✕ Abandoned well
 - 99.99 Groundwater elevation in feet referenced to Mean Sea Level
 - - - - - Groundwater elevation contour, dashed where inferred
 - [99.99] Not used in contouring
 - P/O Paved Over
 - + TOC not available
- Approximate groundwater elevation of 0.000 Ft./Ft. gradient of 0.005 to 0.000 Ft./Ft.



Source: Figures modified from drawings provided by 998 Eng. SS, and Dugan Assoc. Services.



EXPLANATION

- MW-4 GROUNDWATER MONITORING WELL (15483) WITH TPH-G CONCENTRATION IN GROUNDWATER (IN µg/l) ON JUNE 21 AND 22, 2006. ND=NOT DETECTED ABOVE LABORATORY DETECTION LIMIT
- 1,000 CONTOUR OF EQUAL TPH-G CONCENTRATION IN GROUNDWATER (IN µg/l) ON JUNE 21 AND 22, 2006

NOTES:
 1) All locations and dimensions are approximate.
 2) Base map from drawing supplied by Sabek Petroleum and Ecology. Coordinates: drawing no. S-206276-F2, file name S-206276.dwg dated 07-12-98, titled Site Plan, 1/4" = 1'-0".
 3) Groundwater monitoring well were surveyed on 06/09/06.



0 30 60
 APPROXIMATE SCALE IN FEET

Proprietary line (typ.)

ARCO SERVICE STATION BUILDING

USTs

GAS & SHOP SERVICE STATION
 1580 MCKEE RD.
 SAN JOSE, CALIFORNIA

Client: SABEK, INC. Project No.: SJ-001-01

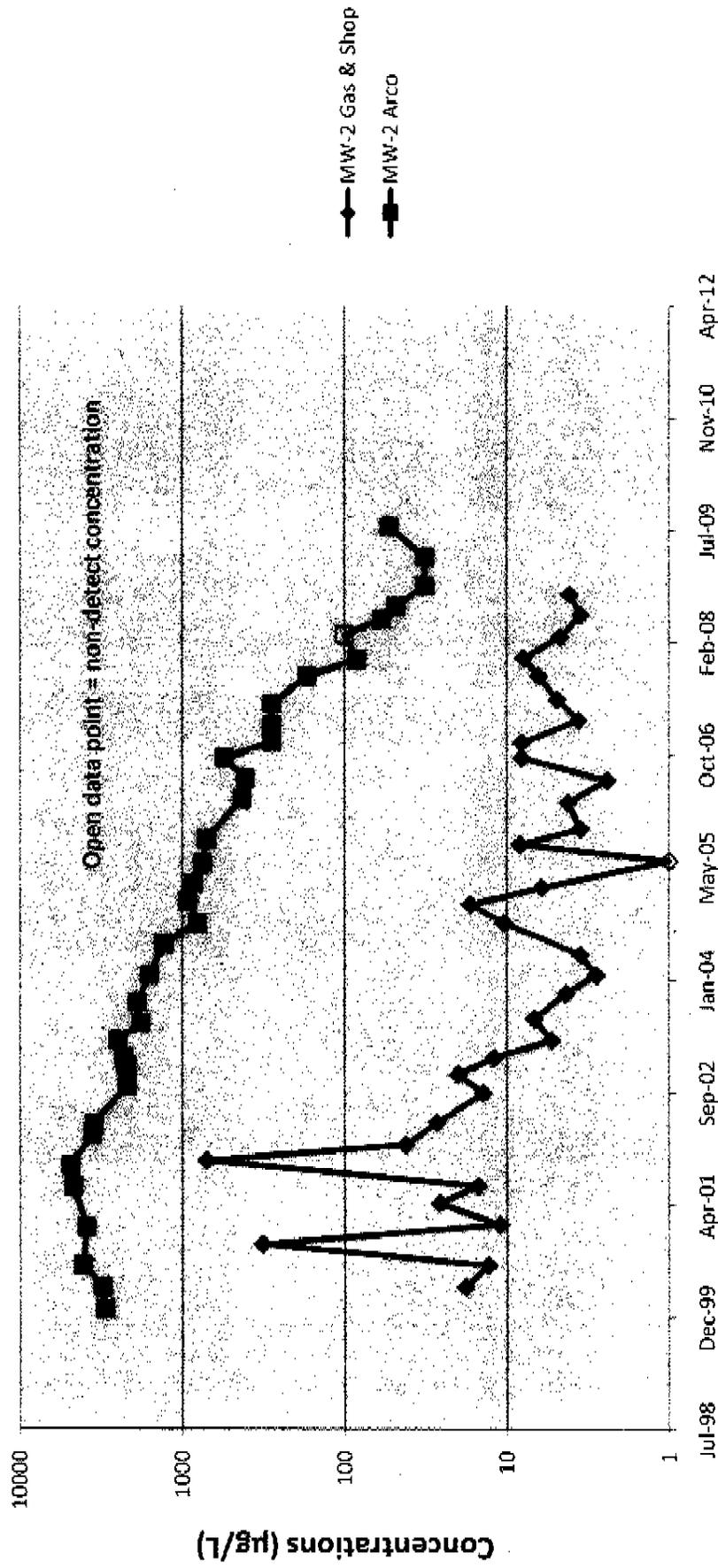
FREY ENVIRONMENTAL, INC.

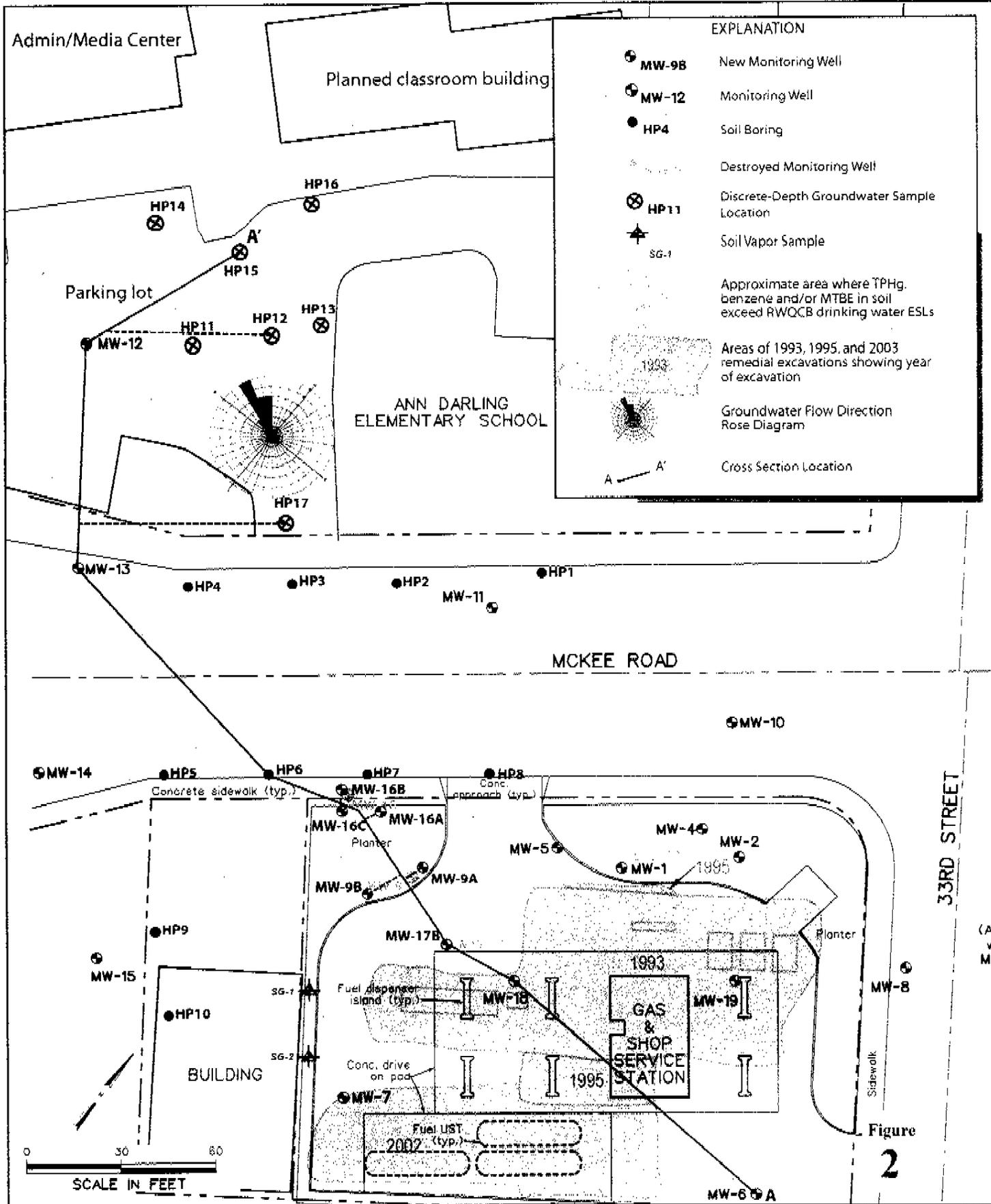
**SITE SKETCH
 SHOWING TPH-G CONCENTRATIONS
 IN GROUNDWATER ON JUNE 21 AND 22, 2006**

Date: AUGUST 2006 Figure: B

SJ-001-01-S-00101-1A.dwt

MTBE Concentrations in Arco and Gas & Shop MW-2





Gas & Shop
 1590 McKee Road
 San Jose, California



Locations of New Wells, Borings,
 Soil Vapor Sampling Points
 and Destroyed Wells

Subj: **Re: Andy's BP v. San Jose/Shirazi**
Date: 10/14/2011 3:45:18 P.M. Pacific Daylight Time
From: Jdomski@aol.com
To: Margo.Laskowska@sanjoseca.gov
CC: gwesley00@yahoo.com, tsaberi@aol.com

Ms Laskowska,

We have obtained evidence, as depicted in the attached photographs, that the City, in concert with Mr. Shirazi, has openly violated the Court's Order prohibiting work on the project until the EIR is approved by the Court.

Mr. Shirazi has violated the Court Order by substantial repair on his garage, expansion of his convenience store, allowing cars to use the driveways, repairing the new pumps, etc.— all of which is prohibited by the Court Order.

This conduct clearly also violates the condition for issuance of the CUP that requires that Shirazi comply with all state and local laws.

It is clear from the City's records that no permit has been issued allowing Mr. Shirazi to conduct the activities described herein.

In fact, there is no indication in the record that Mr. Shirazi resubmitted a permit application after the TRO was vacated by the Court and after Mr. Horwedel said under penalty of perjury that the permit had been revoked. The record shows that notwithstanding Mr. Horwedel's sworn testimony, he later approved the permit, even though the permit had been revoked. Such duplicity reveals further evidence that the City is in concert with Mr. Shirazi to violate the letter and spirit of the Court Order in this case.

This is a meet and confer attempt to demand that the City take immediate action to comply with the Court Order by prohibiting Mr. Shirazi from the conduct described and documented herein.

Please respond to this request by Monday, October 17, 2011. It is also requested that the hearing on Shirazi's EIR be postponed until such time as the City and Mr. Shirazi respond to this request. In addition, this is notice that if necessary appropriate Court intervention will be sought.

Jim Dombroski

In a message dated 8/23/2011 9:53:14 A.M. Pacific Daylight Time,
Margo.Laskowska@sanjoseca.gov writes:

Mr. Dombroski:

As I confirmed to the Court at the hearing on Friday, August 19, the permit to which you refer was revoked. It remained revoked while the TRO was in force.

Thank you.

Margo Laskowska

From: Jdomski@aol.com [<mailto:Jdomski@aol.com>]

Sent: Monday, August 22, 2011 4:14 PM

To: Laskowska, Margo

Cc: gwesley00@yahoo.com; tsaberi@aol.com

Subject: Fwd: Andy's BP v. San Jose/Shirazi

Ms.Laskowska,

EXHIBIT C

Friday, October 14, 2011 AOL: Jdomski

Presumably, Judge Huber discharged the OSC and denied the restraining order based upon the sworn testimony of Mr. Horwedel that "... the Planning Department retroactively rejected the Development Permit Adjustment Application." (Declaration at 3:20-21). As you may recall, I brought this testimony by Mr. Horwedel to Judge Huber's attention during oral argument at the hearing on 8/19/11.

Given Mr. Horwedel's testimony, it reasonably appears that Mr. Shirazi does not have a permit for continuing any work on the subject property, notwithstanding Judge Huber's ruling of this afternoon.

As addressed in my earlier email, Mr. Shirazi initiated work this morning before Judge Huber issued his ruling this afternoon.

In an effort to avoid a further Court hearing before Judge Huber, please confirm that the City has not issued another permit to Mr. Shirazi for any work on the subject property, after Mr. Horwedel signed his declaration. If not, please indicate whether the City will take any steps to halt Mr. Shirazi from any such work unless and until Mr. Shirazi obtains a permit.

Thank you for a prompt response.

Jim Dombroski

James M. Dombroski, Esq.
Law Offices of James M. Dombroski
P.O. Box 751027
Petaluma, CA 94975-1027
Telephone: (707) 762-7807
Fax: (707) 769-0419
Email: jdomski@aol.com

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Friday, October 14, 2011 AOL: Jdomski

LETTER A: LAW OFFICES OF JAMES M. DOMBROSKI

A1: Please note that the Court's Writ of Mandate required that the EIR evaluate traffic impacts, not hazardous materials. The Court did not find the City's hazardous materials analysis improper under CEQA (Pub. Res. Code §21005(c)). However, as a courtesy response and for informational purposes, the fuel leak investigation and current site conditions are discussed below.

The issues raised in this comment by Mr. Dombroski and Mr. Clark-Riddell express disagreement with the conclusion that the project's impacts associated with the former fuel tank leak would be less-than-significant. The State CEQA Guidelines require that decisions regarding the significance of environmental effects addressed in an EIR be based on substantial evidence and recognize that other evidence suggesting a different conclusion may exist. The EIR and this Amendment provide an evaluation of the project's impacts related to hazardous materials and the former fuel tank release in compliance with CEQA and in accordance with professionally accepted methodology. The EIR and this Amendment present substantial evidence to support the conclusions drawn within these documents regarding the significance of the project's environmental effects. When commenters disagree about environmental conclusions, the EIR can acknowledge that disagreement, but it need not resolve all debates. Per Section 15151 of the CEQA Guidelines, "Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts." The lead agency will ultimately determine the appropriate conclusion based on the substantial evidence presented in the EIR and other documents in the environmental record. The discussion below provides a summary of the points of disagreement raised in the comment letter.

The conclusions made in this comment regarding the former fuel leak on the project site appear to be based on outdated data. The fuel leak investigation and current site conditions are addressed in section **H. Hazards and Hazardous Materials** on pages 11 through 14 of the Initial Study in Appendix A of the EIR. The analysis in the Initial Study was based on the "Groundwater Monitoring Report – Second Quarter 2011 (Report #2515) for Moe's ARCO, 1604 McKee Road, San Jose, California SCCDEH Case #06-088" (WellTest, Inc., August 21, 2011). Additional information is provided in the "Supplemental Soil and Groundwater Investigation Report (Report #2352) Moe's ARCO, 1604 McKee Road, San Jose, CA SCCDEH Case #06-088; USTCF Claim #14388 (WellTest, Inc., August 31, 2011), which was submitted subsequent to circulation of the EIR. These reports are provided herein as Attachment 1.

The commenter claims that the EIR did not contain an analysis of the "leaky underground fuel tanks" on the project site and that this fuel release has impacted the Gas & Shop property at 1590 McKee Road. As described in the EIR (Appendix A), groundwater monitoring for the project site has been ongoing since 1999 when a leaking gasoline fuel tank was discovered. The Second Quarter monitoring report provides the latest data from five existing monitoring wells on and surrounding the project site. The results of the report show that the highest concentrations of petroleum-impacted groundwater are found in the area of well MW-2 near the project site's northwest border, then the plume attenuates to non-detectable levels in the down-gradient area of well MW-5 located northwest of the site near Anne Darling school. The plume also attenuates to trace to non-detectable levels in the area of onsite cross-gradient wells MW-3 and MW-4 and

offsite cross-gradient wells MW-2 and MW-8 associated with the 1590 McKee Road (Gas & Shop) case.

This information indicates that the petroleum hydrocarbon plume is stable based on the limited down-gradient lateral extent of the plume in relation to the age of the fuel release. WellTest has recommended that the case be considered for regulatory closure by the Santa Clara County Department of Environmental Health (SCCDEH), which is pending. Based on the most recent 2011 groundwater monitoring data and conclusions, project implementation would not pose a hazard to the environment; thus, the Initial Study determined the project's impact from the former fuel tank release to be less-than-significant.

The comments from Mr. Clark-Riddell regarding clean-up responsibilities and costs are not relevant to the CEQA analysis since they do not provide information about the pertinent physical environment. The onsite fuel tank release at Moe's Stop is being monitored and overseen by the SCCDEH in accordance with all regulatory requirements.

None of the information reviewed to provide this courtesy response to comment raises any new significant environmental issue or information.

A2: See above. The EIR concludes, based on substantial evidence, that development of the project would have less-than-significant environmental impacts associated with the former fuel tank release. The Second Quarter 2001 Monitoring Report, along with the Supplemental Soil and Groundwater Investigation Report for Moe's Arco (August 2011), are provided in Attachment 1 of this First Amendment.

A3: At the time that the traffic consultant went to the site to conduct the trip generation surveys, the price/gallon of gasoline was within one cent of the Gas & Shop station; thus the typical prices at the two stations were considered comparable. Given the similarity of the two gas stations in terms of not only price but also location, access, and other characteristics (e.g., mini-mart), basing the survey data for the project on traffic generated by the adjacent Gas & Shop station is appropriate. The traffic study represents typical conditions in the area based upon current data.

With regards to pass-by trips, not all of the project-generated trips are anticipated to be new. Based upon historical use information relating to gas stations, many trips would be pass-by trips, which are trips that are already traveling on the adjacent roadways and enter the project site in passing. Trip generation rates for gas stations are typically adjusted at the intersection level to account for pass-by trips, based on data provided by the Institute of Transportation Engineers (ITE) Trip Generation manual, 8th Edition (2008). The ITE Trip Generation manual is a key resource in the field of transportation engineering and is used to determine trip generation and pass-by trip rates for a majority of projects in the City of San Jose. Justification for applying a pass-by trip reduction is founded on the observation that such traffic is not actually generated by gas stations, but is already part of the ambient traffic levels. As a side note, pass-by trips occur at gas stations regardless of the price of gas.

A4: The City has prepared this EIR in accordance with requirements contained in the Court's Writ of Mandate. The conditions of the previous CUP no longer apply. The project's previously

approved compliance with state and local laws is not a CEQA-related issue requiring analysis in this EIR. In addition, actions that do not require a discretionary approval from the City of San Jose are not subject to CEQA review.

3.0 Revisions to the Draft EIR

The following section provides revisions to the text of the Draft EIR, in amendment form. The revisions are listed by page number. All additions to the text are presented in underline, and all deletions are shown in ~~strike-out~~.

No revisions required.

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ATTACHMENT 1

GROUNDWATER MONITORING AND SUPPLEMENTAL REPORTS



August 21, 2011

Mr. Gerald O'Regan, PG
Environmental Health Geologist
Santa Clara County Department of Environmental Health
1555 Burger Drive, Suite 300
San Jose, California 95116-2716

Subject: Groundwater Monitoring Report –Second Quarter 2011 (Report #2515)
Moe's ARCO, 1604 McKee Road, San Jose, California
SCCDEH Case # 06-088

Dear Mr. O'Regan:

At the request of Amir Shiraz, WellTest, Inc. (WELLTEST) has prepared this groundwater monitoring report for the above-reference fuel-release case (Figures 1 and 2). The purpose of this report is to fulfill self-monitoring requirements and to document a groundwater monitoring history for the site.

Monitoring Well Network

There are currently five groundwater monitoring wells (MW-1, MW-2, MW-3, MW-4, and MW-5) associated with the fuel-release case (Figure 3). Four of the wells are located within the site boundaries. Well MW-5 is located west of the site within the Anne Darling School, near the intersection of McKee Road and Thirty-Third Street. The five wells were completed within the first-encountered water bearing zone. Wells MW-1, MW-3, and MW-4 are 18 ft deep, and wells MW-2 and MW-5 are 20 ft deep. The water-yielding zone tapped by the wells is confined. Well construction details are presented in Table 1.

Groundwater Monitoring and Sampling

On June 9, 2011 a representative of WELLTEST inspected and sampled monitoring wells MW-1, MW-2, MW-3, MW-4 and MW-5. The following tasks were performed:

- Measured depth to water surfaces (below top of the casing survey mark – all site-related wells).
- Performed subjective analyses for floating product.
- Purged at least three well volumes of water from the wells.
- Recorded electrical conductivity, pH, and temperature data during well water removal.
- Allowed the wells to recover to static water level conditions (at least 80% recovery).
- Collected groundwater samples from the wells.
- Transported the groundwater samples to a State-certified laboratory for chemical analysis.

Groundwater samples from the four wells sampled were analyzed at McCampbell Analytical, Inc. (MAI), Pittsburg, California State-certified laboratory (#1644) for:

- TPHg, BTEX, and MTBE by modified EPA extraction method SW5030B and analytical method SW8021B/8015Bm. See page 5 of this report for a list of acronyms.

Groundwater Elevation and Gradient Evaluation

Groundwater level measurements were collected from MW-1, MW-2, MW-3, MW-4, and MW-5 on June 9, 2011. The water-level data indicate a northwestern groundwater flow direction with a +/- 0.004-ft/ft gradient (Figure 4). A rose diagram of the interpreted groundwater flow direction for the 2010 data is included in Figure 4. Historic depth to water measurement data is presented in Table 2.

Analytical Results

A copy of the certified analytical report (MAI Report #1106406) is presented in Attachment A. A map of chemical concentrations in groundwater for the sampling event is presented in Figure 5. Results of laboratory analyses for the sampling event are summarized in Table 2, and are additionally summarized below:

- TPHg (Gasoline): TPHg was not detected (<50 µg/L) in the samples.
- Benzene: Benzene was not detected (<0.5 µg/L) in the samples.
- Toluene: Toluene was not detected (<0.5 µg/L) in the samples.
- Ethylbenzene: Ethylbenzene was not detected (<0.5 µg/L) in the samples.
- Xylenes: Total xylenes were not detected (<0.5 µg/L) in the samples.
- MTBE: Up to 35 µg/L of MTBE was detected in the sample from MW-2.

Comments and Conclusions

- The direction of groundwater flow, based on the limited data set collected during 2010, was calculated to be towards the northwest as depicted in the rose diagram presented in Figure 4. The interpreted flow direction is consistent with the predominant groundwater flow direction reported for the closed Chevron fuel-release case associated with 1936 McKee Road (1989 to 1997 data). See Attachment B for a rose diagram and groundwater flow direction data summary table for the Chevron case (Source: Pacific Environmental Group, 11/04/97).
- The highest reported concentrations of petroleum-impacted groundwater appears to be located in the area of well MW-2. The groundwater plume attenuates to trace to non-detectable levels in the area of down-gradient well MW-5. The stability of the petroleum hydrocarbon plume is apparent, based on the limited down-gradient lateral extent of the plume in relation to the age of the release (1984). The results of the Third Quarter 2010 monitoring event indicate that dissolved concentrations of TPHg, BTEX, and MTBE in the water samples have declined to concentrations below or near the base of the historic ranges for these compounds associated with the fuel-release case.

Recommendations

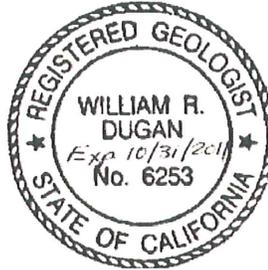
- Based on the current trends of contaminants of concern, and on allowable residual concentrations of petroleum compounds in groundwater at recently closed fuel-release cases within Santa Clara County with similar land-use and subsurface conditions, WELLTEST recommends that the case be considered for regulatory closure by the SCCDEH.

If you have any questions or comments, please contact WELLTEST at (408) 287-2175.

Sincerely
WELLTEST, INC.



