



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
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FAX (510) 337-9335

July 29, 2008

Mr. Chris Panaitescu  
Thrifty Oil Company  
13116 Imperial Highway  
Santa Fe Springs, CA 90670-00138

Subject: Fuel Leak Case No. RO00000004 (Global ID # T0600101365), Thrifty Oil #49, 3400 San Pablo Avenue, Oakland, CA

Dear Mr. Panaitescu:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site and the documents entitled "Workplan for Bi-weekly Mobile Dual Phase Vapor Extraction (DPE) Events" dated April 22, 2008. The work plan recommends the implementation of multiple DPE events to supplement the existing groundwater extraction and enhance the removal of residual sorbed phase contamination. While DPE is an effective remedial technology, there has been no specific discussion regarding subsurface conditions, comparisons with other remedial technologies or monitoring the effectiveness of the proposed remedial option. Therefore, ACEH does not agree with the scope of work as proposed in the Work Plan.

Based on ACEH staff review of the case file, we request that you address the following technical comments and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to <mailto:steven.plunkett@acgov.org>) prior to the start of field activities.

#### **TECHNICAL COMMENTS**

- 1. Interim Remediation.** Currently, groundwater extraction is occurring at the site and Thrifty Oil has recommended the use of DPE to enhance the recovery of residual adsorbed phase petroleum hydrocarbon contamination. However, there is no discussion by Thrifty Oil to demonstrate that subsurface conditions are appropriate or that the chosen remedial technology is suitable at the site. Additionally, there has been no evaluation or discussion of other remedial options that may be suitable at your site (Please see technical comment 2 below for a detailed discussion).

Thrifty proposes to use existing monitoring wells as extraction points for the proposed DPE remediation. ACEH does not agree that existing groundwater monitoring wells should be used as extraction points. Rather, separate extraction wells must be installed, then the existing monitoring wells can be used to assess the effectiveness of remedial activities provided the monitoring wells are appropriately designed and located for performance monitoring. Furthermore, Thrifty maintains that the interim remedial measures will accelerate remediation of soil and groundwater and expedite site closure. Interim remedial measures are intended to control plume migration and mitigate residual separate phase contamination, interim remediation is not intended as the final remedial action at this site.

- 2. Feasibility Study/Corrective Action Plan.** ACEH has determined that a Feasibility Study/Corrective Action Plan (FS/CAP) -prepared in accordance with Title 23, California Code of Regulations, Section 2725- is necessary for your site. The FS/CAP must include a detailed discussion of soil and groundwater investigations performed in connection with this case and an assessment of the residual impacts of the chemicals of concern (COCs) for the site and the surrounding area where the unauthorized release has migrated or may migrate. The FS/CAP should also include, but not limited to, a detailed description of site geology, including soil permeability, and most importantly contamination cleanup levels and cleanup goals, in accordance with the San Francisco Regional Water Quality Control Board Basin Plan and appropriate ESL guidance for all COCs and for the appropriate groundwater designation. Please note once again that soil cleanup levels should ultimately (within a reasonable timeframe) achieve water quality objectives (cleanup goals) for groundwater in accordance with San Francisco Regional Water Quality Control Board Basin Plan. Please propose appropriate cleanup levels and cleanup goals in accordance with 23 CCR Section 2725, 2726, and 2727 in the FS/CAP. The FS/CAP must evaluate at least three viable alternatives for remedying or mitigating the actual or potential adverse affects of the unauthorized release(s) in addition to the 'no action' and 'monitored natural attenuation' remedial alternatives. The time frame anticipated to reach both cleanup levels and goals shall be evaluated for each remedial alternative. Each alternative shall be evaluated for cost-effectiveness and the Responsible Party must propose the most cost-effective corrective action. Please submit the FS/CAP by the date specified below.CAP/Feasibility Study.

Public participation is a requirement for the Corrective Action Plan process. Therefore, we request that you submit a Draft CAP for ACEH review. Upon ACEH review and approval of a Draft CAP, potentially affected members of the public who live or own property in the surrounding area of the proposed remediation described in the Draft CAP will be notified. Public comments on the proposed remediation will be accepted for a 30-day period.

- 3. Dissolved Phase Contamination Concentrations.** High concentrations of petroleum hydrocarbon persist in monitoring wells MW-2R, MW-4R and RW-1R. Thrifty oil states that dissolved phase contamination concentration trends are decreasing. However, our review of water quality data indicate that between January 2007 and January 2008 dissolved phase contamination fluctuated by over 3 orders of magnitude. An example of these fluctuations can be observed at monitoring well MW-2R. Between January 2007 and April 2007 the concentration of TPHg in groundwater decreased from 117,000 micrograms per liter ( $\mu\text{g/L}$ ) to 896  $\mu\text{g/L}$ . Then, from April 2007 to October 2007 the concentrations of TPHg increased from 896  $\mu\text{g/L}$  to 37,000  $\mu\text{g/L}$ . Future discussions of decreasing concentration trends must include an evaluation of all water quality data and potential causes of concentration fluctuations. Please present your evaluation as to the possible mechanism that would cause such an extreme fluctuation of contamination concentration; we recommend the use of graphics to support your evaluation. Please present the results of your evaluation in the report requested below.

#### **TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Mr. Steven Plunkett), according to the following schedule:

- **September 28, 2008** – Feasibility Study and Corrective Action Plan

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

### ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of reports in electronic form. The electronic copy replaces paper copies and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, these same reporting requirements were added to Spills, Leaks, Investigations, and Cleanup (SLIC) sites. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites is required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.swrcb.ca.gov/ust/electronic\\_submittal/report\\_rgmts.shtml](http://www.swrcb.ca.gov/ust/electronic_submittal/report_rgmts.shtml)).

### PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

### UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

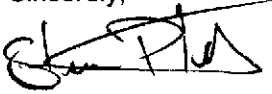
### AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

If you have any questions, please call me at (510) 383-1761 or send me an electronic mail message at [steven.plunkett@acgov.org](mailto:steven.plunkett@acgov.org).

Chris Panaitescu  
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Sincerely,



Steven Plunkett  
Hazardous Materials Specialist



Donna Drogos, PE  
Supervising Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Leroy Griffin  
Oakland Fire Department  
250 Frank H. Ogawa Plaza, Ste. 3341  
Oakland, CA 94612-2032 (sent via electronic mail to [lgriffin@oaklandnet.com](mailto:lgriffin@oaklandnet.com))

Donna Drogos, ACEH (sent via electronic mail), Steven Plunkett ACEH (sent via electronic mail), File