William R. Dugan, P.G.
Professional Geologist (CA# 6253)



List of Tables, Figures and Attachments

Table 1	Well Construction Details
Table 2	Groundwater Monitoring Data
Table 3	Previous Soil Analytical Data
Figure 1	Site Area Topographic Map
Figure 2	Aerial Photograph of Site Area
Figure 3	Site Map Showing Site-Related Wells
Figure 4	Groundwater Elevation Map (06/09/11)
Figure 5	Chemical Concentrations in Groundwater (06/09/11)
Attachment A	Certified Analytical Report
Attachment B	Rose Diagram (1989 to 1997 for Adjacent Site – 1936 McKee Road)
Attachment C	Sampling Procedures and Well Purging/Sampling Logs
Attachment D	Maps Showing Previous Soil Sample Locations (Support for Table 3)
Attachment E	Client Authorization Letter

Distribution List

Mr. Amir Shirazi
1604 McKee Road
San Jose, California 95166-1233

Mr. Gerald O'Regan, PG
Environmental Health Geologist
Santa Clara County Department of Environmental Health
1555 Burger Drive, Suite 300
San Jose, California 95116-2716

References

Delta/Bay Builders, Inc., 1989. Letter to the SCVWD related to the 1984 removal and replacement of USTs at Moe's Arco, 1604 McKee Road, San Jose, California, December 11. *(The site sketch dated 9-21-1984 presented in Attachment D of WellTest Report #2515 was obtained from this Letter).*

Dugan Associates, 1999. Pump Island Over-Excavation Soil Sampling Report (Report #99Q1-502-2) at Moe's Arco, 1604 McKee Road, San Jose, California, April 12. *(The generalized site map presented in Attachment D of WellTest Report #2515 was obtained from this report).*

Pacific Environmental Group, 1997. Soil and Water Investigation Report, Former Chevron Service Station 9-3523, 1636 McKee Road at North 34th Street, San Jose, California, November 4. *(The historical gradient data and groundwater flow direction rose diagram presented in Attachment B of WellTest Report #2515 was obtained from this PEG report).*

City of San Jose, California, 1999. Fax Transmittal sent to the SCVWD by the City of San Jose documenting UST Piping upgrade at Moe's Arco, 1604 McKee Road, San Jose, California, May 5. *(The site sketch dated 1-22-1999 presented in Attachment D of WellTest Report #2515 was obtained from this referenced source).*

Limitations

This report is based upon a limited specific scope of work. This report is intended only for the use of WELLTEST's client and those listed in the distribution section of the report. WELLTEST does not accept liability for unauthorized reliance or use by any other third party. WELLTEST makes no express or implied warranty in regards to the contents of this report.

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List of Acronyms

Bgs	below ground surface
BTEX	Benzene, Toluene, Ethylbenzene, Xylenes
btoc	Below top of casing
1,2-DCA	1,2-Dichloroethane
DHS	State of California Department of Health Services
DO	Dissolved oxygen
DTW	Depth to water
DWR	Department of Water Resources
DIPE	Di-isopropyl ether
ELAP	Environmental Laboratory Accreditation Program
EC	Electrical conductivity
EDB	1,2-dibromoethane
ETBE	Ethyl tert butyl ether
Eth	Ethanol
ft	foot or feet
ft/ft	feet per feet
FTU	Field Turbidity Unit
GW	Groundwater
MCL	Maximum Contaminant Level
Meth	Methanol
MSL	Mean Sea Level
MTBE	Methyl-t-butyl-ether
mg/L	milligram per liter
mV	millivolts
MW	Monitoring Well
NGVD	National Geodetic Vertical Datum of 1929
NA	Not Analyzed
NM	Not Measured
ORP	Oxidation reduction potential
P.G.	Professional Geologist
ppmv	parts per million by volume
QA/QC	Quality Assurance/Quality Control
SCCDEH	Santa Clara County Department of Environmental Health
SCVWD	Santa Clara Valley Water District
TAME	Tert amyl methyl ether
TBA	Tert butyl alcohol
TDS	Total dissolved solids
TOC	Top of casing
TPHg	Gasoline range (C6-C12) Volatile hydrocarbons as gasoline
ug/L	micrograms per liter
uS	micro Siemens
UST	Underground storage tank
VOC	Volatile Organic Compound
WELLTEST	WellTest, Inc.
°F - °C	degrees Fahrenheit - degrees Celsius

TABLES

TABLE 1
Well Construction Details
Moe's ARCO
1604 McKee Road
San Jose, CA

Well I.D.	Well Type	SCVWD Permit #	DWR #	Installation Date	Casing Diameter (Inches)	Borehole Depth (ft bgs)	Screened Interval (ft bgs)	TOC Elevation (ft. MSL)	DTW (btoc) (06/09/11)	Well Screen Flooded?
MW-1	Monitoring	99W00787	714577	12/22/99	2	18	13 to 18	87.68	6.33	Yes
MW-2	Monitoring	99W00788	714578	12/22/99	2	20	13 to 20	87.57	6.81	Yes
MW-3	Monitoring	09W00320	e0091120	07/15/09	¾	18	13 to 18	87.71	6.66	Yes
MW-4	Monitoring	09W00319	e0091119	07/15/09	¾	18	13 to 18	87.97	8.40	Yes
MW-5	Monitoring	09W00760	e0099572	12/21/09	¾	20	15 to 20	88.17	8.00	Yes

TABLE 2
Groundwater Monitoring Data
Moe's ARCO
1604 McKee Road
San Jose, CA

Well Number	Date	TPHg	B	T	E	X	MTBE	MTBE*	DIPE	ETBE	TAME	TBA	EDB	1,2-DCA	Meth.	Eth.	Depth	TOC	GW	Screen
		µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	to GW	Elev.	Elev.
MW-1 (Screened 13 - 18')	01/13/00	100	1	<0.5	2.1	2.9	580	640	<25	<25	<25	170	<0.5	<0.5	na	na	7.11	84.76	nc	Yes
	04/20/00	<50	<0.5	<0.5	<0.5	<0.5	610	na	na	na	na	na	na	na	na	na	4.71		nc	Yes
	07/26/00	<50	<0.5	<0.5	<0.5	<0.5	590	na	na	na	na	na	na	na	na	na	6.63		nc	Yes
	01/12/01	120	4.6	0.51	<0.5	0.62	1,000	na	na	na	na	na	na	na	na	na	6.19		nc	Yes
	07/13/01	<50	<0.5	<0.5	<0.5	0.87	300	220	<5.0	<5.0	<5.0	<24	na	na	na	na	6.48		nc	Yes
	10/12/01	<50	<0.5	<0.5	<0.5	<0.5	260	250	<5.0	<5.0	<5.0	<25	na	na	na	na	6.81		nc	Yes
	01/11/02	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	5.79		nc	Yes
	02/25/02	<50	<0.5	<0.5	<0.5	<0.5	<5.0	5	<5.0	<5.0	<5.0	<25	na	na	na	na	5.82		nc	Yes
	04/19/02	<50	<0.5	<0.5	<0.5	<0.5	<5	1.0	<0.5	<0.5	<0.5	<5	na	na	na	na	5.91		nc	Yes
	09/30/02	<50	<0.5	2.0	<0.5	9.3	78	98	<2.5	<2.5	<2.5	<2.5	na	na	<2,500	<250	6.13		nc	Yes
	12/26/02	<50	<0.5	<0.5	<0.5	<0.5	<5.0	1.0	<0.5	<0.5	<0.5	<5.0	na	na	na	na	4.98		nc	Yes
	02/03/03	<50	<0.5	<0.5	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	5.39		nc	Yes
	04/23/03	<50	<0.5	<0.5	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	5.91		nc	Yes
	07/07/03	<50	<0.5	<0.5	<0.5	<0.5	170	na	na	na	na	na	na	na	na	na	6.01		nc	Yes
	10/09/03	<50	<0.5	<0.5	<0.5	<0.5	7.9	na	na	na	na	na	na	na	na	na	6.45		nc	Yes
	02/06/04	76	<0.5	<0.5	<0.5	2.6	110	na	na	na	na	na	na	na	na	na	5.49		nc	Yes
	06/22/04	<50	<0.5	<0.5	<0.5	<0.5	25	na	na	na	na	na	na	na	na	na	6.24		nc	Yes
	09/20/04	<50	<0.5	<0.5	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	6.72		nc	Yes
	12/29/04	<50	<0.5	<0.5	<0.5	<0.5	110	na	na	na	na	na	na	na	na	na	5.90		nc	Yes
	03/18/05	<50	<0.5	<0.5	<0.5	<0.5	100	na	na	na	na	na	na	na	na	na	4.68		nc	Yes
	06/15/05	<50	<0.5	<0.5	<0.5	<0.5	72	na	na	na	na	na	na	na	na	na	5.60		nc	Yes
	09/29/05	<50	<0.5	<0.5	<0.5	<0.5	78	na	na	na	na	na	na	na	na	na	6.80		nc	Yes
	03/30/06	<50	<0.5	<0.5	<0.5	<0.5	32	30	<0.5	<0.5	<0.5	<5.0	na	<0.5	<500	<50	4.55		nc	Yes
	06/27/06	<50	<0.5	<0.5	<0.5	<0.5	33	32	<0.5	<0.5	<0.5	<5.0	<0.5	<0.5	na	na	6.03		nc	Yes
	09/26/06	82	3.9	3.8	1.6	11	41	59	<1.2	<1.2	<1.2	<12	<1.2	<1.2	na	na	7.32		nc	Yes
	12/06/06	150	2.8	1.2	5.3	12	25	21	<0.5	<0.5	<0.5	<5.0	<0.5	<0.5	na	na	7.13		nc	Yes
	02/20/07	140	9.7	15	4.0	26	23	22	<0.5	<0.5	<0.5	<5.0	<0.5	<0.5	na	na	6.26		nc	Yes
	05/25/07	<50	<0.5	<0.5	<0.5	<0.5	32	28	<0.5	<0.5	<0.5	<5.0	<0.5	<0.5	na	na	6.56		nc	Yes
	09/24/07	<50	<0.5	<0.5	<0.5	0.40	27	35	<0.5	<0.5	<0.5	<5.0	<0.5	<0.5	<500	<50	7.52		nc	Yes
	12/06/07	<50	<0.5	0.82	0.55	2.5	22	na	na	na	na	na	na	na	na	na	7.19		nc	Yes
	03/26/08	<50	<0.5	<0.5	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	5.72		nc	Yes
	06/05/08	<50	<0.5	<0.5	<0.5	<0.5	7	na	na	na	na	na	na	na	na	na	6.74		nc	Yes
	08/01/08	<50	<0.5	<0.5	<0.5	<0.5	16	na	na	na	na	na	na	na	na	na	7.55		nc	Yes
10/31/08	<50	<0.5	<0.5	<0.5	<0.5	21	na	na	na	na	na	na	na	na	na	8.09		nc	Yes	
03/29/09	<50	<0.5	<0.5	<0.5	<0.5	11	na	na	na	na	na	na	na	na	na	5.71		nc	Yes	
07/20/09	<50	<0.5	<0.5	<0.5	<0.5	15	na	na	na	na	na	na	na	na	na	7.26		nc	Yes	
03/09/10	<50	<0.5	<0.5	<0.5	<0.5	na	7.2	<0.5	<0.5	<0.5	<2.0	<0.5	<0.5	na	na	5.10		82.58	Yes	
05/25/10	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	6.47	87.68	81.21	Survey	
09/30/10	<50	<0.5	<0.5	<0.5	<0.5	5.4	na	na	na	na	na	na	na	na	na	7.19		80.49	Yes	
06/09/11	<50	<0.5	<0.5	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	6.33		81.35	Yes	

TABLE 2
Groundwater Monitoring Data
Moe's ARCO
1604 McKee Road
San Jose, CA

Well Number	Date	TPHg	B	T	E	X	MTBE	MTBE*	DIPE	ETBE	TAME	TBA	EDB	1,2-DCA	Meth.	Eth.	Depth	TOC	GW	Screen
		µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	to GW	Elev.	Elev.
MW-2 (Screened 13 - 20')	01/13/00	2,000	53	4.1	34	11	2,400	3,000	<50	<50	<50	<50	<250	<0.5	<0.5	<0.5	7.41	84.64	nc	Yes
	04/20/00	440	8.1	<0.5	1.9	0.96	3,100	na	na	na	na	na	na	na	na	na	5.33		nc	Yes
	07/26/00	770	29	2.3	7.0	3.1	4,100	na	na	na	na	na	na	na	na	na	6.77		nc	Yes
	01/12/01	320	30	2.0	0.86	3.4	3,900	na	na	na	na	na	na	na	na	na	6.41		nc	Yes
	07/13/01	590	22	<1.0	<1.0	0.93	4,700	4,500	<50	<50	<50	1400	na	na	na	na	6.71		nc	Yes
	10/12/01	290	20	<0.5	<0.5	<0.5	4,900	4,500	<100	<100	<100	<500	na	na	na	na	7.55		nc	Yes
	01/11/02	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	6.19		nc	Yes
	02/25/02	<250	0.5	<0.5	<0.5	<0.5	3,400	3,600	<100	<100	<100	<500	na	na	na	na	7.55		nc	Yes
	04/19/02	130	<1	<1	<1	<1	2,900	3,500	<50	<50	<50	570	na	na	na	na	6.12		nc	Yes
	09/30/02	130	1.2	0.83	<0.5	3.2	1,600	2,200	<50	<50	<50	<500	na	na	<50,000	<5,000	6.14		nc	Yes
	12/26/02	<100	<1	<1	<1	<1	2,200	2,200	<50	<50	<50	<500	na	na	na	na	5.55		nc	Yes
	02/03/03	<150	<1.5	<1.5	<1.5	<1.5	2,300	na	na	na	na	na	na	na	na	na	5.82		nc	Yes
	04/23/03	<150	<1.5	<1.5	<1.5	<1.5	2,500	na	na	na	na	na	na	na	na	na	5.41		nc	Yes
	07/07/03	120	<0.5	<0.5	<0.5	<0.5	1,800	na	na	na	na	na	na	na	na	na	6.33		nc	Yes
	10/09/03	190	0.78	<0.5	<0.5	<0.5	1,900	na	na	na	na	na	na	na	na	na	6.76		nc	Yes
	02/06/04	170	<0.5	<0.5	<0.5	2.0	1,600	na	na	na	na	na	na	na	na	na	6.02		nc	Yes
	06/22/04	160	0.72	<0.5	<0.5	<0.5	1,300	na	na	na	na	na	na	na	na	na	6.60		nc	Yes
	09/20/04	410	25	1.7	4.0	2.0	810	na	na	na	na	na	na	na	na	na	7.06		nc	Yes
	12/29/04	170	2.3	<0.5	0.52	1.8	930	na	na	na	na	na	na	na	na	na	6.30		nc	Yes
	03/18/05	220	2.4	<0.5	<0.5	0.75	850	na	na	na	na	na	na	na	na	na	5.25		nc	Yes
	06/15/05	220	5.3	<0.5	1.7	0.64	750	na	na	na	na	na	na	na	na	na	6.05		nc	Yes
	09/29/05	110	3.3	<0.5	1.1	1.1	710	na	na	na	na	na	na	na	na	na	7.15		nc	Yes
	03/30/06	150	2.5	<0.5	0.67	0.9	430	340	<5.0	<5.0	<5.0	100	na	na	<5,000	<500	5.22		nc	Yes
	06/27/06	280	3.3	1.2	1.3	2.2	410	410	<10	<10	<10	130	<10	na	na	na	6.53		nc	Yes
	09/26/06	120	1.0	0.72	0.53	2.6	470	550	<17	<17	<17	<170	<17	na	na	na	7.56		nc	Yes
	12/06/06	180	0.87	<0.5	<0.5	1.1	280	280	<10	<10	<10	<100	<10	<10	na	na	7.42		nc	Yes
	02/20/07	180	1.90	0.67	0.52	1.9	280	260	<5.0	<5.0	<5.0	<50	<5.0	<5.0	na	na	6.70		nc	Yes
	05/25/07	90	1.30	<0.5	<0.5	<5.0	250	280	<5.0	<5.0	<5.0	<50	<5.0	<5.0	na	na	6.87		nc	Yes
	09/24/07	280	3.0	0.29	0.30	0.76	120	170	<5.0	<5.0	<5.0	180	<5.0	<5.0	<5,000	<500	7.65		nc	Yes
	12/06/07	190	0.68	<0.5	<0.5	<0.5	84	na	na	na	na	na	na	na	na	na	7.52		nc	Yes
03/26/08	230	1.8	<0.5	0.78	2.6	<100	na	na	na	na	na	na	na	na	na	6.10		nc	Yes	
06/05/08	220	0.81	<0.5	<0.5	<0.5	59	na	na	na	na	na	na	na	na	na	7.02		nc	Yes	
08/01/08	170	2.1	<0.5	<0.5	<0.5	48	na	na	na	na	na	na	na	na	na	7.68		nc	Yes	
10/31/08	150	1.4	<0.5	<0.5	<0.5	32	na	na	na	na	na	na	na	na	na	8.15		nc	Yes	
03/29/09	91	<0.5	<0.5	<0.5	<0.5	32	na	na	na	na	na	na	na	na	na	6.08		nc	Yes	
07/20/09	87	<0.5	<0.5	<0.5	<0.5	53	na	na	na	na	na	na	na	na	na	7.43		nc	Yes	
03/09/10	100	<0.5	<0.5	<0.5	<0.5	na	43	<1.0	<1.0	<1.0	120	<1.0	<1.0	na	na	5.63		81.94	Yes	
05/25/10	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	6.97	87.57	80.60	Survey	
09/30/10	180	3.1	<0.5	0.76	0.63	86	na	na	na	na	na	na	na	na	na	7.37		80.20	Yes	
06/09/11	<50	<0.5	<0.5	<0.5	<0.5	35	na	na	na	na	na	na	na	na	na	6.81		80.76	Yes	

TABLE 2
Groundwater Monitoring Data
Moe's ARCO
1604 McKee Road
San Jose, CA

Well Number	Date	TPHg	B	T	E	X	MTBE	MTBE*	DIPE	ETBE	TAME	TBA	EDB	1,2-DCA	Meth.	Eth.	Depth	TOC	GW	Screen
		µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	to GW Elev.	Elev.	Elev.
MW-3 (Screened 13 - 18')	07/20/09	75	<0.5	1.8	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	7.41		80.30	Yes
	03/09/10	<50	<0.5	<0.5	<0.5	<0.5	na	<0.5	<0.5	<0.5	<0.5	<2.0	<0.5	<0.5	na	na	5.44		82.27	Yes
	05/25/10	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	6.78	87.71	80.93	Survey
	09/30/10	<50	<0.5	<0.5	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	7.37		80.34	Yes
	06/09/11	<50	<0.5	<0.5	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	6.66		81.05	Yes
MW-4 (Screened 13 - 18')	07/20/09	<50	<0.5	<0.5	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	12.60		75.37	Yes
	03/10/10	<50	<0.5	<0.5	<0.5	<0.5	na	<0.5	<0.5	<0.5	<0.5	<2.0	<0.5	<0.5	na	na	5.97		82.00	Yes
	05/25/10	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	7.37	87.97	80.60	Survey
	09/30/10	<50	<0.5	<0.5	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	8.08		79.89	Yes
	06/09/11	<50	<0.5	<0.5	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	8.40		79.57	Yes
MW-5 (Screened 15 - 20')	01/05/10	<50	<0.5	<0.5	<0.5	1.9	na	1.4	na	na	na	na	na	na	na	na	9.40		78.77	Yes
	03/09/10	<50	<0.5	<0.5	<0.5	<0.5	na	1.4	<0.5	<0.5	<0.5	<2.0	<0.5	<0.5	na	na	7.23		80.94	Yes
	05/25/10	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	8.58	88.17	79.59	Survey
	09/30/10	<50	<0.5	<0.5	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	8.48		79.69	Yes
	06/09/11	<50	<0.5	<0.5	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	8.00		80.17	Yes
DP-1*	10/05/09	<50	<0.5	0.56	<0.5	0.95	na	<0.5	<0.5	<0.5	<0.5	<2.0	<0.5	<0.5	na	na	~8	NS	NC	DD-Grab
DP-2*	03/15/10	6,000	3,300	<100	130	<100	<100	<100	<100	<100	<100	<400	<100	<100	na	na	25.30	NS	NC	DD-Grab
DP-2B*	08/04/10	<50	1.4	0.69	0.79	<0.5	na	0.73	<0.5	<0.5	<0.5	5.2	<0.5	<0.5	na	na	~39	NS	NC	DD-Grab
DP-5B*	08/03/10	54	3,300	<100	130.0	<100	<100	<100	<100	<100	<100	<400	<100	<100	na	na	~39	NS	NC	DD-Grab

* = Water samples from DP-1, DP-2, DP-2B and DP-5B were analyzed by SW8260B.
DD-Grab = Depth-discrete grab groundwater sample.

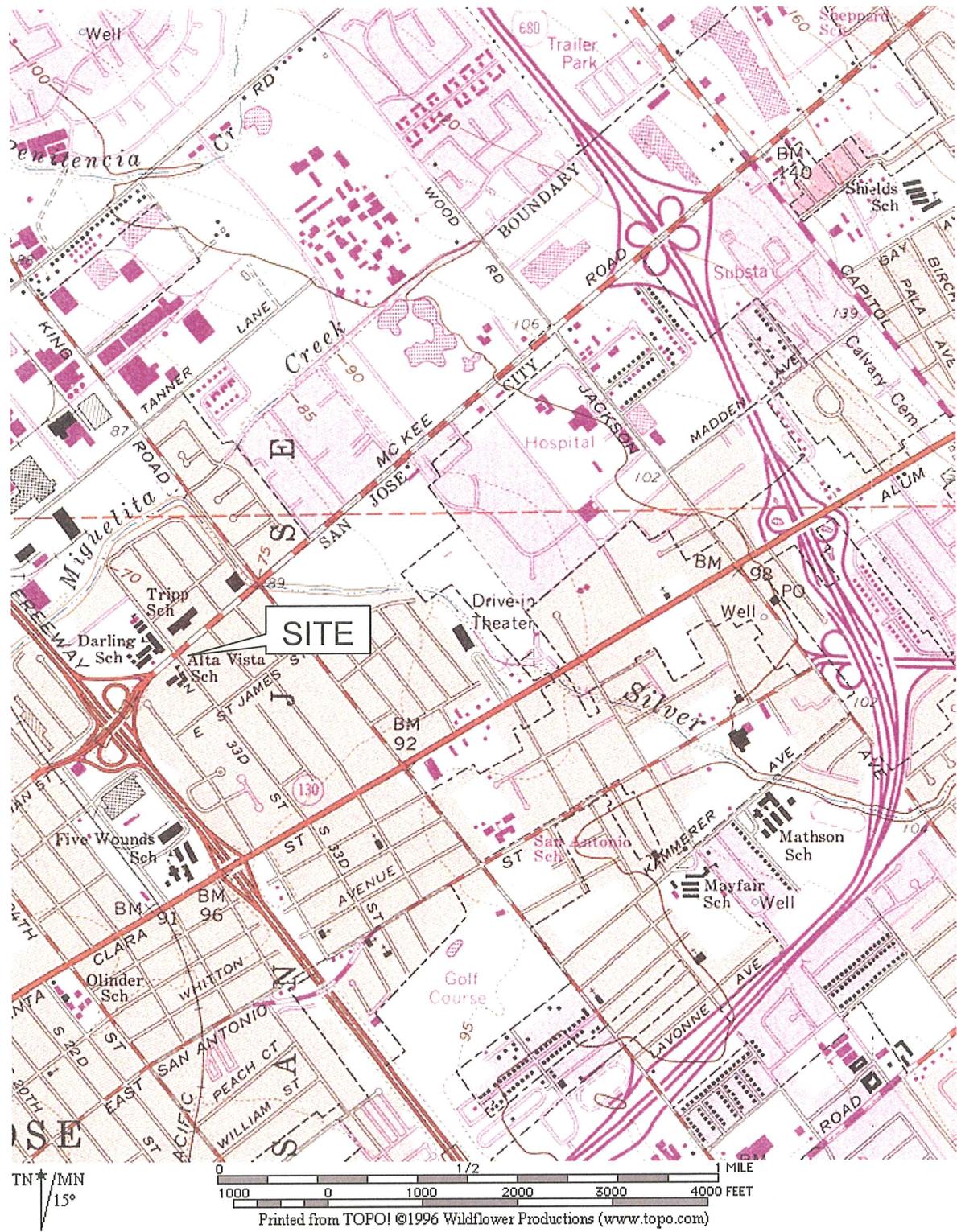
TABLE 3
 Previous Soil Analytical Data
 Moe's ARCO
 1604 McKee Road
 San Jose, CA

Sample Identification	Depth ft-bgs	TTLc Pb	TPHg	MTBE	Benzene	Toluene	Ethylbenzene	Xylenes
<u>Tank Replacement Compliance Soil Samples (09/26/84)</u>								
#1	14 - 15	NA	9		*	*	*	*
#2	13.5 - 14.5	NA	150		*	*	*	*
#3	13 - 14	NA	460		*	*	*	*
#4	1.5 - 13.5	NA	550		*	*	*	*
#5	11 - 11.5	NA	740		*	*	*	*
#5	12 - 13	NA	530		*	*	*	*
<u>Pump Island Replacement Compliance Soil Samples (01/22/99)</u>								
S-P1-3	3	69	<1.0	<0.05	<0.005	0.012	<0.005	0.032
S-P2-3	3	63	<1.0	<0.05	<0.005	0.007	<0.005	0.019
S-P3-3.5	3.5	7.5	<1.0	<0.05	<0.005	0.010	<0.005	0.025
S-P4-3.5	3.5	7	2.0	<0.05	0.005	0.058	0.022	0.19
S-PLA2-2.5	2.5	36	<1.0	<0.05	<0.005	0.007	<0.005	0.015
<u>Soil Samples from Well-Bores MW-1 and MW-2 (01/13/00)</u>								
S-MW1-5	5	NA	<1.0	<0.05	<0.005	<0.005	<0.005	<0.005
S-MW1-10	10	NA	<1.0	0.23	<0.005	<0.005	<0.005	<0.005
S-MW1-15	15	NA	39	<0.05	0.014	0.019	0.097	0.19
S-MW2-5	5	NA	1.2	<0.05	0.015	0.008	<0.005	0.016
S-MW2-10	10	NA	140	<0.5	314	0.33	5.8	0.31
S-MW2-15	15	NA	930	<2	4.3	1.0	5.7	1.9
<u>Soil Samples from Well-Bores MW-3 and MW-4 (07/15/09)</u>								
MW3d5.0	5	NA	<1.0	<0.05	<0.005	<0.005	<0.005	<0.005
MW3d10.0	10	NA	1.3	<0.05	<0.005	0.012	<0.005	<0.005
MW3d15.0	15	NA	7.5	<0.05	<0.005	0.16	0.015	<0.005
MW4d5.0	5	NA	<1.0	<0.05	<0.005	<0.005	<0.005	<0.005
MW4d10.0	10	NA	<1.0	<0.05	<0.005	<0.005	<0.005	<0.005
MW4d15.0	15	NA	<1.0	<0.05	<0.005	<0.005	<0.005	<0.005
<u>Soil Samples from Boring DP-1 (10/05/09)</u>								
DP1d5.0	5	NA	<1.0	<0.05	<0.005	<0.005	<0.005	0.019
DP1d10.0	10	NA	<1.0	<0.05	<0.005	<0.005	<0.005	<0.005
DP1d15.0	15	NA	46	<0.05	0.022	1.0	0.10	0.019
DP1d20.0	20	NA	<1.0	<0.05	<0.005	<0.005	<0.005	<0.005
<u>Soil Samples from Borings DP-2B and DP-5B (08/03/10 - 08/04/10)</u>								
DP2Bd30.0	30	NA	<1.0	<0.05	<0.005	<0.005	<0.005	<0.005
DP2Bd35.0	35	NA	<1.0	<0.05	0.18	<0.005	<0.005	<0.005
DP2Bd40.0	40	NA	<1.0	<0.05	<0.005	<0.005	<0.005	<0.005
DP2Bd44.0	44	NA	<1.0	<0.05	<0.005	<0.005	<0.005	<0.005
DP5Bd30.0	30	NA	3.8	<0.05	0.79	0.0051	0.17	0.043
DP5Bd35.0	35	NA	<1.0	<0.05	0.18	<0.005	<0.005	<0.005
DP5Bd40.0	40	NA	<1.0	<0.05	<0.005	<0.005	<0.005	<0.005

* = Data could not be located.

See Attachment D for maps showing the locations of the samples collected in 1984 and 1999

FIGURES



WellTest, Inc.
 P.O. Box 8548
 San Jose, CA 95155

Site Area Topographic Map
 Moe's ARCO
 1604 McKee Road
 San Jose, California

Figure
1



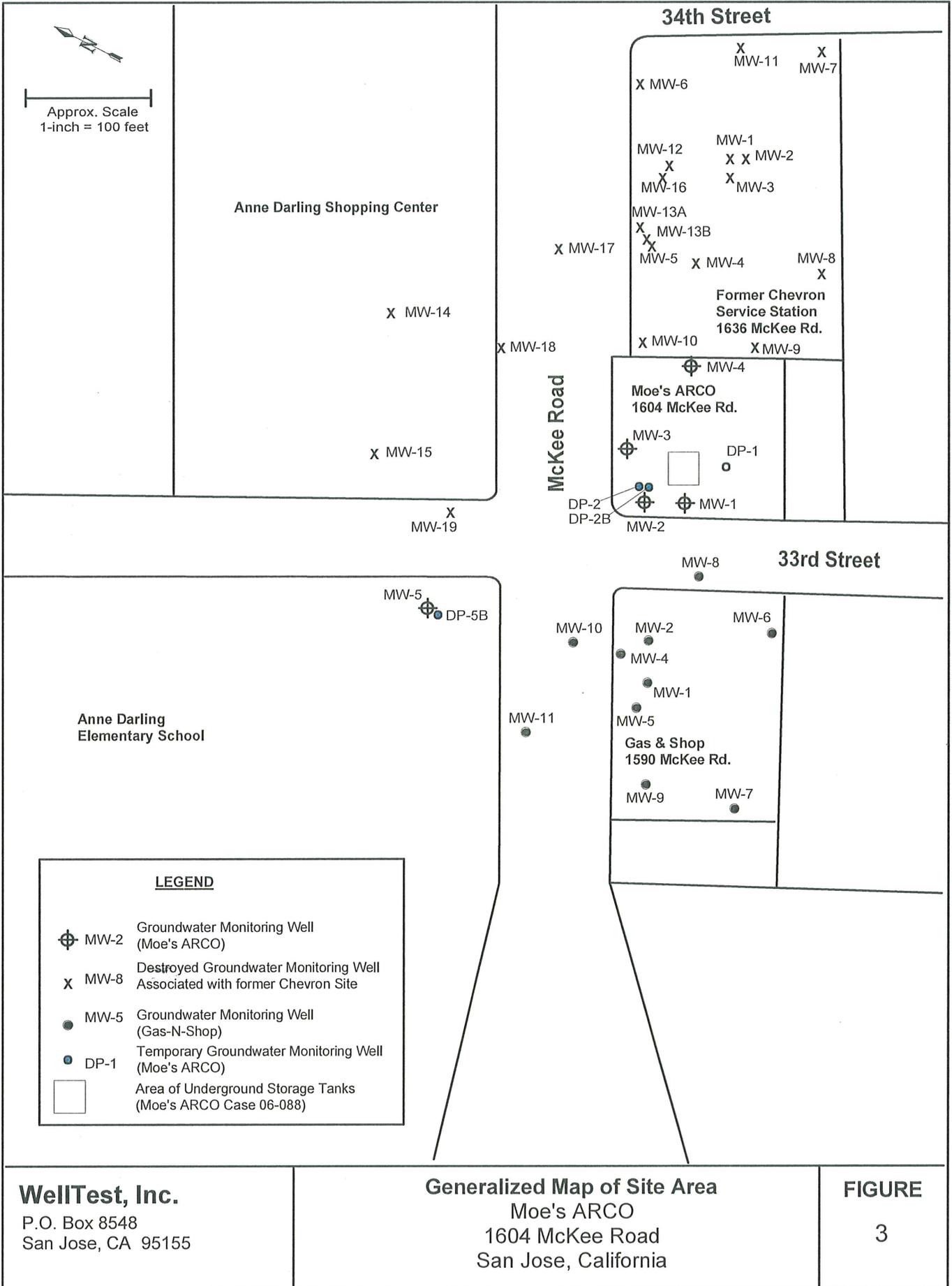
Aerial Photograph Source: Google Earth 2009

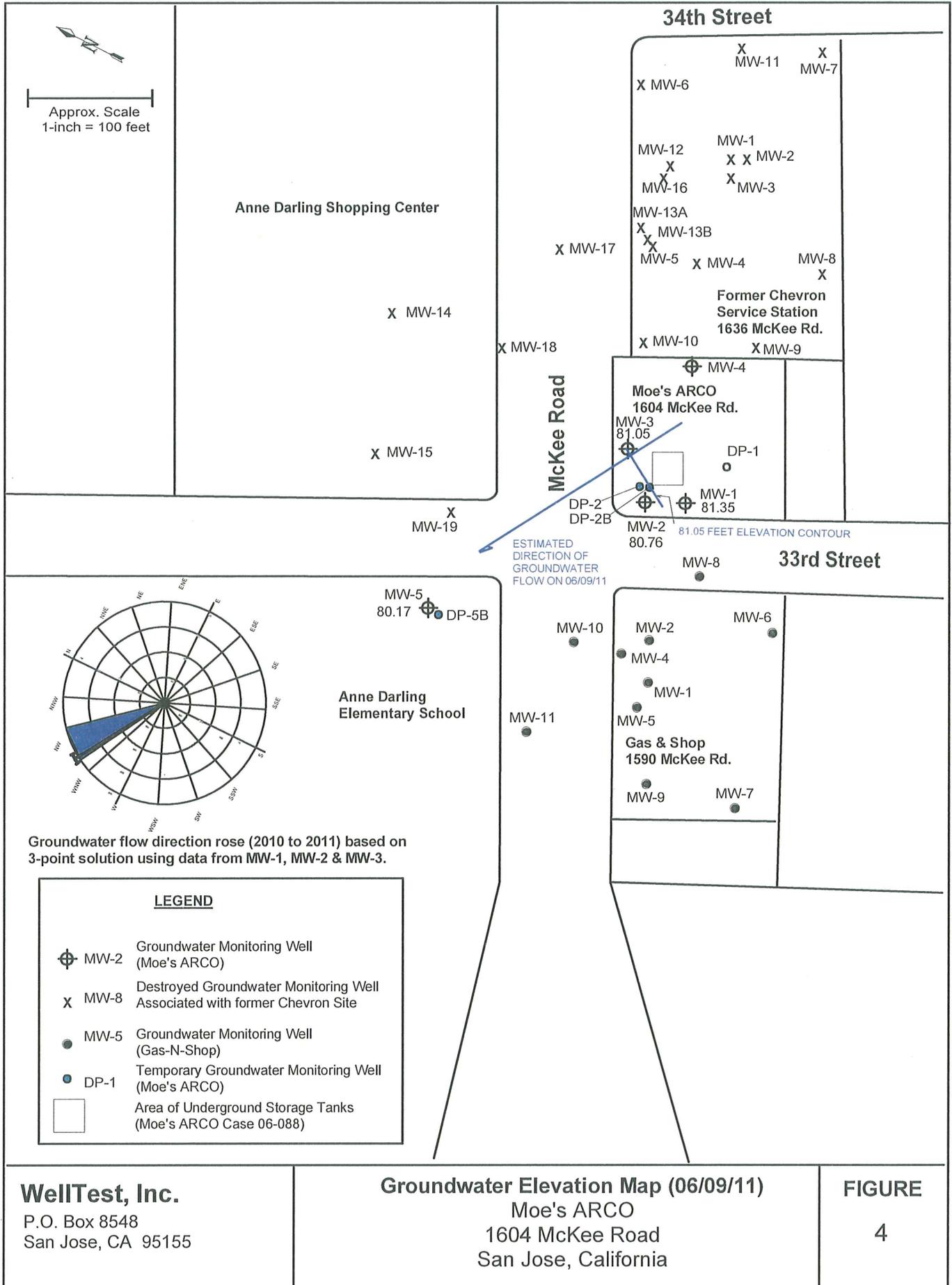
WellTest, Inc.
P.O. Box 8548
San Jose, CA 95155

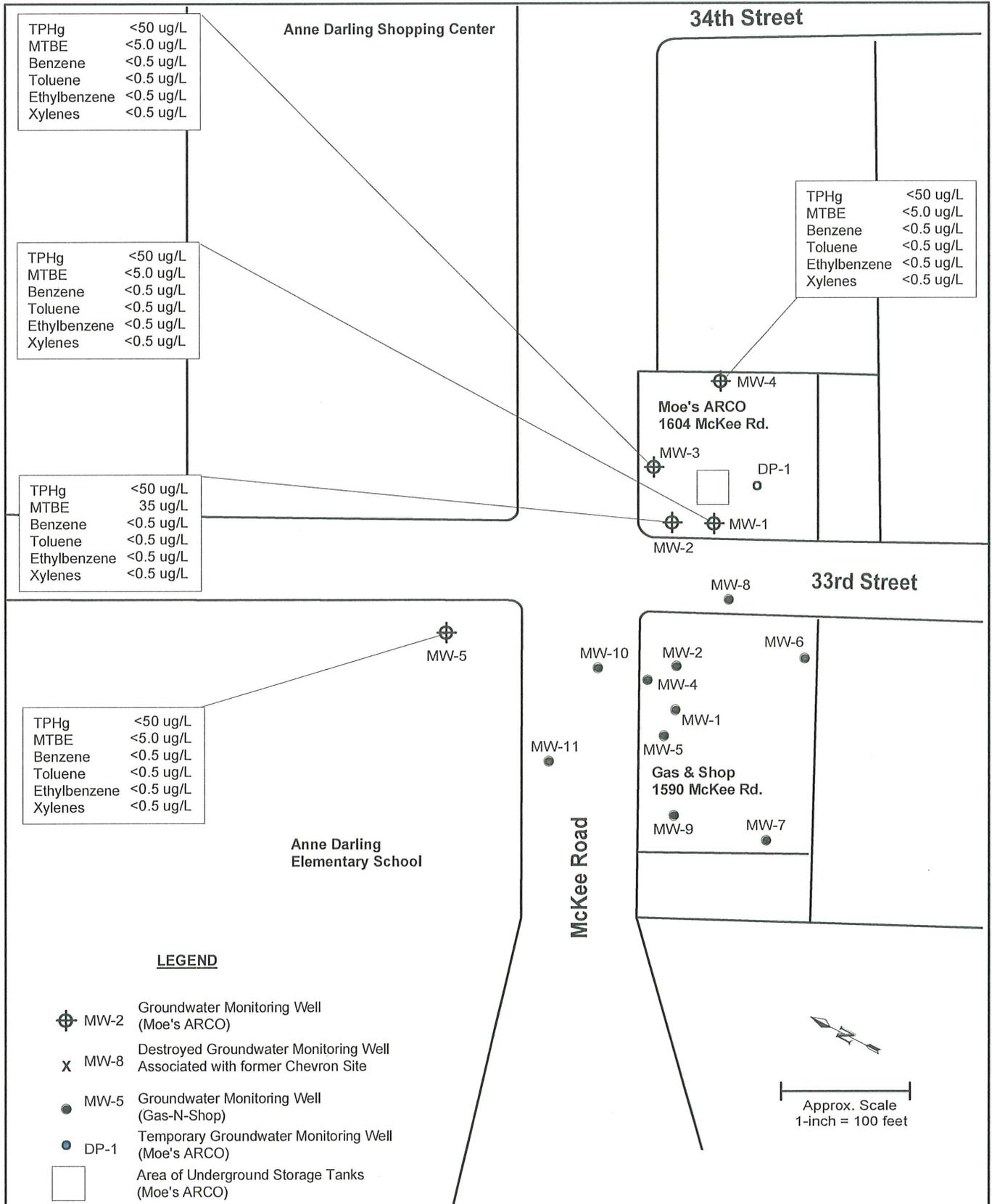
Aerial Photograph of Site Area
Roy's Mobil
197 East Jackson Street
San Jose, CA

FIGURE
2

JOB NO. 2233







WellTest, Inc.
P.O. Box 8548
San Jose, CA 95155

**Chemical Concentrations
in Groundwater (06/09/11)**
1604 McKee Road
San Jose, California

FIGURE
5

ATTACHMENT A

Certified Analytical Report



McC Campbell Analytical, Inc.

"When Quality Counts"

1534 Willow Pass Road, Pittsburg, CA 94565-1701
Web: www.mcccampbell.com E-mail: main@mcccampbell.com
Telephone: 877-252-9262 Fax: 925-252-9269

Well Test, Inc. 1180 Delmas Avenue San Jose, CA 95125	Client Project ID: #2515; Moe's ARCO	Date Sampled: 06/09/11
		Date Received: 06/10/11
	Client Contact: Bill Dugan	Date Reported: 06/15/11
	Client P.O.:	Date Completed: 06/14/11

WorkOrder: 1106406

June 15, 2011

Dear Bill:

Enclosed within are:

- 1) The results of the 5 analyzed samples from your project: #2515; Moe's ARCO,
- 2) A QC report for the above samples,
- 3) A copy of the chain of custody, and
- 4) An invoice for analytical services.

All analyses were completed satisfactorily and all QC samples were found to be within our control limits.

If you have any questions or concerns, please feel free to give me a call. Thank you for choosing McC Campbell Analytical Laboratories for your analytical needs.

Best regards,

Angela Rydelius
Laboratory Manager
McC Campbell Analytical, Inc.

McC Campbell Analytical, Inc.



1534 Willow Pass Rd
Pittsburg, CA 94565-1701
(925) 252-9262

CHAIN-OF-CUSTODY RECORD

WorkOrder: 1106406 ClientCode: WTI

WaterTrax WriteOn EDf Excel Fax Email HardCopy ThirdParty J-flag

Report to: Bill Dugan
Well Test, Inc.
1180 Delmas Avenue
San Jose, CA 95125
408-287-2175 FAX 408-287-2176

Bill to: Accounts Payable
WellTest, Inc.
1180 Delmas Avenue
San Jose, CA 95125

Date Received: 06/10/2011
Date Printed: 06/10/2011

Requested TAT: 5 days

Lab ID	Client ID	Matrix	Collection Date	Hold	Requested Tests (See legend below)															
					1	2	3	4	5	6	7	8	9	10	11	12				
1106406-001	MW-1	Water	6/9/2011 9:10	<input type="checkbox"/>	A	A														
1106406-002	MW-2	Water	6/9/2011 9:25	<input type="checkbox"/>	A															
1106406-003	MW-3	Water	6/9/2011 8:50	<input type="checkbox"/>	A															
1106406-004	MW-4	Water	6/9/2011 8:30	<input type="checkbox"/>	A															
1106406-005	MW-5	Water	6/9/2011 8:10	<input type="checkbox"/>	A															

Test Legend:

1	G-MBTEx_W	3	4	5
6		8	9	10
11				
2	PREDF REPORT			
7				
12				

Prepared by: Ana Venegas

Comments:

NOTE: Soil samples are discarded 60 days after results are reported unless other arrangements are made (Water samples are 30 days).
Hazardous samples will be returned to client or disposed of at client expense.



Sample Receipt Checklist

Client Name: **Well Test, Inc.**

Date and Time Received: **6/10/2011 8:03:35 PM**

Project Name: **#2515; Moe's ARCO**

Checklist completed and reviewed by: **Ana Venegas**

WorkOrder N°: **1106406** Matrix Water

Carrier: Derik Cartan (MAI Courier)

Chain of Custody (COC) Information

- Chain of custody present? Yes No
- Chain of custody signed when relinquished and received? Yes No
- Chain of custody agrees with sample labels? Yes No
- Sample IDs noted by Client on COC? Yes No
- Date and Time of collection noted by Client on COC? Yes No
- Sampler's name noted on COC? Yes No

Sample Receipt Information

- Custody seals intact on shipping container/cooler? Yes No NA
- Shipping container/cooler in good condition? Yes No
- Samples in proper containers/bottles? Yes No
- Sample containers intact? Yes No
- Sufficient sample volume for indicated test? Yes No

Sample Preservation and Hold Time (HT) Information

- All samples received within holding time? Yes No
- Container/Temp Blank temperature Cooler Temp: 4.6°C NA
- Water - VOA vials have zero headspace / no bubbles? Yes No No VOA vials submitted
- Sample labels checked for correct preservation? Yes No
- Metal - pH acceptable upon receipt (pH<2)? Yes No NA
- Samples Received on Ice? Yes No

(Ice Type: WET ICE)

* NOTE: If the "No" box is checked, see comments below.

Client contacted:

Date contacted:

Contacted by:

Comments:



QC SUMMARY REPORT FOR SW8021B/8015Bm

W.O. Sample Matrix: Water

QC Matrix: Water

BatchID: 58996

WorkOrder: 1106406

EPA Method: SW8021B/8015Bm

Extraction: SW5030B

Spiked Sample ID: 1106378-001A

Analyte	Sample	Spiked	MS	MSD	MS-MSD	LCS	LCSD	LCS-LCSD	Acceptance Criteria (%)			
	µg/L	µg/L	% Rec.	% Rec.	% RPD	% Rec.	% Rec.	% RPD	MS / MSD	RPD	LCS/LCSD	RPD
TPH(btex) [£]	ND	60	89.9	92.8	3.20	94.9	94.3	0.656	70 - 130	20	70 - 130	20
MTBE	ND	10	115	111	4.27	109	119	8.68	70 - 130	20	70 - 130	20
Benzene	ND	10	105	101	3.69	102	105	3.48	70 - 130	20	70 - 130	20
Toluene	ND	10	93.5	90.1	3.68	91.3	95.1	4.08	70 - 130	20	70 - 130	20
Ethylbenzene	ND	10	96.3	90.4	6.34	93.5	97.6	4.31	70 - 130	20	70 - 130	20
Xylenes	ND	30	110	103	6.19	107	111	3.37	70 - 130	20	70 - 130	20
%SS:	115	10	99	98	1.36	99	100	1.52	70 - 130	20	70 - 130	20

All target compounds in the Method Blank of this extraction batch were ND less than the method RL with the following exceptions:
NONE

BATCH 58996 SUMMARY

Lab ID	Date Sampled	Date Extracted	Date Analyzed	Lab ID	Date Sampled	Date Extracted	Date Analyzed
1106406-001A	06/09/11 9:10 AM	06/14/11	06/14/11 6:36 AM	1106406-002A	06/09/11 9:25 AM	06/15/11	06/15/11 4:29 AM
1106406-003A	06/09/11 8:50 AM	06/14/11	06/14/11 7:42 AM	1106406-004A	06/09/11 8:30 AM	06/14/11	06/14/11 8:16 AM
1106406-005A	06/09/11 8:10 AM	06/14/11	06/14/11 8:50 AM				

MS = Matrix Spike; MSD = Matrix Spike Duplicate; LCS = Laboratory Control Sample; LCSD = Laboratory Control Sample Duplicate; RPD = Relative Percent Deviation.
 % Recovery = 100 * (MS-Sample) / (Amount Spiked); RPD = 100 * (MS - MSD) / ((MS + MSD) / 2).
 MS / MSD spike recoveries and / or %RPD may fall outside of laboratory acceptance criteria due to one or more of the following reasons: a) the sample is inhomogenous AND contains significant concentrations of analyte relative to the amount spiked, or b) the spiked sample's matrix interferes with the spike recovery.
 £ TPH(btex) = sum of BTEX areas from the FID.
 # cluttered chromatogram; sample peak coelutes with surrogate peak.
 N/A = not enough sample to perform matrix spike and matrix spike duplicate.
 NR = matrix interference and/or analyte concentration in sample exceeds spike amount for soil matrix or exceeds 2x spike amount for water matrix or sample diluted due to high matrix or analyte content, or inconsistency in sample containers.

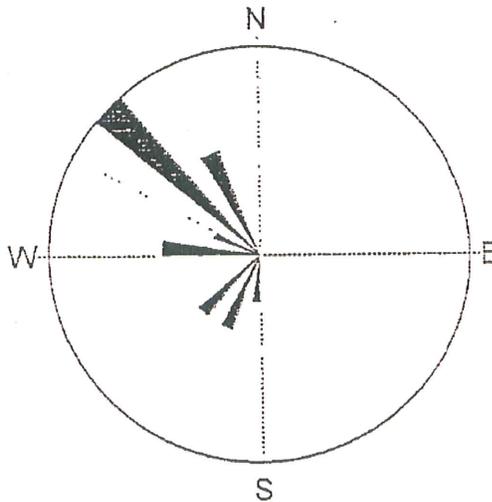
ATTACHMENT B

Rose Diagram (1989 to 1997 for Adjacent Site – 1936 McKee Road)

Table 6
Historical Gradient Data

Former Chevron Service Station 9-3523
1635 McKee Road at North 34th Street
San Jose, California

Groundwater Flow		
Date Sampled	Direction	Magnitude
08/22/89	SW	0.07
09/06/89	SW	0.14
12/05/89	W	0.08
02/23/90	W	0.13
05/17/90	W	0.13
08/30/90	SSW	0.001
11/05/90	SSW	0.003
02/19/91	S	0.001
09/05/91	NW to W	0.002
03/31/92	NW	0.015
08/10/92	NW	0.003
03/30/93	NW	0.01
08/10/93	NW	0.01
01/05/94	NW	0.01
02/08/94	NW	0.01
05/20/94	NW	0.005
08/21/94	NW	0.002
11/01/94	NW	0.003
01/27/95	NW	0.009
05/18/95	NNW	0.01
08/01/95	NW	0.002
11/10/95	NNW	0.006
02/08/96	NNW	0.004
05/16/96	NW	0.003
10/31/96	NNW	0.01
07/31/97	NW	0.004
10/01/97	NW	0.003



ATTACHMENT C

Sampling Procedures and Well Purging/Sampling Logs

Well Purging/Sampling Logs
Project 2515 - Moe's ARCO
1604 McKee Road, San Jose, CA

WELL: MW-1						Screen Interval:	13 - 18	ft bgs
Well Purge Method:	Electric Submersible Pump					Casing Diameter:	2	inches
Sample Collection Method:	Disposable Bailer					Casing Depth:	18.0	ft btoc
Sample Collection Depth:	6.47 ft btoc					Depth to Water:	6.33	ft btoc
Sampled By:	Bill Dugan					Height of Water:	11.67	ft
Observations:	No Sheen/No Odor					Three Well Volumes:	5.71	gal
Recovery %:	98.17%					Container Type(s):	0 Amber L; 3 VOAs	
Field Meter Types:	Solinst DTW; Hanna Water Test; Hanna HI 731313; SM 600					Preservatives:	HCL	
Decontamination Method:	3 Stage (Alconox, Tap Water & DI Rinse)					Filtered (Y/N):	No	

Date/Time	Purge	Task	D.O.	O.R.P.	pH	EC	Temp	Turbidity	DTW	Pump
06/09/11	Vol. [Gal]	Status	mg/L	mV	Std. Units	uS/cm	°C	FTU	BTOC [ft]	Depth [ft]
6:19 AM	0	Pre-Purge							6.33	No Pump
6:19 AM	2	Purge			7.72	2,280	22.9			15
6:19 AM	4	Purge			7.79	2,289	23.0			15
6:19 AM	6	Purge			7.79	2,267	23.0		14	15
9:10 AM	6	Collect Sampales							6.47	No Pump

WELL: MW-2						Screen Interval:	13 - 20	ft bgs
Well Purge Method:	Electric Submersible Pump					Casing Diameter:	2	inches
Sample Collection Method:	Disposable Bailer					Casing Depth:	20.0	ft btoc
Sample Collection Depth:	7.03 ft btoc					Depth to Water:	6.81	ft btoc
Sampled By:	Bill Dugan					Height of Water:	13.19	ft
Observations:	No Sheen/No Odor					Three Well Volumes:	6.45	gal
Recovery %:	96.45%					Container Type(s):	0 Amber L; 3 VOAs	
Field Meter Types:	Solinst DTW; Hanna Water Test; Hanna HI 731313; SM 600					Preservatives:	HCL	
Decontamination Method:	3 Stage (Alconox, Tap Water & DI Rinse)					Filtered (Y/N):	No	

Date/Time	Purge	Task	D.O.	O.R.P.	pH	EC	Temp	Turbidity	DTW	Pump
06/09/11	Vol. [Gal]	Status	mg/L	mV	Std. Units	uS/cm	°C	FTU	BTOC [ft]	Depth [ft]
6:22 AM	0	Pre-Purge							6.81	No Pump
7:12 AM	2	Purge			7.74	2,245	23.1			14
7:14 AM	4	Purge			7.70	2,095	23.0			14
7:17 AM	7	Purge			7.70	2,110	23.0		13	14
9:25 AM	7	Collect Sampales							7.03	No Pump

WELL: MW-3						Screen Interval:	13 - 18	ft bgs
Well Purge Method:	Check-Valve					Casing Diameter:	0.75	inches
Sample Collection Method:	Check-Valve					Casing Depth:	18.0	ft btoc
Sample Collection Depth:	8.24 ft btoc					Depth to Water:	6.66	ft btoc
Sampled By:	Bill Dugan					Height of Water:	11.34	ft
Observations:	No Sheen/No Odor					Three Well Volumes:	0.78	gal
Recovery %:	84.72%					Container Type(s):	0 Amber L; 3 VOAs	
Field Meter Types:	Solinst DTW; Hanna Water Test; Hanna HI 731313; SM 600					Preservatives:	HCL	
Decontamination Method:	N/A					Filtered (Y/N):	No	

Date/Time	Purge	Task	D.O.	O.R.P.	pH	EC	Temp	Turbidity	DTW	Pump
06/09/11	Vol. [Gal]	Status	mg/L	mV	Std. Units	uS/cm	°C	FTU	BTOC [ft]	Depth [ft]
6:17 AM	0	Pre-Purge							6.66	No Pump
7:24 AM	0.25	Purge			7.75	2,125	23.4			14
7:27 AM	0.5	Purge			7.75	2,144	23.1			14
7:32 AM	0.8	Purge			7.70	2,205	23.1		17	17
8:50 AM	0.8	Collect Sampales							8.24	No Pump

Well Purging/Sampling Logs
Project 2515 - Moe's ARCO
1604 McKee Road, San Jose, CA

WELL: MW-4		Screen Interval:	13 - 18	ft bgs
Well Purge Method:	Electric Submersible Pump	Casing Diameter:	0.75	inches
Sample Collection Method:	Disposable Bailer	Casing Depth:	18.0	ft btoc
Sample Collection Depth:	10.01 ft btoc	Depth to Water:	8.40	ft btoc
Sampled By:	Bill Dugan	Height of Water:	9.60	ft
Observations:	No Sheen/No Odor	Three Well Volumes:	0.66	gal
Recovery %:	81.28%	Container Type(s):	0 Amber L; 3 VOAs	
Field Meter Types:	Solinst DTW; Hanna Water Test; Hanna HI 731313; SM 600	Preservatives:	HCL	
Decontamination Method:	3 Stage (Alconox, Tap Water & DI Rinse)	Filtered (Y/N):	No	

Date/Time	Purge	Task	D.O.	O.R.P.	pH	EC	Temp	Turbidity	DTW	Pump
06/09/11	Vol. [Gal]	Status	mg/L	mV	Std. Units	uS/cm	°C	FTU	BTOC [ft]	Depth [ft]
6:15 AM	0	Pre-Purge							8.40	No Pump
6:50 AM	0.25	Purge			7.91	2,205	23.4			14
6:52 AM	0.3	Purge			7.79	1,973	23.2			14
6:54 AM	0.5	Purge			7.79	1,969	23.2		17	17
8:30 AM	0.75	Collect Sampales							10.01	No Pump

WELL: MW-5		Screen Interval:	13 - 18	ft bgs
Well Purge Method:	Electric Submersible Pump	Casing Diameter:	0.75	inches
Sample Collection Method:	Disposable Bailer	Casing Depth:	18.0	ft btoc
Sample Collection Depth:	9.21 ft btoc	Depth to Water:	8.00	ft btoc
Sampled By:	Bill Dugan	Height of Water:	10.00	ft
Observations:	No Sheen/No Odor	Three Well Volumes:	0.69	gal
Recovery %:	86.56%	Container Type(s):	0 Amber L; 3 VOAs	
Field Meter Types:	Solinst DTW; Hanna Water Test; Hanna HI 731313; SM 600	Preservatives:	HCL	
Decontamination Method:	3 Stage (Alconox, Tap Water & DI Rinse)	Filtered (Y/N):	No	

Date/Time	Purge	Task	D.O.	O.R.P.	pH	EC	Temp	Turbidity	DTW	Pump
06/09/11	Vol. [Gal]	Status	mg/L	mV	Std. Units	uS/cm	°C	FTU	BTOC [ft]	Depth [ft]
6:10 AM	0	Pre-Purge							8.00	No Pump
6:32 AM	0.25	Purge			7.71	2,029	23.1			14
6:36 AM	0.3	Purge			7.70	1,983	23.4			14
6:40 AM	0.5	Purge			7.81	1,990	23.3		17	17
8:10 AM	0.75	Collect Sampales							9.21	No Pump

STANDARD OPERATING PROCEDURES
FOR THE MONITORING
AND SAMPLING OF GROUNDWATER WELLS

Field Personnel: All WellTest, Inc. field personnel are required to have completed 40 hours of Hazardous Waste Operations and Emergency Response training per 29 CFR 1910.120 with 8 hour annual refresher courses. Field personnel are trained and expected to comply with the requirements of the Site Safety Plan in effect at each site.

Sampling Methods: The static water level in each well is measured to the nearest 0.01-foot using an electric water-level sounder cleaned with Alconox® and water before use in each well. Surface liquids in wells are examined for visual evidence of hydrocarbons by gently lowering approximately half the length of a clean disposable bailer past the air/water interface. The bailer is then retrieved and inspected for floating product, sheen, emulsion, color, and clarity. The thickness of floating product detected is recorded to at least the nearest 1/8-inch. Wells which do not contain floating product are purged using a submersible pump or bailer. The pump, cables, and hoses are steam-cleaned or cleaned with Alconox® and water before use in each well. The wells are purged until withdrawal is of sufficient duration to result in stabilized pH, temperature, and electrical conductivity of the water, as measured using portable meters calibrated to a standard buffer and conductivity standard, or not to exceed three well-case volumes. A sample of the formation water is then collected from each of the wells using either a disposable bailer or cleaned stainless-steel bailer (Wells that are dewatered are not sampled). The water samples are then gently poured into laboratory-supplied, 40-milliliter (ml) glass vials, 500 ml plastic bottles, or 1-liter glass bottles as required per specific laboratory analysis), sealed with Teflon®-lined caps, and inspected for air bubbles to check for headspace, which would may allow volatilization to occur. The samples are then labeled and promptly placed in iced storage. A field log of well evacuation procedures and parameter monitoring is maintained. Water generated by the purging of wells is stored in 55-gallon drums onsite and remains the responsibility of the client. A Chain of Custody Record is initiated by the sampling technician and updated throughout handling of the samples, and accompanies the samples to a laboratory certified by the State of California for the analyses requested.

ATTACHMENT D

Maps Showing Previous Soil Sample Locations

UNIFORM UNDERGROUND TANK SYSTEM CLOSURE SITE PLAN

Facility Name:

Moe's Arco

Facility Street Address:

1604 McKee Road

Inspector:

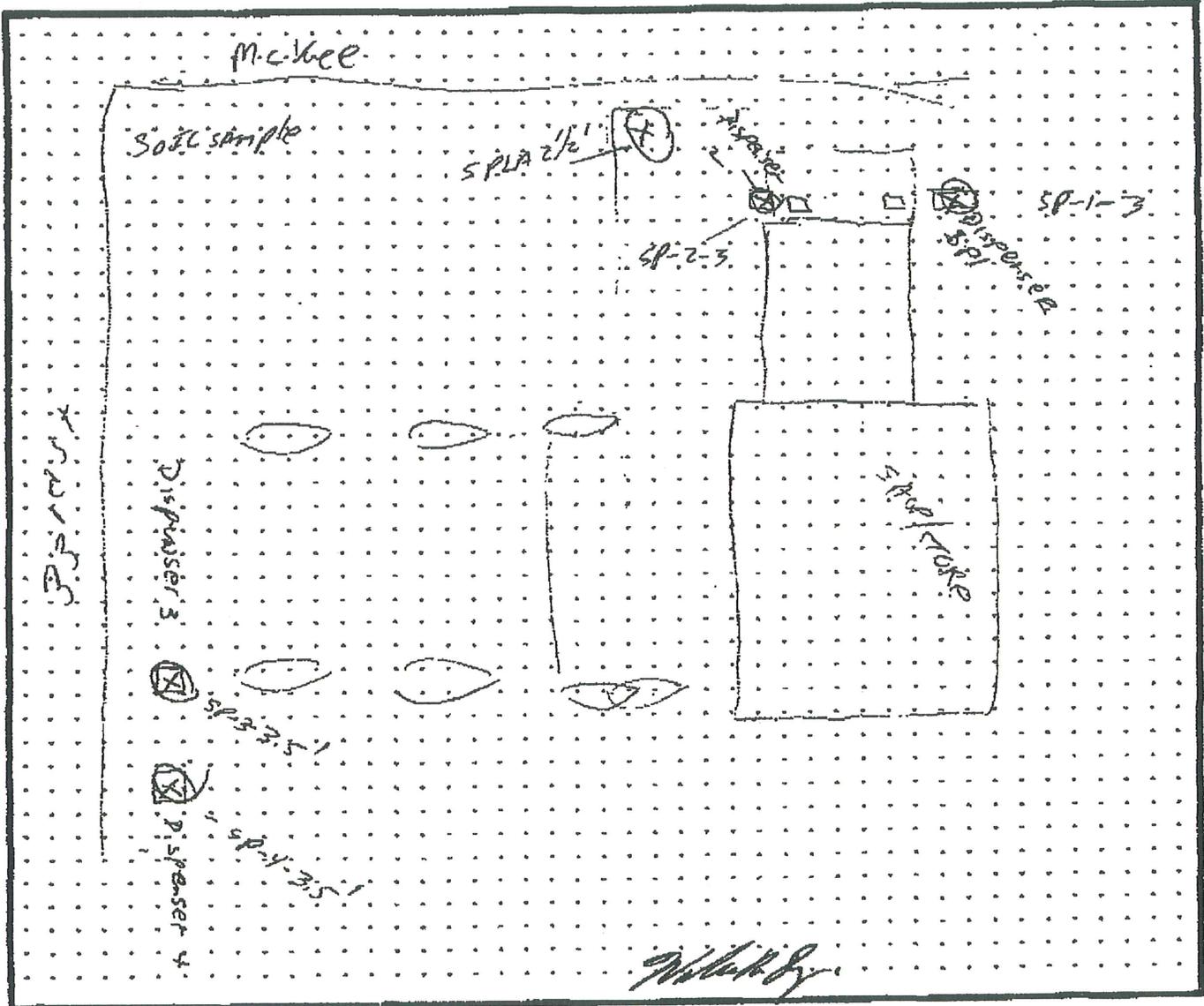
Michael Martini

Agency:

San Jose Fire Dept

Date:

1/22/94



Comments:

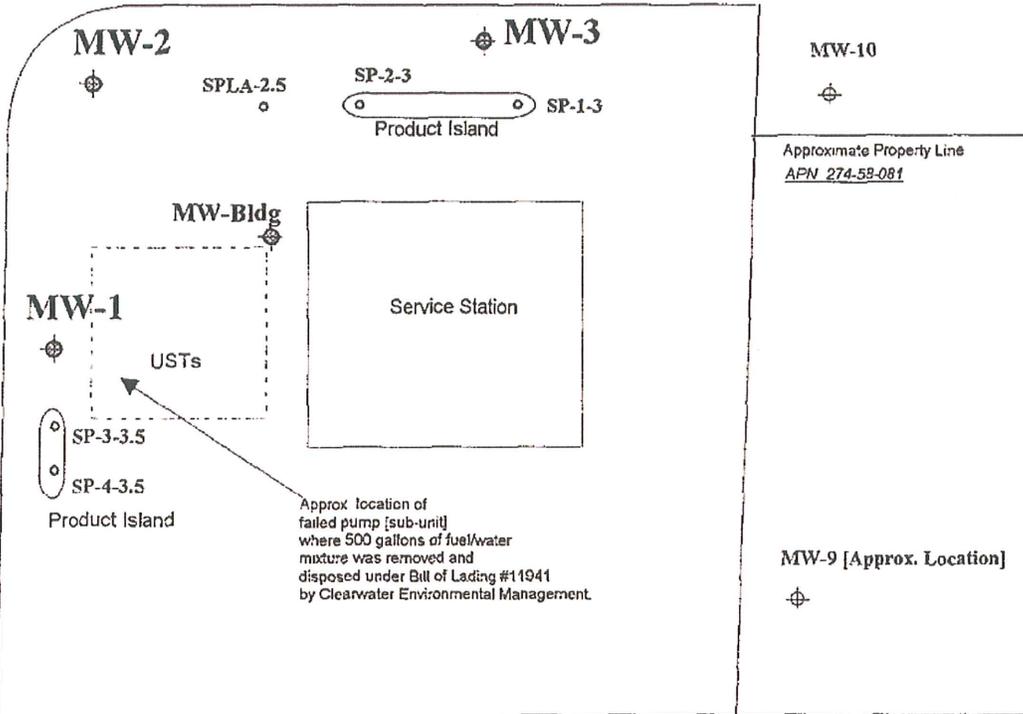




McKee Road

Approx. Centerline

33rd Street



APN 274-58-030

Approximate Property Line

APN 274-58-015

Legend

MW-3 PROPOSED ONSITE MONITORING WELL [2-IN. DIA.]

SP-4-3.5 SOIL SAMPLE (DUGAN, 01/22/99)

MW-10 CHEVRON WELL

Scale: 1-in = 30 ft.

DUGAN ASSOCIATES
SAMPLING
SERVICES
Subsurface Environmental Sampling

Generalized Site Map
1604 McKee Road
San Jose, California

FIGURE

1

ATTACHMENT E

Client Authorization Letter

Dear Mr. O'Regan:

WellTest, Inc. is authorized to submit all reports on my behalf as required by regulatory agencies for the referenced fuel release case. The reports may also be distributed to persons listed in the distribution section of each report. If any of the listed regulatory agencies require it, I am prepared to declare, under penalty of perjury, that to the best of my knowledge, the information contained in the report(s) is true and correct.

Sincerely,

A handwritten signature in black ink, appearing to read "Amir Shirazi", with a stylized flourish at the end.

Mr. Amir Shirazi
The Mohammad M. Shirazi Living Trust
Authorized Agent
1604 McKee Road
San Jose, CA 95116

STATE WATER RESOURCES CONTROL BOARD
GEOTRACKER ESI

UPLOADING A GEO_REPORT FILE

SUCCESS

Your GEO_REPORT file has been successfully submitted!

<u>Submittal Type:</u>	GEO_REPORT
<u>Report Title:</u>	Groundwater Monitoring Report - Second Quarter 2011 (Report #2515)
<u>Report Type:</u>	Monitoring Report - Quarterly
<u>Report Date:</u>	8/21/2011
<u>Facility Global ID:</u>	T0608500945
<u>Facility Name:</u>	MOE'S ARCO
<u>File Name:</u>	Moe's ARCO 2Q-2011 Report.pdf
<u>Organization Name:</u>	WellTest, Inc.
<u>Username:</u>	GROUNDWATER-DATA
<u>IP Address:</u>	67.164.20.19
<u>Submittal Date/Time:</u>	8/22/2011 3:24:12 PM
<u>Confirmation Number:</u>	7370481371

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August 31, 2011

Mr. Gerald O'Regan, C.E.G.
County of Santa Clara
Department of Environmental Health
1555 Burger Drive, Suite 300
San Jose, CA 95116-2716

Re: Supplemental Soil and Groundwater Investigation Report (Report #2352)
Moe's ARCO, 1604 McKee Road, San Jose, CA
SCCDEH Case #06-088; USTCF Claim #14388

Dear Mr. O'Regan:

At the request of Amir Shirazi of Moe's Stop, WellTest, Inc. (WELLTEST) conducted a supplemental soil and groundwater investigation for the fuel-release case at 1604 McKee Road in San Jose, California (Figures 1 and 2). Two temporary wells (DP-2B and DP-5B) were drilled, sampled, and backfilled for this phase of work (Figure 3). Supporting documentation provided by a State-certified laboratory is included in Attachment A. Field procedures are presented in Attachment B. A copy of the most recent regulatory directive letter for the case is presented in Attachment C. Additional supporting documentation is presented in Tables 1 through 3, and in Figures 1 through 12. Previous geoenvironmental reports for the case can be viewed at the following internet link: <http://lustop.sccgov.org/files/07S1E04G01f/>

The present phase of work was performed to achieve the following objectives:

- Assess the vertical extent of TPHg/MBTEX-impacted soil and groundwater in the vicinity of well MW-2 and offsite well MW-5.
- Produce a set of geologic cross-sections for the fuel-release case.

Scope of Work

The scope of work completed for the present investigation included:

- Obtaining an access agreement with the San Jose Unified School District to drill, sample and backfill boring DP-5B on the Anne Darling School grounds.
- Notifying Underground Services Alert to mark the locations of known underground utilities,
- Drilling, sampling (soil-core) and installation of two temporary groundwater monitoring wells;
- Collection of grab groundwater samples from the two temporary wells;
- Backfilling the borings in compliance with SCVWD Ordinance 90-1 and DWR specifications.
- Analyses of soil and water samples at a State-certified laboratory for gasoline-range compounds;
- Preparation of this report.

Temporary Monitoring Wells: Between August 3, 2010 and August 4, 2010, two borings were advanced by WELLTEST using a truck-mounted direct-push drill rig. Continuous soil-core samples were collected from each boring. The borings were completed as temporary wells DP-2B and DP-5B at the locations depicted on Figure 3. The borings were backfilled with neat cement the day they were drilled. Field procedures are presented in Attachment B.

Encountered Subsurface Sediments: The soil column encountered in the borings for DP-2B and DP-5B was observed to be composed primarily of sandy silt (ML) and silty clay (CL). Logs of temporary wells DP-2B and DP-5B are presented as Figures 6 and 7.

Encountered Water-Yielding Intervals: Two subsurface water-yielding zones were identified: An upper zone approximately 14 to 24 ft bgs, and a deeper zone first-encountered near 40 ft bgs. The base of the deeper zone has not been explored. Both water zones appear to be confined. Geologic cross-sections are presented in Figures 10 through 12.

Analytical Results – Soil Samples: Soil samples collected at 30 ft, 35 ft, 40 ft and 44ft bgs from the boring for DP-2B, and 30 ft, 35 ft and 40 ft bgs from DP-5B were analyzed at McCampbell Analytical, Inc. (MAI), California State-certified laboratory (#1644), for TPHg, BTEX, and MTBE by EPA extraction method SW5030B and analytical methods SW8021B/8015Bm. Results of soil sample testing are summarized below:

- **TPHg (Gasoline):** Up to 3.8 mg/Kg of TPHg was detected in the samples (DP2Bd30.0).
- **Benzene:** Up to 0.79 mg/Kg of benzene was detected in the samples analyzed (DP2Bd30.0).
- **Toluene:** Up to 0.0051 mg/Kg of toluene was detected in the samples (DP2Bd30.0).
- **Ethylbenzene:** Up to 0.17 mg/Kg of ethylbenzene was detected in the samples (DP2Bd30.0).
- **Xylenes:** Up to 0.043 mg/Kg of xylenes were detected in the samples (DP2Bd30.0).
- **MTBE:** MTBE was not detected (<5.0 mg/Kg) in the samples

Analytical Results – Groundwater Samples: Grab groundwater samples from DP-2B and DP-5B were analyzed at MAI for TPHg, oxygenates, MBTEX, and lead scavengers by EPA extraction method SW5030B and analytical methods SW8021B/8015Bm/SW8260B. Results of grab groundwater sample testing are summarized below:

- **TPHg (Gasoline):** Up to 54 µg/L of TPHg was detected in the samples. TPHg concentrations did not exceed the ESL of 100 µg/L.
- **Benzene:** Up to 1.4 µg/L of benzene was detected in the samples. Benzene concentrations exceed the ESL of 1.0 µg/L in the sample from DP-2B.
- **Toluene:** Up to 0.69 µg/L of toluene was detected in the samples. Toluene concentrations did not exceed the ESL of 40 µg/L.
- **Ethylbenzene:** Up to 0.79 µg/L of ethylbenzene was detected in the samples. Ethylbenzene concentrations did not exceed the ESL of 30 µg/L.
- **Xylenes:** Total xylenes were not detected (<0.5 µg/L) in the samples.
- **MTBE:** Up to 0.73 µg/L of MTBE was detected in the samples. MTBE concentrations did not exceed the ESL of 5.0 µg/L.
- **TBA:** Up to 5.2 µg/L of TBA was detected in the samples.

Conclusions

Based on the data presented in this report, WELLTEST presents the following conclusions:

- The vertical extent of the TPHg/MBTEX-impacted soil and groundwater has been defined. This conclusion is based on the trace to non-detectable concentrations of TPHg and MBTEX reported in both the soil and groundwater samples from temporary wells DP-5B and DP-2B (Tables 2 and 3, Figures 10 through 12).
- Two subsurface water-yielding zones were identified: An upper zone approximately 14 to 24 ft bgs, and a deeper zone first-encountered near 40 ft bgs. The base of the deeper zone has not been explored. Both water zones appear to be confined (Figures 10 through 12).
- Based on groundwater levels measured during 2010 and 2011, the predominant groundwater flow direction for the water-zone tapped by the monitoring well network (Upper zone) appears to be generally toward the northwest with a 0.003 gradient (Figures 4 and 4B).
- The dissolved petroleum hydrocarbon plume continues to remain in a small area near the northwestern property boundary, in the vicinity of well MW-2 and the USTs. The groundwater plume attenuates to trace to non-detectable levels in the area of down-gradient well MW-5. The plume also attenuates to trace to non-detectable levels in the area of on-site cross-gradient wells MW-3, MW-4, and offsite cross-gradient wells MW-2 and MW-8 associated with the 1590 McKee Road fuel-release case (Gas and Stop case).
- The stability of the petroleum hydrocarbon plume is apparent, based on the limited down-gradient lateral extent of the plume in relation to the age of the release (1984). The results of the second quarter 2011 monitoring event indicate that dissolved concentrations of TPHg, BTEX, and MTBE in the water samples have declined to concentrations below or near the base of the historic ranges for these compounds associated with the fuel-release case.
- Residual TPHg/MBTEX-impacted soil may be present in the vicinity well MW-2 and the area of the USTs.

Recommendations

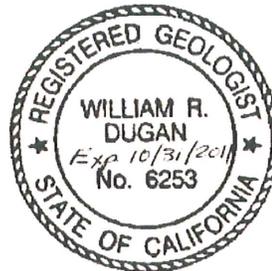
- Based on the current trends of contaminants of concern, and on allowable residual concentrations of petroleum compounds in groundwater at recently closed fuel-release cases within Santa Clara County with similar land-use and subsurface conditions, WELLTEST recommends that the case be processed for regulatory closure.

This report has been reviewed and approved by the responsible party. A copy of the transmittal letter is provided as Attachment D. If you have any questions, please contact WELLTEST at (408) 287-2175.

Sincerely
WELLTEST, INC.



William R. Dugan, P.G.
Project Manager/Geologist
Professional Geologist (CA# 6253)



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Limitations

This report presents subsurface geo-environmental measurements and sampling data collected by WellTest, Inc. at the project site for soil and groundwater quality assessment purposes. This report is based upon a limited specific scope of work. This report is intended only for the use of WELLTEST's client and those listed in the distribution section of the report. WELLTEST does not accept liability for unauthorized reliance or use by any other third party. WELLTEST makes no express or implied warranty in regards to the contents of this report.

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List of Acronyms

Bgs	below ground surface
BTEX	Benzene, Toluene, Ethylbenzene, Xylenes
btoc	Below top of casing
1,2-DCA	1,2-Dichloroethane
DHS	State of California Department of Health Services
DO	Dissolved oxygen
DTW	Depth to water
DWR	Department of Water Resources
DIPE	Di-isopropyl ether
ELAP	Environmental Laboratory Accreditation Program
EC	Electrical conductivity
EDB	1,2-dibromoethane
ETBE	Ethyl tert butyl ether
Eth	Ethanol
ft	foot or feet
ft/ft	feet per feet
FTU	Field Turbidity Unit
GW	Groundwater
MCL	Maximum Contaminant Level
Meth	Methanol
MSL	Mean Sea Level
MTBE	Methyl-t-butyl-ether
mg/L	milligram per liter
mV	millivolts
MW	Monitoring Well
NGVD	National Geodetic Vertical Datum of 1929
NA	Not Analyzed
NM	Not Measured
ORP	Oxidation reduction potential
P.G.	Professional Geologist
ppmv	parts per million by volume
QA/QC	Quality Assurance/Quality Control
SCCDEH	Santa Clara County Department of Environmental Health
SCVWD	Santa Clara Valley Water District
TAME	Tert amyl methyl ether
TBA	Tert butyl alcohol
TDS	Total dissolved solids
TOC	Top of casing
TPHg	Gasoline range (C6-C12) Volatile hydrocarbons as gasoline
ug/L	micrograms per liter
uS	micro Siemens
UST	Underground storage tank
VOC	Volatile Organic Compound
WTI	WellTest, Inc.
°F - °C	degrees Fahrenheit - degrees Celsius

TABLES

TABLE 1
Well Construction Details
Moe's ARCO
1604 McKee Road
San Jose, CA

Well I.D.	Well Type	SCVWD Permit #	DWR #	Installation Date	Casing Diameter (Inches)	Borehole Depth (ft bgs)	Screened Interval (ft bgs)	TOC Elevation (ft. MSL)	DTW (btoc) (06/09/11)	Well Screen Flooded?
MW-1	Monitoring	99W00787	714577	12/22/99	2	18	13 to 18	87.68	6.33	Yes
MW-2	Monitoring	99W00788	714578	12/22/99	2	20	13 to 20	87.57	6.81	Yes
MW-3	Monitoring	09W00320	e0091120	07/15/09	¾	18	13 to 18	87.71	6.66	Yes
MW-4	Monitoring	09W00319	e0091119	07/15/09	¾	18	13 to 18	87.97	8.40	Yes
MW-5	Monitoring	09W00760	e0099572	12/21/09	¾	20	15 to 20	88.17	8.00	Yes

TABLE 2
Groundwater Monitoring Data
Moe's ARCO
1604 McKee Road
San Jose, CA

Well Number	Date	TPHg	B	T	E	X	MTBE	MTBE*	DIPE	ETBE	TAME	TBA	EDB	1,2-DCA	Meth.	Eth.	Depth	TOC	GW	Screen
		µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	to GW	Elev.	Elev.
MW-1 (Screened 13 - 18')	01/13/00	100	1	<0.5	2.1	2.9	580	640	<25	<25	<25	170	<0.5	<0.5	na	na	7.11	84.76	nc	Yes
	04/20/00	<50	<0.5	<0.5	<0.5	<0.5	610	na	na	na	na	na	na	na	na	na	4.71		nc	Yes
	07/26/00	<50	<0.5	<0.5	<0.5	<0.5	590	na	na	na	na	na	na	na	na	na	6.63		nc	Yes
	01/12/01	120	4.6	0.51	<0.5	0.62	1,000	na	na	na	na	na	na	na	na	na	6.19		nc	Yes
	07/13/01	<50	<0.5	<0.5	<0.5	0.87	300	220	<5.0	<5.0	<5.0	<24	na	na	na	na	6.48		nc	Yes
	10/12/01	<50	<0.5	<0.5	<0.5	<0.5	260	250	<5.0	<5.0	<5.0	<25	na	na	na	na	6.81		nc	Yes
	01/11/02	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	5.79		nc	Yes
	02/25/02	<50	<0.5	<0.5	<0.5	<0.5	<5.0	5	<5.0	<5.0	<5.0	<25	na	na	na	na	5.82		nc	Yes
	04/19/02	<50	<0.5	<0.5	<0.5	<0.5	<5	1.0	<0.5	<0.5	<0.5	<5	na	na	na	na	5.91		nc	Yes
	09/30/02	<50	<0.5	2.0	<0.5	9.3	78	98	<2.5	<2.5	<2.5	<2.5	na	na	<2,500	<250	6.13		nc	Yes
	12/26/02	<50	<0.5	<0.5	<0.5	<0.5	<5.0	1.0	<0.5	<0.5	<0.5	<5.0	na	na	na	na	4.98		nc	Yes
	02/03/03	<50	<0.5	<0.5	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	5.39		nc	Yes
	04/23/03	<50	<0.5	<0.5	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	5.91		nc	Yes
	07/07/03	<50	<0.5	<0.5	<0.5	<0.5	170	na	na	na	na	na	na	na	na	na	6.01		nc	Yes
	10/09/03	<50	<0.5	<0.5	<0.5	<0.5	7.9	na	na	na	na	na	na	na	na	na	6.45		nc	Yes
	02/06/04	76	<0.5	<0.5	<0.5	2.6	110	na	na	na	na	na	na	na	na	na	5.49		nc	Yes
	06/22/04	<50	<0.5	<0.5	<0.5	<0.5	25	na	na	na	na	na	na	na	na	na	6.24		nc	Yes
	09/20/04	<50	<0.5	<0.5	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	6.72		nc	Yes
	12/29/04	<50	<0.5	<0.5	<0.5	<0.5	110	na	na	na	na	na	na	na	na	na	5.90		nc	Yes
	03/18/05	<50	<0.5	<0.5	<0.5	<0.5	100	na	na	na	na	na	na	na	na	na	4.68		nc	Yes
	06/15/05	<50	<0.5	<0.5	<0.5	<0.5	72	na	na	na	na	na	na	na	na	na	5.60		nc	Yes
	09/29/05	<50	<0.5	<0.5	<0.5	<0.5	78	na	na	na	na	na	na	na	na	na	6.80		nc	Yes
	03/30/06	<50	<0.5	<0.5	<0.5	<0.5	32	30	<0.5	<0.5	<0.5	<5.0	na	<0.5	<500	<50	4.55		nc	Yes
	06/27/06	<50	<0.5	<0.5	<0.5	<0.5	33	32	<0.5	<0.5	<0.5	<5.0	<0.5	<0.5	na	na	6.03		nc	Yes
	09/26/06	82	3.9	3.8	1.6	11	41	59	<1.2	<1.2	<1.2	<12	<1.2	<1.2	na	na	7.32		nc	Yes
	12/06/06	150	2.8	1.2	5.3	12	25	21	<0.5	<0.5	<0.5	<5.0	<0.5	<0.5	na	na	7.13		nc	Yes
	02/20/07	140	9.7	15	4.0	26	23	22	<0.5	<0.5	<0.5	<5.0	<0.5	<0.5	na	na	6.26		nc	Yes
	05/25/07	<50	<0.5	<0.5	<0.5	<0.5	32	28	<0.5	<0.5	<0.5	<5.0	<0.5	<0.5	na	na	6.56		nc	Yes
	09/24/07	<50	<0.5	<0.5	<0.5	0.40	27	35	<0.5	<0.5	<0.5	<5.0	<0.5	<0.5	<500	<50	7.52		nc	Yes
	12/06/07	<50	<0.5	0.82	0.55	2.5	22	na	na	na	na	na	na	na	na	na	7.19		nc	Yes
	03/26/08	<50	<0.5	<0.5	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	5.72		nc	Yes
	06/05/08	<50	<0.5	<0.5	<0.5	<0.5	7	na	na	na	na	na	na	na	na	na	6.74		nc	Yes
08/01/08	<50	<0.5	<0.5	<0.5	<0.5	16	na	na	na	na	na	na	na	na	na	7.55		nc	Yes	
10/31/08	<50	<0.5	<0.5	<0.5	<0.5	21	na	na	na	na	na	na	na	na	na	8.09		nc	Yes	
03/29/09	<50	<0.5	<0.5	<0.5	<0.5	11	na	na	na	na	na	na	na	na	na	5.71		nc	Yes	
07/20/09	<50	<0.5	<0.5	<0.5	<0.5	15	na	na	na	na	na	na	na	na	na	7.26		nc	Yes	
03/09/10	<50	<0.5	<0.5	<0.5	<0.5	na	7.2	<0.5	<0.5	<0.5	<2.0	<0.5	<0.5	na	na	5.10		82.58	Yes	
05/25/10	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	6.47	87.68	81.21	Survey	
09/30/10	<50	<0.5	<0.5	<0.5	<0.5	5.4	na	na	na	na	na	na	na	na	na	7.19		80.49	Yes	

TABLE 2
Groundwater Monitoring Data
Moe's ARCO
1604 McKee Road
San Jose, CA

Well Number	Date	TPHg	B	T	E	X	MTBE	MTBE*	DIPE	ETBE	TAME	TBA	EDB	1,2-DCA	Meth.	Eth.	Depth	TOC	GW	Screen		
		µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	µg/L	to GW	Elev.	Elev.	Submerged ?	
MW-2 (Screened 13 - 20')	01/13/00	2,000	53	4.1	34	11	2,400	3,000	<50	<50	<50	<50	<250	<0.5	<0.5	<0.5	7.41	84.64	nc	Yes		
	04/20/00	440	8.1	<0.5	1.9	0.96	3,100	na	na	na	na	na	na	na	na	na	5.33		nc	Yes		
	07/26/00	770	29	2.3	7.0	3.1	4,100	na	na	na	na	na	na	na	na	na	6.77		nc	Yes		
	01/12/01	320	30	2.0	0.86	3.4	3,900	na	na	na	na	na	na	na	na	na	6.41		nc	Yes		
	07/13/01	590	22	<1.0	<1.0	0.93	4,700	4,500	<50	<50	<50	1400	na	na	na	na	6.71		nc	Yes		
	10/12/01	290	20	<0.5	<0.5	<0.5	4,900	4,500	<100	<100	<100	<500	na	na	na	na	7.55		nc	Yes		
	01/11/02	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	6.19		nc	Yes	
	02/25/02	<250	0.5	<0.5	<0.5	<0.5	3,400	3,600	<100	<100	<100	<500	na	na	na	na	na	7.55		nc	Yes	
	04/19/02	130	<1	<1	<1	<1	2,900	3,500	<50	<50	<50	570	na	na	na	na	na	6.12		nc	Yes	
	09/30/02	130	1.2	0.83	<0.5	3.2	1,600	2,200	<50	<50	<50	<500	na	na	<50,000	<5,000	na	6.14		nc	Yes	
	12/26/02	<100	<1	<1	<1	<1	2,200	2,200	<50	<50	<50	<500	na	na	na	na	na	5.55		nc	Yes	
	02/03/03	<150	<1.5	<1.5	<1.5	<1.5	2,300	na	na	na	na	na	na	na	na	na	na	na	5.82		nc	Yes
	04/23/03	<150	<1.5	<1.5	<1.5	<1.5	2,500	na	na	na	na	na	na	na	na	na	na	na	5.41		nc	Yes
	07/07/03	120	<0.5	<0.5	<0.5	<0.5	1,800	na	na	na	na	na	na	na	na	na	na	na	6.33'		nc	Yes
	10/09/03	190	0.78	<0.5	<0.5	<0.5	1,900	na	na	na	na	na	na	na	na	na	na	na	6.76		nc	Yes
	02/06/04	170	<0.5	<0.5	<0.5	2.0	1,600	na	na	na	na	na	na	na	na	na	na	na	6.02		nc	Yes
	06/22/04	160	0.72	<0.5	<0.5	<0.5	1,300	na	na	na	na	na	na	na	na	na	na	na	6.60		nc	Yes
	09/20/04	410	25	1.7	4.0	2.0	810	na	na	na	na	na	na	na	na	na	na	na	7.06		nc	Yes
	12/29/04	170	2.3	<0.5	0.52	1.8	930	na	na	na	na	na	na	na	na	na	na	na	6.30		nc	Yes
	03/18/05	220	2.4	<0.5	<0.5	0.75	850	na	na	na	na	na	na	na	na	na	na	na	5.25		nc	Yes
	06/15/05	220	5.3	<0.5	1.7	0.64	750	na	na	na	na	na	na	na	na	na	na	na	6.05		nc	Yes
	09/29/05	110	3.3	<0.5	1.1	1.1	710	na	na	na	na	na	na	na	na	na	na	na	7.15		nc	Yes
	03/30/06	150	2.5	<0.5	0.67	0.9	430	340	<5.0	<5.0	<5.0	100	na	na	na	<5,000	<500	na	5.22		nc	Yes
	06/27/06	280	3.3	1.2	1.3	2.2	410	410	<10	<10	<10	130	<10	na	na	na	na	na	6.53		nc	Yes
	09/26/06	120	1.0	0.72	0.53	2.6	470	550	<17	<17	<17	<170	<17	na	na	na	na	na	7.56		nc	Yes
	12/06/06	180	0.87	<0.5	<0.5	1.1	280	280	<10	<10	<10	<100	<10	<10	na	na	na	na	7.42		nc	Yes
	02/20/07	180	1.90	0.67	0.52	1.9	280	260	<5.0	<5.0	<5.0	<50	<5.0	<5.0	na	na	na	na	6.70		nc	Yes
	05/25/07	90	1.30	<0.5	<0.5	<5.0	250	280	<5.0	<5.0	<5.0	<50	<5.0	<5.0	na	na	na	na	6.87		nc	Yes
	09/24/07	280	3.0	0.29	0.30	0.76	120	170	<5.0	<5.0	<5.0	180	<5.0	<5.0	<5,000	<500	na	7.65		nc	Yes	
	12/06/07	190	0.68	<0.5	<0.5	<0.5	84	na	na	na	na	na	na	na	na	na	na	na	7.52		nc	Yes
	03/26/08	230	1.8	<0.5	0.78	2.6	<100	na	na	na	na	na	na	na	na	na	na	na	6.10		nc	Yes
	06/05/08	220	0.81	<0.5	<0.5	<0.5	59	na	na	na	na	na	na	na	na	na	na	na	7.02		nc	Yes
	08/01/08	170	2.1	<0.5	<0.5	<0.5	48	na	na	na	na	na	na	na	na	na	na	na	7.68		nc	Yes
10/31/08	150	1.4	<0.5	<0.5	<0.5	32	na	na	na	na	na	na	na	na	na	na	na	8.15		nc	Yes	
03/29/09	91	<0.5	<0.5	<0.5	<0.5	32	na	na	na	na	na	na	na	na	na	na	na	6.08		nc	Yes	
07/20/09	87	<0.5	<0.5	<0.5	<0.5	53	na	na	na	na	na	na	na	na	na	na	na	7.43		nc	Yes	
03/09/10	100	<0.5	<0.5	<0.5	<0.5	na	43	<1.0	<1.0	<1.0	120	<1.0	<1.0	na	na	na	na	5.63	81.94	Yes		
05/25/10	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	6.97	87.57	80.60	Survey	
09/30/10	180	3.1	<0.5	0.76	0.63	86	na	na	na	na	na	na	na	na	na	na	na	7.37		80.20	Yes	

TABLE 2
Groundwater Monitoring Data
Moe's ARCO
1604 McKee Road
San Jose, CA

Well Number	Date	TPHg µg/L	B µg/L	T µg/L	E µg/L	X µg/L	MTBE µg/L	MTBE* µg/L	DIPE µg/L	ETBE µg/L	TAME µg/L	TBA µg/L	EDB µg/L	1,2-DCA µg/L	Meth. µg/L	Eth. µg/L	Depth to GW	TOC Elev.	GW Elev.	Screen Submerged ?
MW-3 (Screened 13 - 18')	07/20/09	75	<0.5	1.8	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	7.41		80.30	Yes
	03/09/10	<50	<0.5	<0.5	<0.5	<0.5	na	<0.5	<0.5	<0.5	<0.5	<2.0	<0.5	<0.5	na	na	5.44		82.27	Yes
	05/25/10	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	6.78	87.71	80.93	Survey
	09/30/10	<50	<0.5	<0.5	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	7.37		80.34	Yes
MW-4 (Screened 13 - 18')	07/20/09	<50	<0.5	<0.5	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	12.60		75.37	Yes
	03/10/10	<50	<0.5	<0.5	<0.5	<0.5	na	<0.5	<0.5	<0.5	<0.5	<2.0	<0.5	<0.5	na	na	5.97		82.00	Yes
	05/25/10	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	7.37	87.97	80.60	Survey
	09/30/10	<50	<0.5	<0.5	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	8.08		79.89	Yes
MW-5 (Screened 15 - 20')	01/05/10	<50	<0.5	<0.5	<0.5	1.9	na	1.4	na	na	na	na	na	na	na	na	9.40		78.77	Yes
	03/09/10	<50	<0.5	<0.5	<0.5	<0.5	na	1.4	<0.5	<0.5	<0.5	<2.0	<0.5	<0.5	na	na	7.23		80.94	Yes
	05/25/10	na	na	na	na	na	na	na	na	na	na	na	na	na	na	na	8.58	88.17	79.59	Survey
	09/30/10	<50	<0.5	<0.5	<0.5	<0.5	<5.0	na	na	na	na	na	na	na	na	na	8.48		79.69	Yes
DP-1*	10/05/09	<50	<0.5	0.56	<0.5	0.95	na	<0.5	<0.5	<0.5	<0.5	<2.0	<0.5	<0.5	na	na	~8	NS	NC	DD-Grab
DP-2*	03/15/10	6,000	3,300	<100	130	<100	<100	<100	<100	<100	<100	<400	<100	<100	na	na	25.30	NS	NC	DD-Grab
DP-2B*	08/04/10	<50	1.4	0.69	0.79	<0.5	na	0.73	<0.5	<0.5	<0.5	5.2	<0.5	<0.5	na	na	~39	NS	NC	DD-Grab
DP-5B*	08/03/10	<50	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<2.0	<0.5	<0.5	na	na	~39	NS	NC	DD-Grab

* = Water samples from DP-1, DP-2, DP-2B and DP-5B were analyzed by SW8260B.
DD-Grab = Depth-discrete grab groundwater sample.

TABLE 3
 Previous Soil Analytical Data
 Moe's ARCO
 1604 McKee Road
 San Jose, CA

Sample Identification	Depth ft-bgs	TTLc Pb	TPHg	MTBE	Benzene	Toluene	Ethylbenzene	Xylenes
<u>Tank Replacement Compliance Soil Samples (09/26/84)</u>								
#1	14 - 15	NA	9		*	*	*	*
#2	13.5 - 14.5	NA	150		*	*	*	*
#3	13 - 14	NA	460		*	*	*	*
#4	12.5 - 13.5	NA	550		*	*	*	*
#5	11 - 11.5	NA	740		*	*	*	*
#6	12 - 13**	NA	530		*	*	*	*
<u>Pump Island Replacement Compliance Soil Samples (01/22/99)</u>								
S-P1-3	3	69	<1.0	<0.05	<0.005	0.012	<0.005	0.032
S-P2-3	3	63	<1.0	<0.05	<0.005	0.007	<0.005	0.019
S-P3-3.5	3.5	7.5	<1.0	<0.05	<0.005	0.010	<0.005	0.025
S-P4-3.5	3.5	7	2.0	<0.05	0.005	0.058	0.022	0.19
S-PLA2-2.5	2.5	36	<1.0	<0.05	<0.005	0.007	<0.005	0.015
<u>Soil Samples from Well-Bores MW-1 and MW-2 (01/13/00)</u>								
S-MW1-5	5	NA	<1.0	<0.05	<0.005	<0.005	<0.005	<0.005
S-MW1-10	10	NA	<1.0	0.23	<0.005	<0.005	<0.005	<0.005
S-MW1-15	15	NA	39	<0.05	0.014	0.019	0.097	0.19
S-MW2-5	5	NA	1.2	<0.05	0.015	0.008	<0.005	0.016
S-MW2-10	10	NA	140	<0.5	314	0.33	5.8	0.31
S-MW2-15	15	NA	930	<2	4.3	1.0	5.7	1.9
<u>Soil Samples from Well-Bores MW-3 and MW-4 (07/15/09)</u>								
MW3d5.0	5	NA	<1.0	<0.05	<0.005	<0.005	<0.005	<0.005
MW3d10.0	10	NA	1.3	<0.05	<0.005	0.012	<0.005	<0.005
MW3d15.0	15	NA	7.5	<0.05	<0.005	0.16	0.015	<0.005
MW4d5.0	5	NA	<1.0	<0.05	<0.005	<0.005	<0.005	<0.005
MW4d10.0	10	NA	<1.0	<0.05	<0.005	<0.005	<0.005	<0.005
MW4d15.0	15	NA	<1.0	<0.05	<0.005	<0.005	<0.005	<0.005
<u>Soil Samples from Boring DP-1 (10/05/09)</u>								
DP1d5.0	5	NA	<1.0	<0.05	<0.005	<0.005	<0.005	0.019
DP1d10.0	10	NA	<1.0	<0.05	<0.005	<0.005	<0.005	<0.005
DP1d15.0	15	NA	46	<0.05	0.022	1.0	0.10	0.019
DP1d20.0	20	NA	<1.0	<0.05	<0.005	<0.005	<0.005	<0.005
<u>Soil Samples from Borings DP-2B and DP-5B (08/03/10 - 08/04/10)</u>								
DP2Bd30.0	30	NA	3.8	<0.05	0.79	0.0051	0.17	0.043
DP2Bd35.0	35	NA	<1.0	<0.05	0.18	<0.005	<0.005	<0.005
DP2Bd40.0	40	NA	<1.0	<0.05	<0.005	<0.005	<0.005	<0.005
DP2Bd44.0	44	NA	<1.0	<0.05	<0.005	<0.005	<0.005	<0.005
DP5Bd30.0	30	NA	<1.0	<0.05	<0.005	<0.005	<0.005	<0.005
DP5Bd35.0	35	NA	<1.0	<0.05	<0.005	<0.005	<0.005	<0.005
DP5Bd40.0	40	NA	<1.0	<0.05	<0.005	<0.005	<0.005	<0.005

* = Data could not be located.

See Attachment D for maps showing the locations of the samples collected in 1984 and 1999

** = Could not confirm depth of sample #6

FIGURES



Aerial Photograph Source: Google Earth 2009

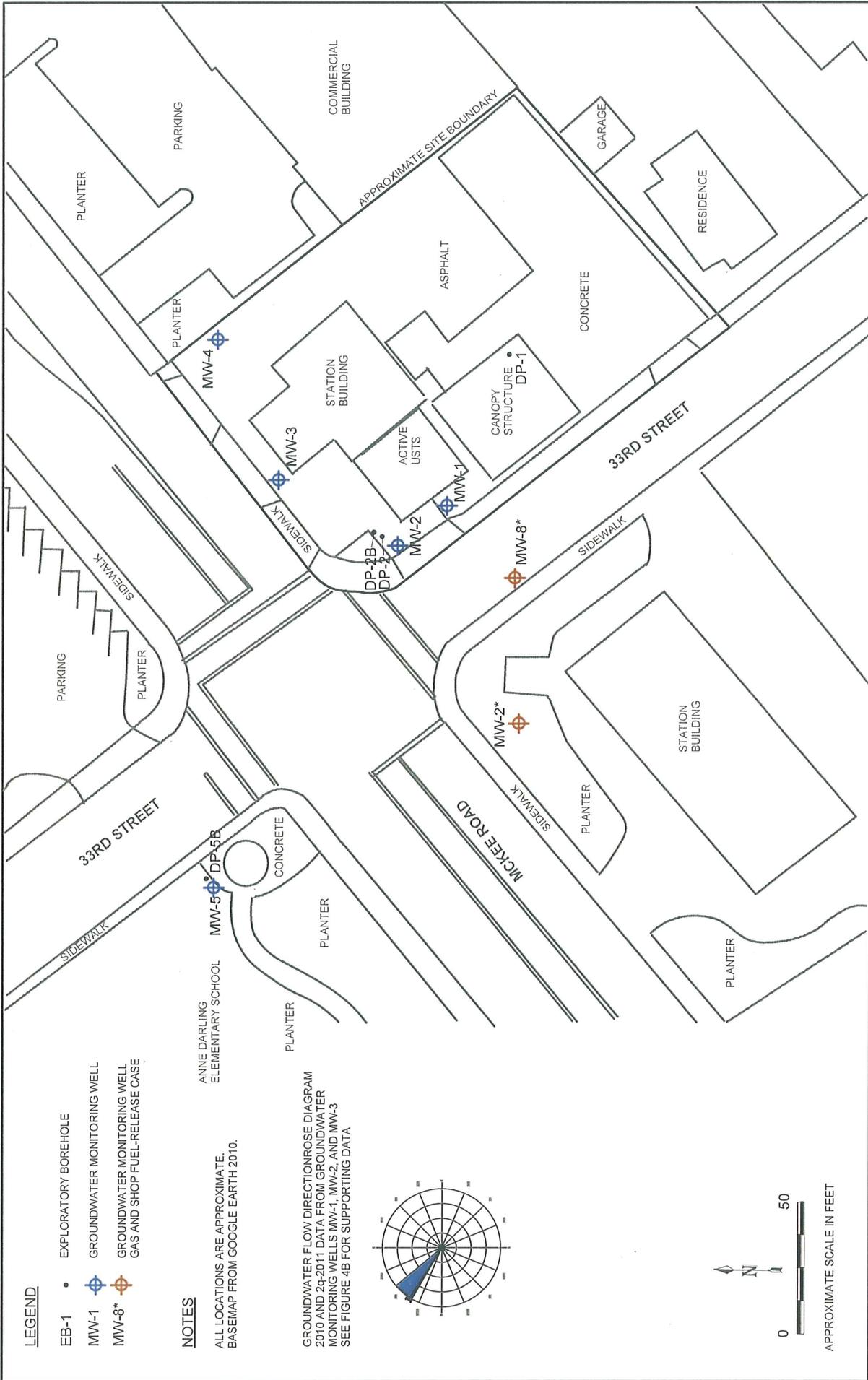
WellTest, Inc.
P.O. Box 8548
San Jose, CA 95155

Aerial Photograph of Site Area
Roy's Mobil
197 East Jackson Street
San Jose, CA

FIGURE

2

JOB NO. 2233



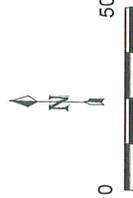
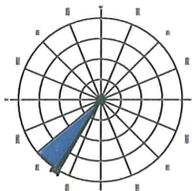
LEGEND

- EB-1 • EXPLORATORY BOREHOLE
- MW-1 ◆ GROUNDWATER MONITORING WELL
- MW-8* ◆ GROUNDWATER MONITORING WELL GAS AND SHOP FUEL-RELEASE CASE

NOTES

ALL LOCATIONS ARE APPROXIMATE. BASEMAP FROM GOOGLE EARTH 2010.

GROUNDWATER FLOW DIRECTION ROSE DIAGRAM 2010 AND 2011 DATA FROM GROUNDWATER MONITORING WELLS MW-1, MW-2, AND MW-3 SEE FIGURE 4B FOR SUPPORTING DATA



APPROXIMATE SCALE IN FEET

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EXTENDED SITE MAP

MOE'S ARCO
 1604 MCKEE ROAD
 SAN JOSE, CALIFORNIA

FIGURE

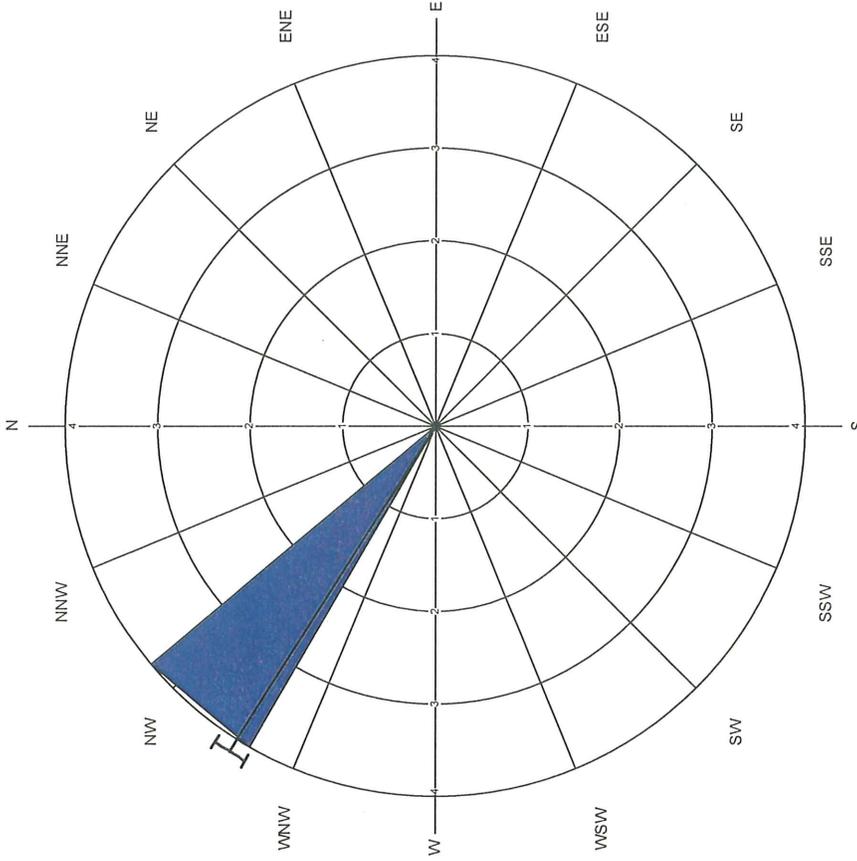
3

NOTES

GROUNDWATER FLOW DIRECTION ROSE DIAGRAM
 2010 AND 2Q-2011 GROUNDWATER ELEVATION DATA
 FROM MONITORING WELLS MW-1, MW-2, AND MW-3

DATE	FLOW DIRECTION *
03/09/10	304
05/25/10	303
09/30/10	301
06/09/11	301

* DEGREES EAST OF NORTH



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GROUNDWATER FLOW DIRECTION ROSE DIAGRAM

MOE'S ARCO
 1604 MCKEE ROAD
 SAN JOSE, CALIFORNIA

**FIGURE
 4B**

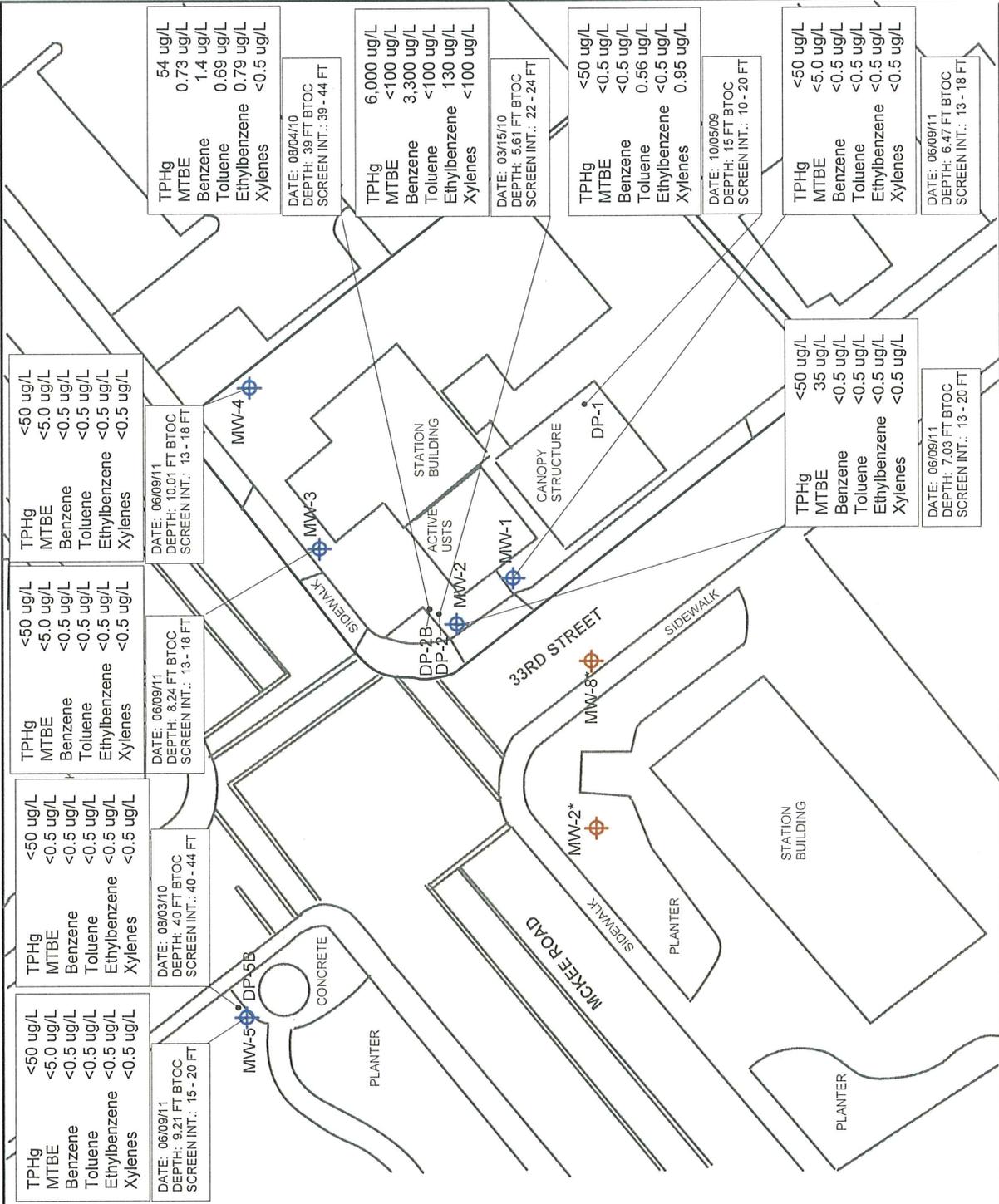
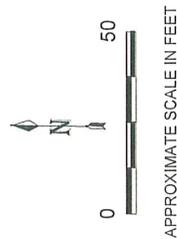
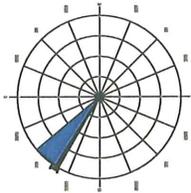
LEGEND

- EB-1 • EXPLORATORY BOREHOLE
- MW-1 ⊕ GROUNDWATER MONITORING WELL
- MW-8* ⊕ GROUNDWATER MONITORING WELL
GAS AND SHOP FUEL-RELEASE CASE

NOTES

ALL LOCATIONS ARE APPROXIMATE.
BASEMAP FROM GOOGLE EARTH 2010.

GROUNDWATER FLOW DIRECTION ROSE DIAGRAM
2010 AND 2q-2011 DATA FROM GROUNDWATER
MONITORING WELLS MW-1, MW-2, AND MW-3
SEE FIGURE 4B FOR SUPPORTING DATA



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EXTENDED SITE MAP - WITH GROUNDWATER CHEMISTRY DATA (VARIOUS DATES)
MOE'S ARCO
1604 MCKEE ROAD
SAN JOSE, CALIFORNIA

Project: WellTest, Inc. (Project #2352)
 Project Location: Moe's ARCO
 Project Number: 1604 McKee Road, San Jose, California

Log of Temporary Well DP-2B
 Sheet 1 of 2

Date(s) Drilled	August 4, 2010	Logged By	Bill Dugan, PG	Checked By	Bill Dugan, PG	
Drilling Method	Direct-Push	Drill Bit Size/Type		Total Depth of Borehole	44 feet bgs	
Drill Rig Type	GeoProbe 540-UD	Drilling Contractor	WellTest, Inc. (C57-843074)	Approximate Surface Elevation	75 feet MSL	
Groundwater Level and Date Measured	B-Zone Water First-Encountered at 41 ft; Stabilized at 19 ft in Well Casing	Sampling Method(s)	DT-21 GeoProbe System with PVC Liner	Hammer Data	G42	
Borehole Backfill	Cement Slurry	Location				Temporary well elevation not surveyed

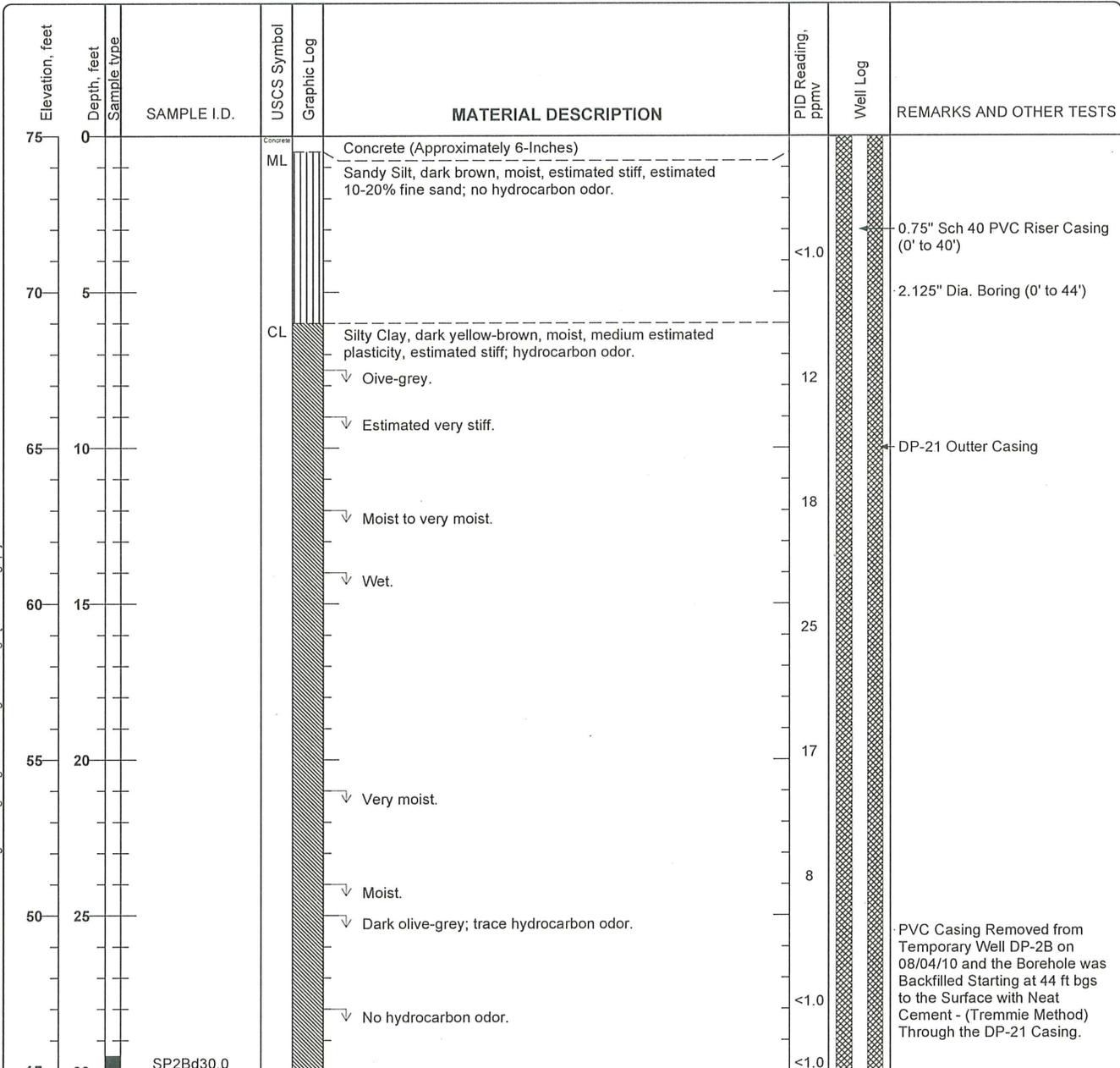


Figure 6

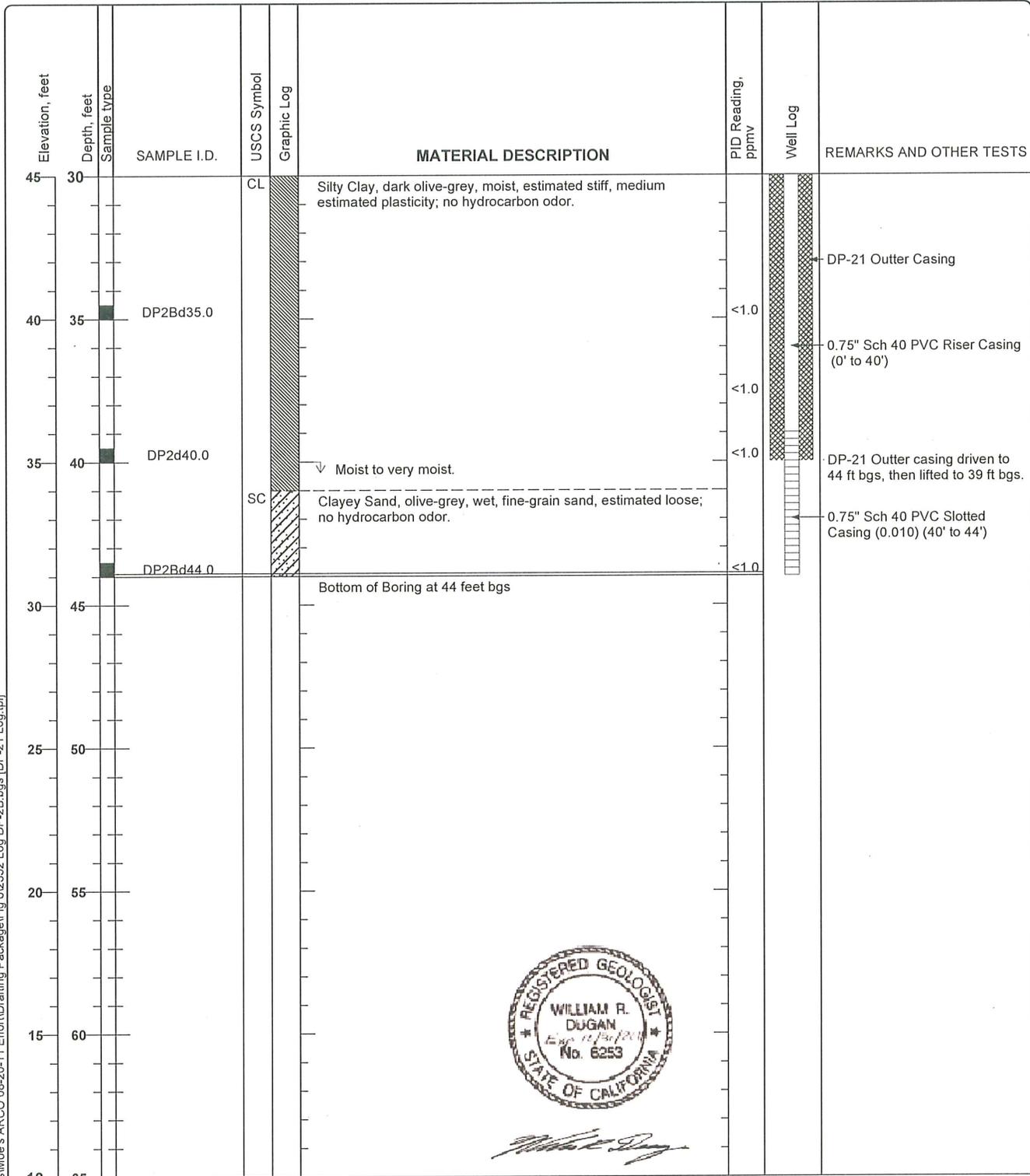
Project: WellTest, Inc. (Project #2352)

Project Location: Moe's ARCO

Project Number: 1604 McKee Road, San Jose, California

Log of Temporary Well DP-2B

Sheet 2 of 2



E:\2011 Jobs\Moe's ARCO 08-20-11 EfromDrafting Package\Fig 6\2352 Log DP-2B.bgs [DP-21 Log.tpl]

Figure 6

Project: WellTest, Inc. (Project #2352)
 Project Location: Moe's ARCO
 Project Number: 1604 McKee Road, San Jose, California

Log of Temporary Well DP-5B
 Sheet 1 of 2

Date(s) Drilled	August 3, 2010	Logged By	Bill Dugan, PG	Checked By	Bill Dugan, PG
Drilling Method	Direct-Push	Drill Bit Size/Type		Total Depth of Borehole	44 feet bgs
Drill Rig Type	GeoProbe 540-UD	Drilling Contractor	WellTest, Inc. (C57-843074)	Approximate Surface Elevation	75 feet MSL
Groundwater Level and Date Measured	B-Zone Water First-Encountered at 41 ft; Stabilized at 7 ft in Well Casing	Sampling Method(s)	DT-21 GeoProbe System with PVC Liner	Hammer Data	G42
Borehole Backfill	Cement Slurry	Location	Temporary well elevation not surveyed		

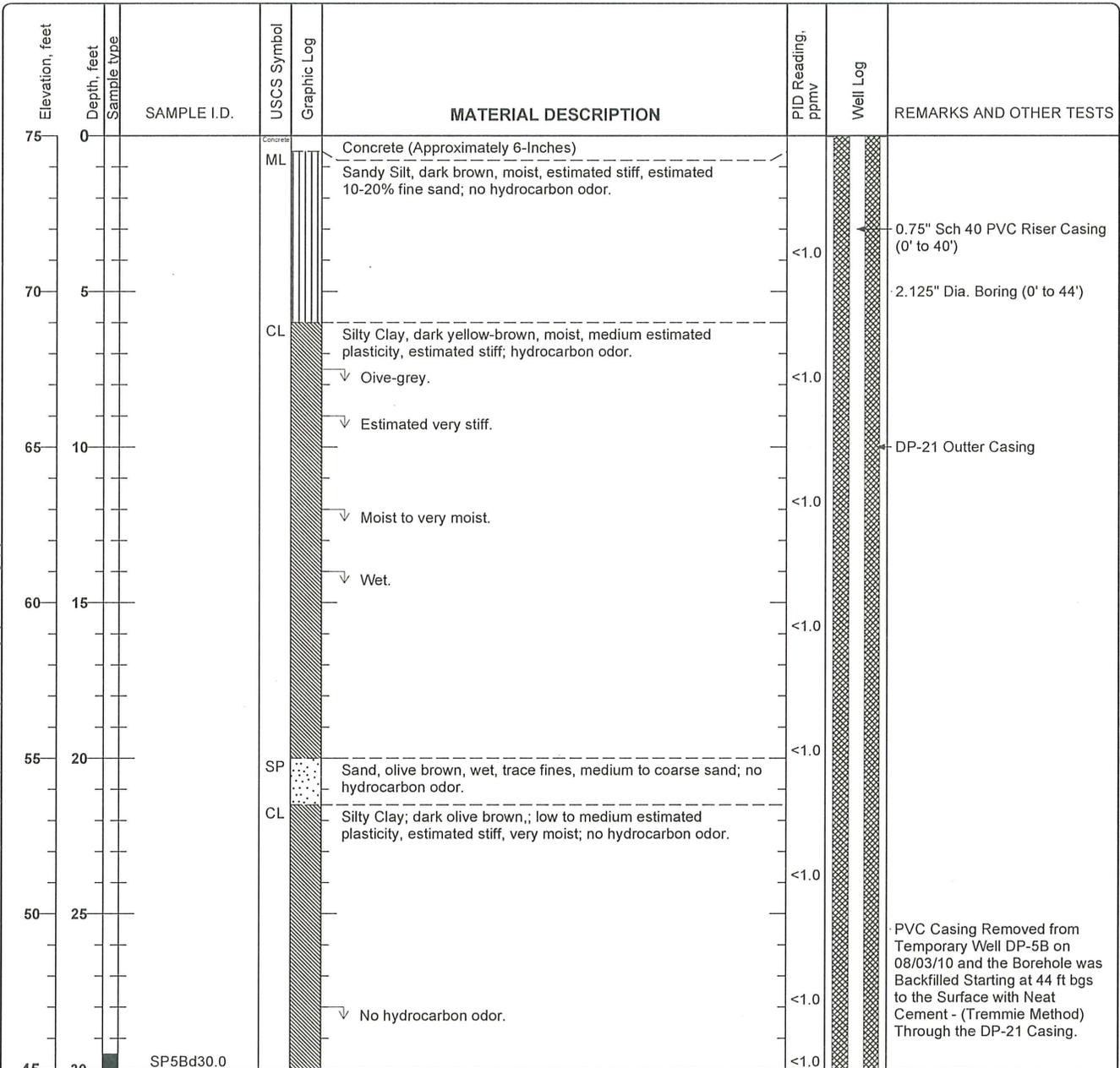


Figure 7

E:\2011 Jobs\Moe's ARCO 08-20-11 Efort\Drafting Package\Fig 7\2352 Log DP-5B.bgs [DP-21 Log.tpl]

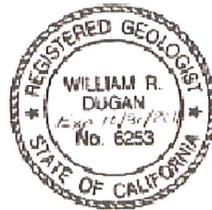
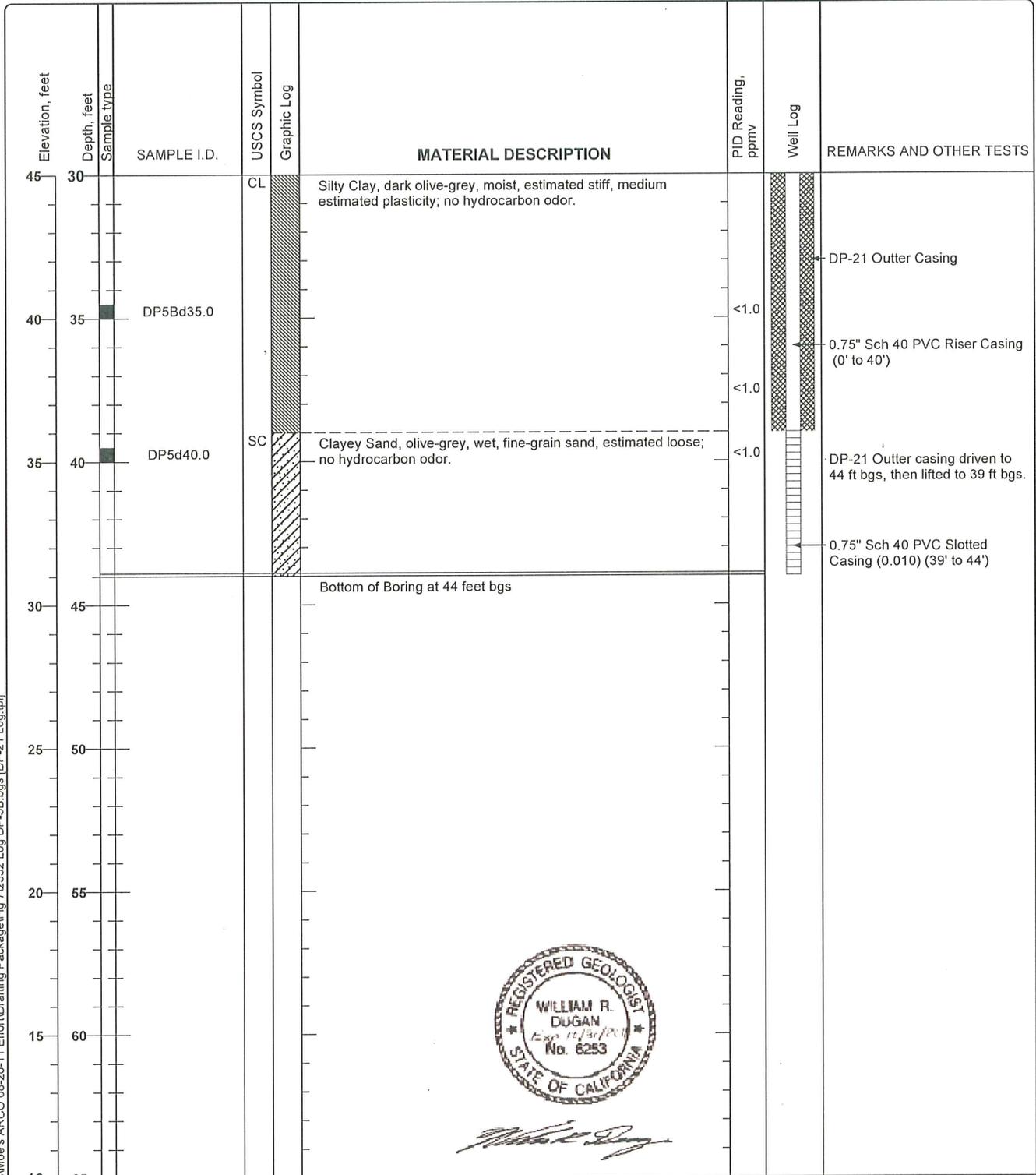
Project: WellTest, Inc. (Project #2352)

Project Location: Moe's ARCO

Project Number: 1604 McKee Road, San Jose, California

Log of Temporary Well DP-5B

Sheet 2 of 2



William R. Dugan

E:\2011 Jobs\Moe's ARCO 08-20-11 Efont\Drafting Package\Fig 7\2352 Log DP-5B.bgs [DP-21 Log.tpl]

Figure 7

Project: WellTest, Inc. (Project #2352)
 Project Location: Moe's ARCO
 Project Number: 1604 McKee Road, San Jose, California

Key to Log
 Sheet 1 of 1

Elevation, feet	Depth, feet	Sample type	SAMPLE I.D.	USCS Symbol	Graphic Log	MATERIAL DESCRIPTION	PID Reading, ppmv	Well Log	REMARKS AND OTHER TESTS
-----------------	-------------	-------------	-------------	-------------	-------------	----------------------	-------------------	----------	-------------------------

1 2 3 4 5 6 7 8 9 10

COLUMN DESCRIPTIONS

- 1 **Elevation, feet:** Elevation (MSL, feet)
- 2 **Depth, feet:** Depth in feet below the ground surface.
- 3 **Sample type:** Type of soil sample collected at the depth interval shown.
- 4 **SAMPLE I.D.:** Sample identification number.
- 5 **USCS Symbol:** USCS symbol of the subsurface material.
- 6 **Graphic Log:** Graphic depiction of the subsurface material encountered.
- 7 **MATERIAL DESCRIPTION:** Description of material encountered. May include consistency, moisture, color, and other descriptive text.
- 8 **PID Reading, ppmv:** The reading from a photo-ionization detector, in parts per million.
- 9 **Well Log:** Graphical representation of well installed upon completion of drilling and sampling.
- 10 **REMARKS AND OTHER TESTS:** Comments and observations regarding drilling or sampling made by driller or field personnel.

FIELD AND LABORATORY TEST ABBREVIATIONS

- CHEM:** Chemical tests to assess corrosivity
- COMP:** Compaction test
- CONS:** One-dimensional consolidation test
- LL:** Liquid Limit, percent
- PI:** Plasticity Index, percent
- SA:** Sieve analysis (percent passing No. 200 Sieve)
- UC:** Unconfined compressive strength test, Qu, in ksf
- WA:** Wash sieve (percent passing No. 200 Sieve)

TYPICAL MATERIAL GRAPHIC SYMBOLS



TYPICAL SAMPLER GRAPHIC SYMBOLS



OTHER GRAPHIC SYMBOLS

- ▽ Water level (at time of drilling, ATD)
- ▽ Water level (after waiting a given time)
- ▽ Minor change in material properties within a stratum
- Inferred or gradational contact between strata
- ? — Queried contact between strata

GENERAL NOTES

- Soil classifications are based on the Unified Soil Classification System. Descriptions and stratum lines are interpretive, and actual lithologic changes may be gradual. Field descriptions may have been modified to reflect results of lab tests.
- Descriptions on these logs apply only at the specific boring locations and at the time the borings were advanced. They are not warranted to be representative of subsurface conditions at other locations or times.

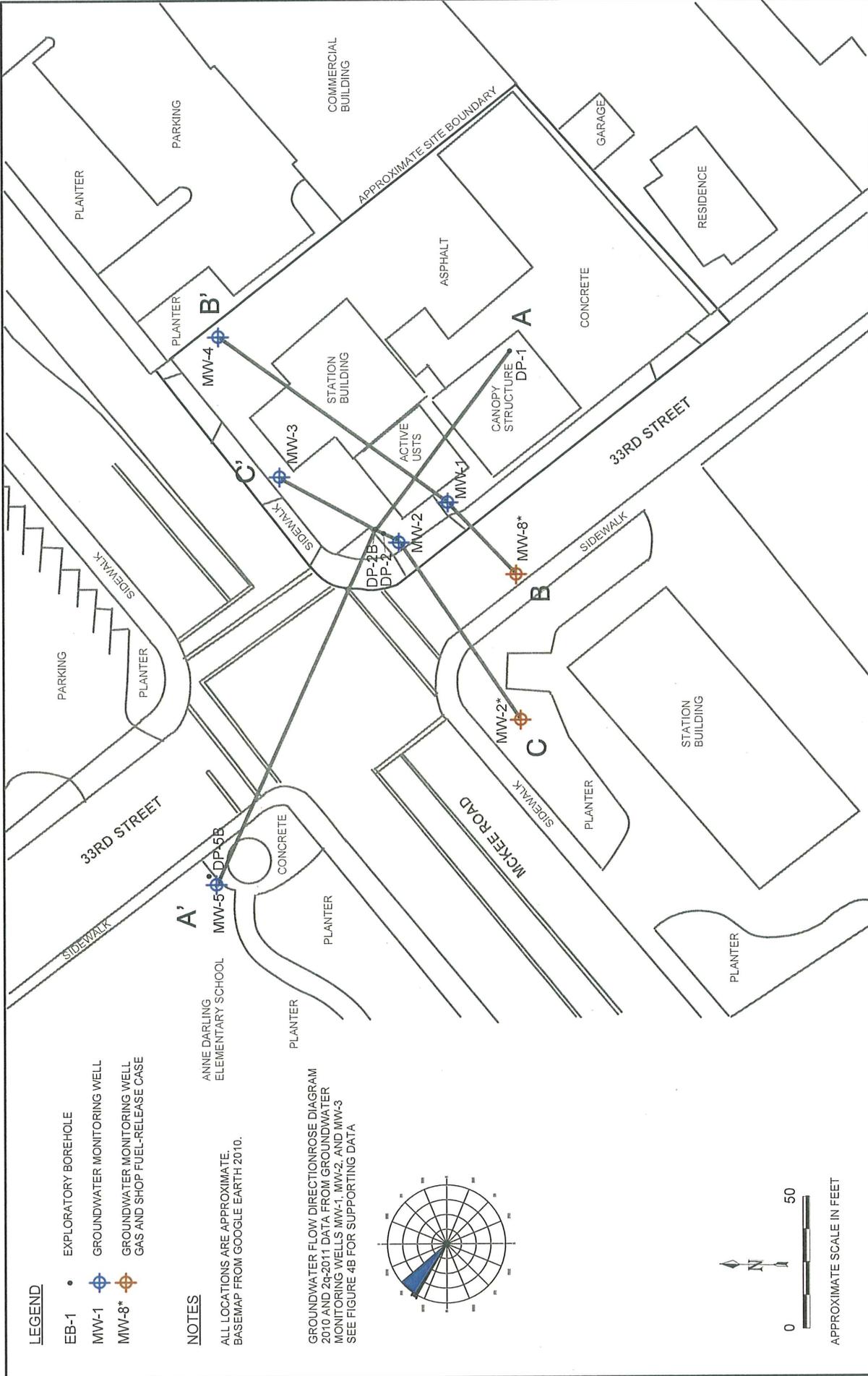
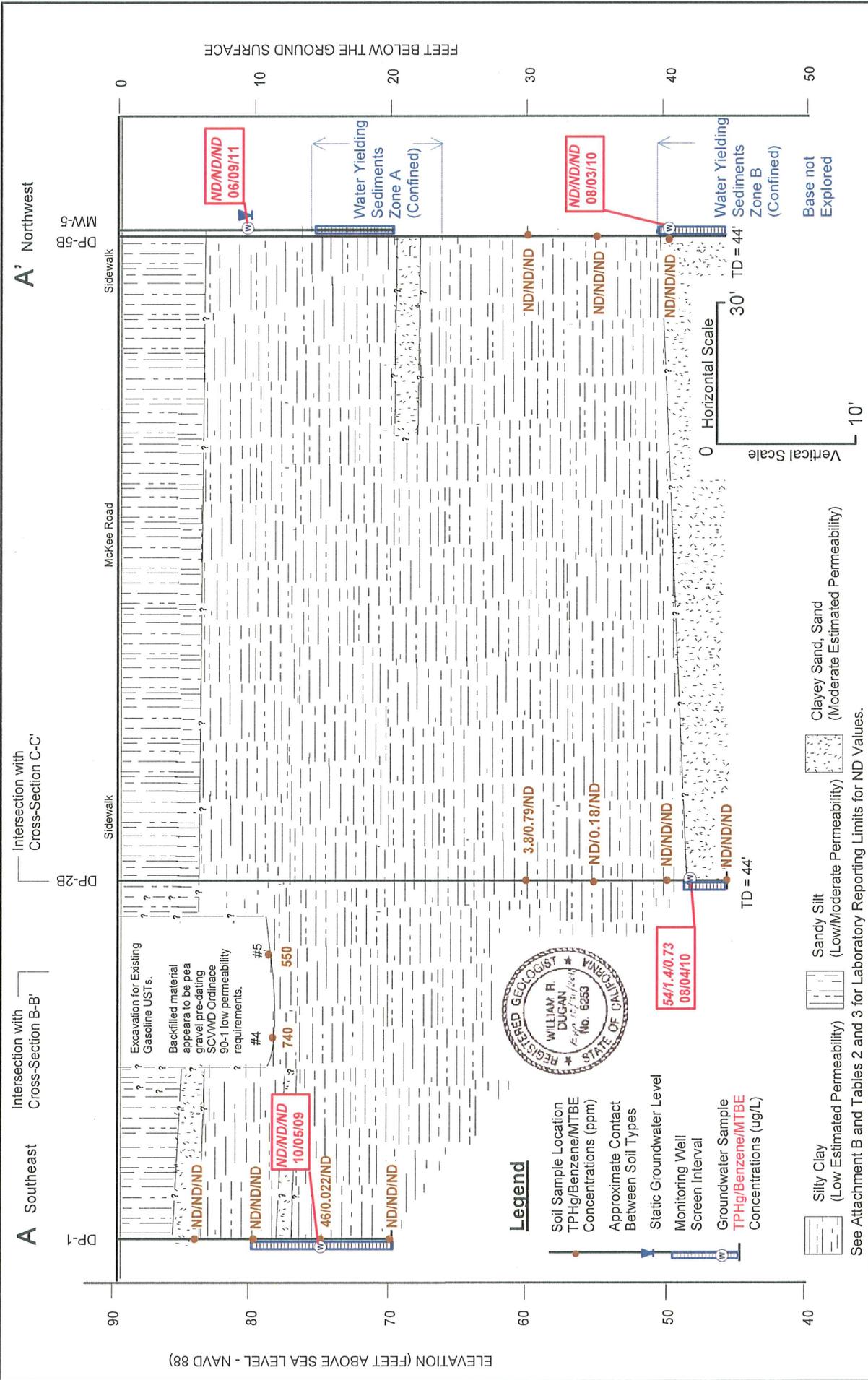


FIGURE
9

EXTENDED SITE MAP - SHOWING TRACES OF GEOLOGIC CROSS SECTIONS

MOE'S ARCO
1604 MCKEE ROAD
SAN JOSE, CALIFORNIA

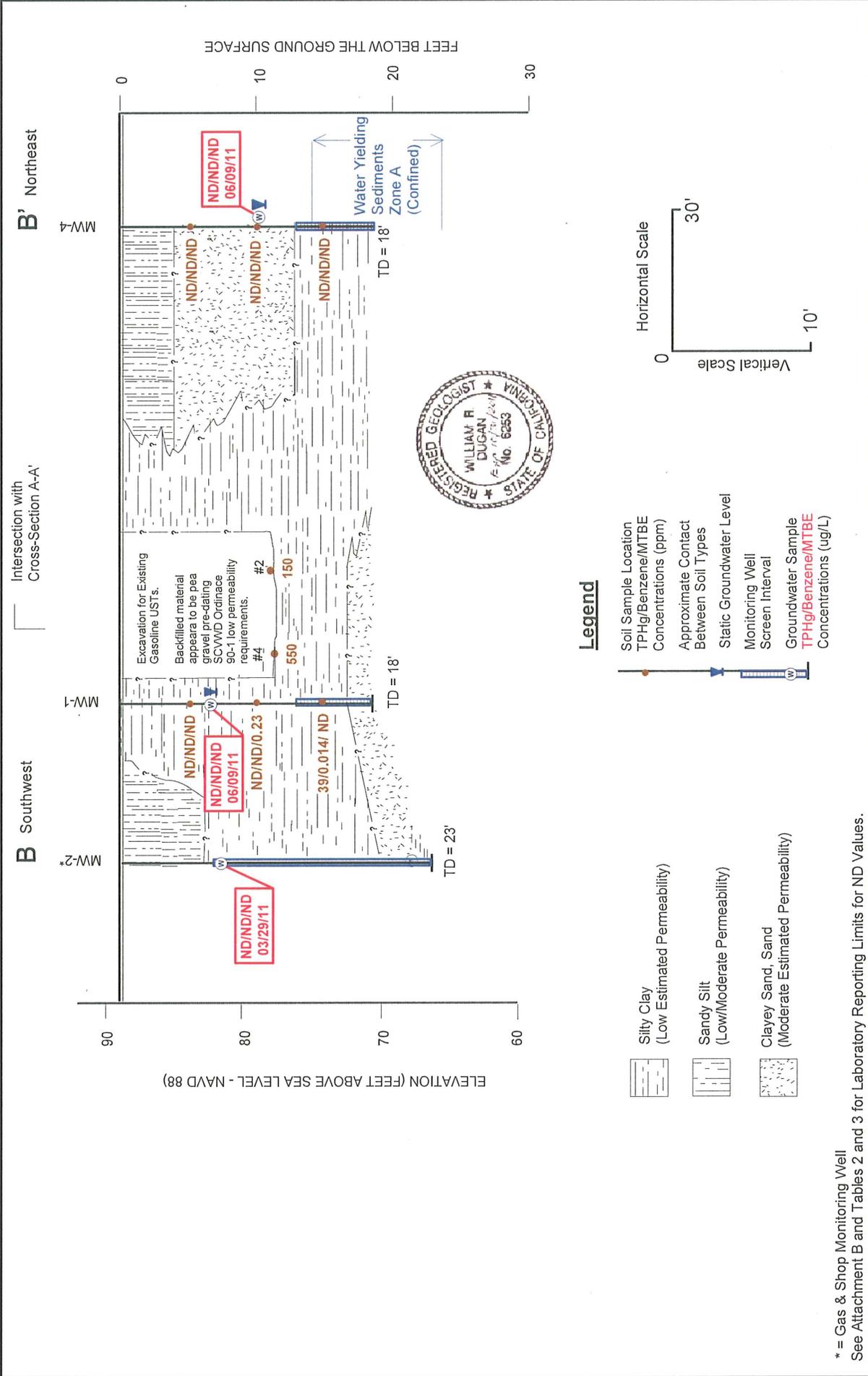
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P.O. Box 8548
San Jose, CA 95155
Phone (408) 287-2175



WellTest, Inc.
 License No. 843074
 P.O. Box 8548
 San Jose, CA 95155
 Phone (408) 287-2175

GEOLOGIC CROSS-SECTION A-A'
 MOE'S ARCO
 1604 MCKEE ROAD
 SAN JOSE, CALIFORNIA

FIGURE 10



* = Gas & Shop Monitoring Well
See Attachment B and Tables 2 and 3 for Laboratory Reporting Limits for ND Values.

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GEOLOGIC CROSS-SECTION B-B'
 MOE'S ARCO
 1604 MCKEE ROAD
 SAN JOSE, CALIFORNIA

FIGURE 11

File: 2352/Drafting/Figure 11

ATTACHMENT A
Certified Analytical Report



McC Campbell Analytical, Inc.

"When Quality Counts"

1534 Willow Pass Road, Pittsburg, CA 94565-1701
Web: www.mcccampbell.com E-mail: main@mcccampbell.com
Telephone: 877-252-9262 Fax: 925-252-9269

Well Test, Inc. 1180 Delmas Avenue San Jose, CA 95125	Client Project ID: #2352; Moe's Arco	Date Sampled: 08/03/10-08/04/1
		Date Received: 08/06/10
	Client Contact: Bill Dugan	Date Reported: 08/13/10
	Client P.O.:	Date Completed: 08/12/10

WorkOrder: 1008186

August 13, 2010

Dear Bill:

Enclosed within are:

- 1) The results of the 9 analyzed samples from your project: #2352; Moe's Arco,
- 2) A QC report for the above samples,
- 3) A copy of the chain of custody, and
- 4) An invoice for analytical services.

All analyses were completed satisfactorily and all QC samples were found to be within our control limits.

If you have any questions or concerns, please feel free to give me a call. Thank you for choosing McC Campbell Analytical Laboratories for your analytical needs.

Best regards,

Angela Rydelius
Laboratory Manager
McC Campbell Analytical, Inc.

1008180



P.O. Box 8548
San Jose, CA 95155
Main Line: (408) 287-2175
Facsimile: (408) 287-2176

CHAIN OF CUSTODY FORM

Turnaround Time: (working days)
 ___ 10 day ___ 3 day ___ Same day
 ___ 7 day ___ 2 day ___ other
X 5 day ___ 1 day

Project Name: Moe's ARCO
 Project Number: 2352
 Global I.D.: T0608500945
 Project Address: 1604 McKee Road, San Jose, CA
 Laboratory: McCampbell Analytical Contact: Rosa
 Lab Address/Phone: 1535 Willow Pass Road, Pittsburg, CA (877) 252-9262
 Project Manager: Bill Dugan
 PM Phone Number: (408) 460-1884
 Sampler: Bill Dugan
 Email: dugan@welltest.biz
 Phone: (408) 460-1884

Analyses Requested

TPHg/BTEX/MTBE (6015M/8021)	
TPHg/BTEX/MTBE (6015M/8260B)	✓
TPHg/BTEX/5 Fuel Oxy s/1.2 DCA & EDB (8250B)	
TPHg/BTEX/5 Fuel Oxy's (8250B)	
Confirm MTBE by GC/MS	
TPHD (8015M)	
VOCs (8260)	
HVOCs (8010)	
SVOCs (8270)	
Title 22 CAM 17 Metals	
Priority Pollutant Metals (low detection) (7000/6010)	
Silica Gel Cleanup	
TPH Multi Range (8015C)	
Lead (STLC)	

Sample ID	Sample Information		Container Information			Comments
	Date	Time	No.	Type	Preservative	
DP2Bd30.0	08/04/10	13:35	1	PT	C	Yes
DP2Bd35.0	08/04/10	14:15	1	PT	C	Yes
DP2Bd40.0	08/04/10	15:10	1	PT	C	Yes
DP2Bd44.0	08/04/10	16:05	1	PT	C	Yes
DP5Bd30.0	08/03/10	12:15	1	PT	C	Yes
DP5Bd35.0	08/03/10	13:25	1	PT	C	Yes
DP5Bd40.0	08/03/10	16:15	1	PT	C	Yes
DP-2B	08/04/10	16:25	2	V	HCL, C	Yes
DP-5B	08/03/10	16:45	2	V	HCL, C	Yes

Additional Comments: Invoice to WellTest, Inc. Send report and EDF to dugan@welltest.biz

Geotracker EDF

Relinquished By: *[Signature]*
 Relinquished By: *[Signature]*
 Relinquished By: *[Signature]*

Date/Time: 08/06/10 12:00
 Date/Time: 8/6/10 1730
 Date/Time:

Received By: *[Signature]*
 Received By: *[Signature]*
 Received By: *[Signature]*
 Date/Time: 8/6/10 1330
 Date/Time:
 Date/Time:

Sample Condition: Good? Yes No Refrigerated? Yes No Cooler Temp

Transportation Method: _____ Page 1 of 1

Container Type: V = 40 ml vial, L = 1 liter amber bottle, 500 ml = 500 milliliter bottle, T = tube (B - brass, S - stainless steel, P - plastic)

Preservative: HCL = Hydrochloric acid, N = Nitric acid, C = 40 C

McC Campbell Analytical, Inc.



1534 Willow Pass Rd
Pittsburg, CA 94565-1701
(925) 252-9262

CHAIN-OF-CUSTODY RECORD

WorkOrder: 1008186 ClientCode: WTI

WaterTrax
 WriteOn
 Excel
 Fax
 Email
 HardCopy
 ThirdParty
 J-flag

Report to: Bill Dugan
Well Test, Inc.
1180 Delmas Avenue
San Jose, CA 95125
408-287-2175 FAX 408-287-2176

Bill to: Accounts Payable
WellTest, Inc.
1180 Delmas Avenue
San Jose, CA 95125

Date Received: 08/06/2010
Date Printed: 08/06/2010

Requested TAT: 5 days

Lab ID	Client ID	Matrix	Collection Date	Hold	Requested Tests (See legend below)											
					1	2	3	4	5	6	7	8	9	10	11	12

1008186-001	DP2Bd30.0	Soil	8/4/2010 13:35	<input type="checkbox"/>	A														
1008186-002	DP2Bd35.0	Soil	8/4/2010 14:15	<input type="checkbox"/>	A														
1008186-003	DP2Bd40.0	Soil	8/4/2010 15:10	<input type="checkbox"/>	A														
1008186-004	DP2Bd44.0	Soil	8/4/2010 16:05	<input type="checkbox"/>	A														
1008186-005	DP5Bd30.0	Soil	8/3/2010 12:15	<input type="checkbox"/>	A														
1008186-006	DP5Bd35.0	Soil	8/3/2010 13:25	<input type="checkbox"/>	A														
1008186-007	DP5Bd40.0	Soil	8/3/2010 16:15	<input type="checkbox"/>	A														
1008186-008	DP-2B	Water	8/4/2010 16:25	<input type="checkbox"/>		A													
1008186-009	DP-5B	Water	8/3/2010 16:45	<input type="checkbox"/>		A													

Test Legend:

1	G-MBTEx_S	2	GAS8260_W	3	PREDF REPORT	4		5	
6		7		8		9		10	
11		12							

The following SampleIDs: 008A, 009A contain testgroup.

Prepared by: Ana Venegas

Comments:

NOTE: Soil samples are discarded 60 days after results are reported unless other arrangements are made (Water samples are 30 days). Hazardous samples will be returned to client or disposed of at client expense.



Sample Receipt Checklist

Client Name: **Well Test, Inc.**

Date and Time Received: **8/6/2010 6:40:19 PM**

Project Name: **#2352; Moe's Arco**

Checklist completed and reviewed by: **Ana Venegas**

WorkOrder N°: **1008186** Matrix Soil/Water

Carrier: Derik Cartan (MAI Courier)

Chain of Custody (COC) Information

- Chain of custody present? Yes No
- Chain of custody signed when relinquished and received? Yes No
- Chain of custody agrees with sample labels? Yes No
- Sample IDs noted by Client on COC? Yes No
- Date and Time of collection noted by Client on COC? Yes No
- Sampler's name noted on COC? Yes No

Sample Receipt Information

- Custody seals intact on shipping container/cooler? Yes No NA
- Shipping container/cooler in good condition? Yes No
- Samples in proper containers/bottles? Yes No
- Sample containers intact? Yes No
- Sufficient sample volume for indicated test? Yes No

Sample Preservation and Hold Time (HT) Information

- All samples received within holding time? Yes No
- Container/Temp Blank temperature Cooler Temp: 8.2°C NA
- Water - VOA vials have zero headspace / no bubbles? Yes No No VOA vials submitted
- Sample labels checked for correct preservation? Yes No
- Metal - pH acceptable upon receipt (pH<2)? Yes No NA
- Samples Received on Ice? Yes No

(Ice Type: WET ICE)

* NOTE: If the "No" box is checked, see comments below.

Client contacted:

Date contacted:

Contacted by:

Comments:



McC Campbell Analytical, Inc.

"When Quality Counts"

1534 Willow Pass Road, Pittsburg, CA 94565-1701
Web: www.mcccampbell.com E-mail: main@mcccampbell.com
Telephone: 877-252-9262 Fax: 925-252-9269

Well Test, Inc. 1180 Delmas Avenue San Jose, CA 95125	Client Project ID: #2352; Moe's Arco	Date Sampled: 08/03/10-08/04/10
		Date Received: 08/06/10
	Client Contact: Bill Dugan	Date Extracted: 08/06/10
	Client P.O.:	Date Analyzed: 08/10/10-08/11/10

Gasoline Range (C6-C12) Volatile Hydrocarbons as Gasoline with BTEX and MTBE*

Extraction method: SW5030B

Analytical methods: SW8021B/8015Bm

Work Order: 1008186

Lab ID	Client ID	Matrix	TPH(g)	MTBE	Benzene	Toluene	Ethylbenzene	Xylenes	DF	% SS	Comments
001A	DP2Bd30.0	S	3.8	ND	0.79	0.0051	0.17	0.043	1	87	d1
002A	DP2Bd35.0	S	ND	ND	0.18	ND	ND	ND	1	90	
003A	DP2Bd40.0	S	ND	ND	ND	ND	ND	ND	1	97	
004A	DP2Bd44.0	S	ND	ND	ND	ND	ND	ND	1	85	
005A	DP5Bd30.0	S	ND	ND	ND	ND	ND	ND	1	88	
006A	DP5Bd35.0	S	ND	ND	ND	ND	ND	ND	1	81	
007A	DP5Bd40.0	S	ND	ND	ND	ND	ND	ND	1	91	

Reporting Limit for DF =1; ND means not detected at or above the reporting limit	W	50	5.0	0.5	0.5	0.5	0.5	0.5	ug/L
	S	1.0	0.05	0.005	0.005	0.005	0.005	0.005	mg/Kg

* water and vapor samples are reported in µg/L, soil/sludge/solid samples in mg/kg, wipe samples in µg/wipe, product/oil/non-aqueous liquid samples and all TCLP & SPLP extracts in mg/L.

cluttered chromatogram; sample peak coelutes w/surrogate peak; low surrogate recovery due to matrix interference.

%SS = Percent Recovery of Surrogate Standard; DF = Dilution Factor

+The following descriptions of the TPH chromatogram are cursory in nature and McC Campbell Analytical is not responsible for their interpretation:

d1) weakly modified or unmodified gasoline is significant



McC Campbell Analytical, Inc.

"When Quality Counts"

1534 Willow Pass Road, Pittsburg, CA 94565-1701
Web: www.mcccampbell.com E-mail: main@mcccampbell.com
Telephone: 877-252-9262 Fax: 925-252-9269

Well Test, Inc. 1180 Delmas Avenue San Jose, CA 95125	Client Project ID: #2352; Moe's Arco	Date Sampled: 08/03/10-08/04/10
		Date Received: 08/06/10
	Client Contact: Bill Dugan	Date Extracted: 08/11/10-08/12/10
	Client P.O.:	Date Analyzed: 08/11/10-08/12/10

Oxygenates, MBTEX & Lead Scavengers by GC/MS*

Extraction Method: SW5030B

Analytical Method: SW8260B

Work Order: 1008186

Lab ID	1008186-008A	1008186-009A			Reporting Limit for DF =1	
Client ID	DP-2B	DP-5B				
Matrix	W	W				
DF	1	1				
					S	W

Compound	Concentration				ug/kg	µg/L
tert-Amyl methyl ether (TAME)	ND	ND			NA	0.5
Benzene	1.4	ND			NA	0.5
t-Butyl alcohol (TBA)	5.2	ND			NA	2.0
1,2-Dibromoethane (EDB)	ND	ND			NA	0.5
1,2-Dichloroethane (1,2-DCA)	ND	ND			NA	0.5
Diisopropyl ether (DIPE)	ND	ND			NA	0.5
Ethylbenzene	0.79	ND			NA	0.5
Ethyl tert-butyl ether (ETBE)	ND	ND			NA	0.5
Methyl-t-butyl ether (MTBE)	0.73	ND			NA	0.5
Toluene	0.69	ND			NA	0.5
Xylenes	ND	ND			NA	0.5

Surrogate Recoveries (%)

%SS1:	111	104		
%SS2:	94	98		

Comments

* water and vapor samples are reported in µg/L, soil/sludge/solid samples in mg/kg, product/oil/non-aqueous liquid samples and all TCLP & SPLP extracts are reported in mg/L, wipe samples in µg/wipe.

ND means not detected above the reporting limit/method detection limit; N/A means analyte not applicable to this analysis.

surrogate diluted out of range or coelutes with another peak; &) low surrogate due to matrix interference.

%SS = Percent Recovery of Surrogate Standard

DF = Dilution Factor



QC SUMMARY REPORT FOR SW8021B/8015Bm

W.O. Sample Matrix: Soil

QC Matrix: Soil

BatchID: 52300

WorkOrder 1008186

Analyte	EPA Method SW8021B/8015Bm Extraction SW5030B								Spiked Sample ID: 1008104-025A			
	Sample	Spiked	MS	MSD	MS-MSD	LCS	LCSD	LCS-LCSD	Acceptance Criteria (%)			
	mg/Kg	mg/Kg	% Rec.	% Rec.	% RPD	% Rec.	% Rec.	% RPD	MS / MSD	RPD	LCS/LCSD	RPD
TPH(btex) ^f	ND	0.60	93.1	92.9	0.239	90.2	90	0.132	70 - 130	20	70 - 130	20
MTBE	ND	0.10	110	114	3.57	106	116	8.34	70 - 130	20	70 - 130	20
Benzene	ND	0.10	101	100	1.02	99.5	110	10.1	70 - 130	20	70 - 130	20
Toluene	ND	0.10	87.5	87.5	0	86.8	96.3	10.4	70 - 130	20	70 - 130	20
Ethylbenzene	ND	0.10	91.1	91.7	0.596	89.6	98.4	9.29	70 - 130	20	70 - 130	20
Xylenes	ND	0.30	101	102	1.06	101	110	8.92	70 - 130	20	70 - 130	20
%SS:	89	0.10	95	93	1.47	91	99	8.09	70 - 130	20	70 - 130	20

All target compounds in the Method Blank of this extraction batch were ND less than the method RL with the following exceptions:
NONE

BATCH 52300 SUMMARY

Lab ID	Date Sampled	Date Extracted	Date Analyzed	Lab ID	Date Sampled	Date Extracted	Date Analyzed
1008186-001A	08/04/10 1:35 PM	08/06/10	08/10/10 6:58 PM				

MS = Matrix Spike; MSD = Matrix Spike Duplicate; LCS = Laboratory Control Sample; LCSD = Laboratory Control Sample Duplicate; RPD = Relative Percent Deviation.

% Recovery = 100 * (MS-Sample) / (Amount Spiked); RPD = 100 * (MS - MSD) / ((MS + MSD) / 2).

MS / MSD spike recoveries and / or %RPD may fall outside of laboratory acceptance criteria due to one or more of the following reasons: a) the sample is inhomogenous AND contains significant concentrations of analyte relative to the amount spiked, or b) the spiked sample's matrix interferes with the spike recovery.

£ TPH(btex) = sum of BTEX areas from the FID.

cluttered chromatogram; sample peak coelutes with surrogate peak.

N/A = not enough sample to perform matrix spike and matrix spike duplicate.

NR = matrix interference and/or analyte concentration in sample exceeds spike amount for soil matrix or exceeds 2x spike amount for water matrix or sample diluted due to high matrix or analyte content.



QC SUMMARY REPORT FOR SW8021B/8015Bm

W.O. Sample Matrix: Soil

QC Matrix: Soil

BatchID: 52350

WorkOrder 1008186

Table with columns: EPA Method SW8021B/8015Bm, Extraction SW5030B, Spiked Sample ID: 1008173-001A, Analyte, Sample mg/Kg, Spiked mg/Kg, MS % Rec., MSD % Rec., MS-MSD % RPD, LCS % Rec., LCSD % Rec., LCS-LCSD % RPD, and Acceptance Criteria (%).

All target compounds in the Method Blank of this extraction batch were ND less than the method RL with the following exceptions: NONE

BATCH 52350 SUMMARY

Summary table with columns: Lab ID, Date Sampled, Date Extracted, Date Analyzed, Lab ID, Date Sampled, Date Extracted, Date Analyzed.

MS = Matrix Spike; MSD = Matrix Spike Duplicate; LCS = Laboratory Control Sample; LCSD = Laboratory Control Sample Duplicate; RPD = Relative Percent Deviation.
% Recovery = 100 * (MS-Sample) / (Amount Spiked); RPD = 100 * (MS - MSD) / ((MS + MSD) / 2).
MS / MSD spike recoveries and / or %RPD may fall outside of laboratory acceptance criteria due to one or more of the following reasons: a) the sample is inhomogenous AND contains significant concentrations of analyte relative to the amount spiked, or b) the spiked sample's matrix interferes with the spike recovery.
£ TPH(btex) = sum of BTEX areas from the FID.
cluttered chromatogram; sample peak coelutes with surrogate peak.
N/A = not enough sample to perform matrix spike and matrix spike duplicate.
NR = matrix interference and/or analyte concentration in sample exceeds spike amount for soil matrix or exceeds 2x spike amount for water matrix or sample diluted due to high matrix or analyte content.



QC SUMMARY REPORT FOR SW8260B

W.O. Sample Matrix: Water

QC Matrix: Water

BatchID: 52358

WorkOrder 1008186

Analyte	Extraction SW5030B								Spiked Sample ID: 1008181-004A			
	Sample	Spiked	MS	MSD	MS-MSD	LCS	LCSD	LCS-LCSD	Acceptance Criteria (%)			
	µg/L	µg/L	% Rec.	% Rec.	% RPD	% Rec.	% Rec.	% RPD	MS / MSD	RPD	LCS/LCSD	RPD
tert-Amyl methyl ether (TAME)	ND	10	92.4	92	0.513	104	102	2.15	70 - 130	30	70 - 130	30
Benzene	ND	10	104	105	0.983	118	113	3.90	70 - 130	30	70 - 130	30
t-Butyl alcohol (TBA)	ND	50	91.7	89.8	2.00	80.3	77.9	3.00	70 - 130	30	70 - 130	30
1,2-Dibromoethane (EDB)	ND	10	94.5	95.8	1.37	107	104	3.19	70 - 130	30	70 - 130	30
1,2-Dichloroethane (1,2-DCA)	ND	10	103	102	0.690	112	108	3.50	70 - 130	30	70 - 130	30
Diisopropyl ether (DIPE)	ND	10	115	115	0	115	118	1.86	70 - 130	30	70 - 130	30
Ethyl tert-butyl ether (ETBE)	ND	10	105	104	0.465	112	110	1.41	70 - 130	30	70 - 130	30
Methyl-t-butyl ether (MTBE)	ND	10	101	101	0	121	122	0.646	70 - 130	30	70 - 130	30
Toluene	ND	10	97.1	100	3.02	102	101	0.670	70 - 130	30	70 - 130	30
%SS1:	102	25	109	109	0	115	115	0	70 - 130	30	70 - 130	30
%SS2:	97	25	103	104	1.19	94	94	0	70 - 130	30	70 - 130	30

All target compounds in the Method Blank of this extraction batch were ND less than the method RL with the following exceptions:
NONE

BATCH 52358 SUMMARY

Lab ID	Date Sampled	Date Extracted	Date Analyzed	Lab ID	Date Sampled	Date Extracted	Date Analyzed
1008186-008A	08/04/10 4:25 PM	08/12/10	08/12/10 2:36 PM	1008186-008A	08/04/10 4:25 PM	08/12/10	08/12/10 2:36 PM
1008186-009A	08/03/10 4:45 PM	08/11/10	08/11/10 9:42 PM	1008186-009A	08/03/10 4:45 PM	08/11/10	08/11/10 9:42 PM

MS = Matrix Spike; MSD = Matrix Spike Duplicate; LCS = Laboratory Control Sample; LCSD = Laboratory Control Sample Duplicate; RPD = Relative Percent Deviation.

$\% \text{ Recovery} = 100 * (\text{MS-Sample}) / (\text{Amount Spiked}); \text{RPD} = 100 * (\text{MS} - \text{MSD}) / (\text{MS} + \text{MSD}) * 2.$

MS and / or MSD spike recoveries may not be near 100% or the RPDs near 0% if: a) the sample is inhomogenous AND contains significant concentrations of analyte relative to the amount spiked, or b) if that specific sample matrix interferes with spike recovery. The LCS and LCSD are spikes into a clean, known, similar matrix and they and the surrogate standards reflect the overall validity of their extraction batch. Our control limits are 70-130% recovery and a 30% RPD for the LCS-LCSD and for the Surrogate Standards.

ATTACHMENT B

Field Procedures

ATTACHMENT B
SAMPLING PROCEDURES

Sampling – Soil

Continuous soil samples were collected using an approximately two-inch diameter dual-tube sampling system. A summary of the tooling (or equivalent tooling) and sampling methods can be obtained at the following website:

http://www.geoprobe.com/products/tools/soil_sampling/dt22desc.htm

Each soil sample interval was monitored in the field for possible total volatiles by use of a portable hydrocarbon field analyzer. A portion of the sample interval adjacent to the retained sample was placed in a sealable air-tight plastic bag. After the bag was sealed for a minimum of five minutes, the sample was measured and the meter readings recorded. WELLTEST used an Ion Science PhoCheck 1000 field analyzer. The meter is a battery-powered instrument which detects and indicates concentrations of total volatiles (gas or vapor) in the air in the parts per million range (0.1 to 4,000 ppm). Samples under test were drawn continuously by means of a built-in pump and analyzed. The instrument responds to numerous hydrocarbons including petroleum products. Results of the analysis were reported in parts per million (on the log for DP-3B) and was used as a qualitative field measure of potential soil contamination. A portion of each recovered soil sample was examined by a geologist. The geologist observed the soil and recorded the soil characteristics visually observed. The soil descriptions were based on the Unified Soil Classification system. Individual descriptions of each soil sample were recorded for use in the project report.

Sampling – Groundwater (Small Diameter Wells)

PVC casing was installed within the outer drive rods. Groundwater samples were collected from within the ¾-inch diameter temporary well using the following protocol:

- Before purging, the water level within the well was allowed to stabilize, and then water levels were measured with an electronic interface tape.
- To prevent potential cross-contamination between wells, all measuring, purging, and sampling equipment were washed in an Alconox® detergent solution, rinsed with tap water, and then rinsed with distilled water.
- A Micro Flow System foot-valve system attached to single-use 3/8-inch O.D. polyethylene tubing was used to collect grab groundwater samples from each well. The foot-valve can deliver a sample from as deep as 75 feet and flow rates with this system are usually less than 1/2 gallon per minute.
- Temperature, conductivity, and pH were measured and recorded while purging each well. The temporary well was purged until approximately three well volumes of water have been removed or when these parameters have stabilized. The samples were labeled and placed in a refrigerated chest. Chain-of-custody documents and a travel blank accompanied the samples to the laboratory.
- Samples were collected with either a clean disposable bailer or with the foot-valve system.
- Samples transported to the laboratory were analyzed within the specified holding time.
- Groundwater produced during purging and sampling was placed in a 55-gallon drum and remains the responsibility of the client to properly dispose.

Water samples were placed into laboratory-supplied, properly-preserved containers. The amount of sample collected was pre-approved the contract laboratory and were appropriate for the analysis being requested. All samples were labeled and placed in a refrigerated cooler and accompanied by the chain-of-custody document. Samples transported to the laboratory are analyzed within the specified analytical test holding time. Both borings were backfilled from the base of each boring to the surface with neat cement (tremmie method).

ATTACHMENT C
Regulatory Directive Letter

County of Santa Clara

Department of Environmental Health

1555 Berger Drive, Suite 300
San Jose, California 95112-2716
(408) 918-3400
www.EHinfo.org



July 28, 2011

Mr. Moe Shirazi
Hill and Company Realtors
1604 McKee Road
San Jose, CA 95116

Subject: Fuel Leak Investigation at Moe's Arco, 1604 McKee Road, San Jose, CA 95116, Case No. 06-088, SCVWDID No. 07S1E04G01f

Mr. Shirazi:

The Department of Environmental Health has reviewed the site referenced above. In the Well Installation Report prepared by WellTest and dated January 7, 2010 it was recommended to assess the vertical extent of the release using direct-push sampling methods in the vicinity of well MW-2 and offsite well MW-5. The DEH agrees with this recommendation. A workplan describing the proposed scope of work should be prepared.

Technical Document

Please submit the following report to the DEH (Attention: Mr. Gerald O'Regan), according to the following schedule:

- Workplan for Additional Site Assessment – **September 2, 2011**

This report is requested pursuant to our authority under Sections 25289 and 25296.10 of the California Health and Safety Code. Each report shall include conclusions and recommendations for the next phases of work required to protect water resources, human health and safety, and the environment at the site. We request that all required work be performed in a prompt and timely manner. Revisions to the schedule shall be requested in writing at least two weeks prior to the due date with appropriate justification for the anticipated delays and a proposed revised schedule.

The California Business and Professions Code (Sections 6735, 7835, and 7835.1) require that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments must be performed under the direction of an appropriately registered or certified professional.

PERJURY STATEMENT

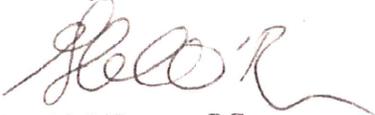
All proposals and reports submitted to this office must be accompanied by a cover letter from the responsible party which states, at a minimum, the following:

"I declare, under penalty of perjury, that the information and/or recommendations contained in the attached proposal 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. Future submittals made without a perjury statement may be returned as insufficient, which could affect your eligibility for reimbursement from the State Cleanup Fund.

If you have any questions, please contact me at (408) 918-1974.

Sincerely,



Gerald O'Regan, PG
Environmental Geologist
Local Oversight Program
Gerald O'Regan@deh.sccgov.org

cc: Mr. William Dugan, WellTest Inc., P.O. Box 8548, San Jose, CA 95155
File



ATTACHMENT D
Client Authorization Letter

January 27, 2009

Mr. Gerald O'Regan, PG, CEG
County of Santa Clara
Department of Environmental Health
1555 Berger Drive
San Jose, CA 95112

Subject: Moe's ARCO
1604 McKee Road, San Jose, CA
Case No. 06-088

Dear Mr. O'Regan:

WellTest, Inc. is authorized to submit all reports on my behalf as required by regulatory agencies for the referenced fuel release case. The reports may also be distributed to persons listed in the distribution section of each report. If any of the listed regulatory agencies require it, I am prepared to declare, under penalty of perjury, that to the best of my knowledge, the information contained in the report(s) is true and correct.

Sincerely,



Mr. Amir Shirazi
The Mohammad M. Shirazi Living Trust
Authorized Agent
1604 McKee Road
San Jose, CA 95116

STATE WATER RESOURCES CONTROL BOARD

GEOTRACKER ESI

UPLOADING A GEO_REPORT FILE

SUCCESS

Your GEO_REPORT file has been successfully submitted!

<u>Submittal Type:</u>	GEO_REPORT
<u>Report Title:</u>	Supplemental Soil and Groundwater Investigation Report (Report #2352)
<u>Report Type:</u>	Soil and Water Investigation Report
<u>Report Date:</u>	8/31/2011
<u>Facility Global ID:</u>	T0608500945
<u>Facility Name:</u>	MOE'S ARCO
<u>File Name:</u>	SWI Report - Moe's ARCO 1604 McKee Rd - San Jose (08-31-11).pdf
<u>Organization Name:</u>	WellTest, Inc.
<u>Username:</u>	GROUNDWATER-DATA
<u>IP Address:</u>	67.164.20.19
<u>Submittal Date/Time:</u>	9/1/2011 12:14:43 PM
<u>Confirmation Number:</u>	8844558000

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