



ENVIRONMENTAL HEALTH DEPARTMENT  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
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(510) 567-6700  
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December 15, 2011

Mr. Eric Frohnapple  
Chevron Corporation  
6101 Bollinger Canyon Rd  
San Ramon, CA 94583

Mr. Gerald Friedkin  
300 Grand Avenue  
Oakland CA 94610

Mr. Joe Zadik  
Express Auto Clinic  
8255 San Leandro Street  
Oakland, CA 94621

(sent via electronic mail to: [ericf@chevron.com](mailto:ericf@chevron.com))

Subject: Request Revised Work Plan; Fuel Leak Case No. RO0000056 and GeoTracker Global ID T0600101108, Chevron #21-1283 / Express Auto Clinic, 3810 Broadway, Oakland, CA 94611

Dear Messrs. Robb, Friedkin, & Zadik:

Alameda County Environmental Health (ACEH) staff has reviewed the case file, including the *Site Conceptual Model*, dated June 29, 2009, the *Work Plan for Soil Vapor Survey*, dated June 26, 2009, and the *First Semi-Annual 2011 Groundwater Monitoring and Sampling Report*, dated August 18, 2011. Each of the reports were generated and submitted on your behalf by Conestoga-Rovers & Associates (CRA). Thank you for submitting the reports. Based on the review of the case file ACEH requests that you address the following technical comments and send us the documents requested below.

### **TECHNICAL COMMENTS**

1. **Request for Revised Work Plan** – Recent review of site data reports indicates several data gaps are present which can be of importance in understanding the site. As a result ACEH requests a revised work plan for the following concerns.
  - a. **Request for Revised Soil Gas Survey with Inclusion of Sub-Slab Sampling** – ACEH has reviewed the referenced soil gas survey work plan and notes that changes in vapor sampling protocols and guidance necessitate revisions to the work plan to allow those changes to be incorporated into the work plan. Recent changes in DTSC guidelines de-emphasize soil gas collection greater than 5 feet bgs, while the work plan proposes samples at 5 and 15 feet bgs. While use of a helium tracer is mentioned, use of a shroud is not referenced and therefore ACEH cannot otherwise determine sampling methodology and protocols. In addition, the inclusion of several sub-slab sampling points would also appear appropriate in order to determine the risk of vapor intrusion to the building which is constructed partially below grade (cut into the hillside). In the revised work plan, please ensure use of recent DTSC vapor intrusion guidance (October 2011).
  - b. **Request for Inclusion of Soil and Groundwater Investigation** - ACEH notes that groundwater concentration trends in all wells except MW-12 have declined substantially with time at the site. Concentration trends for both TPHg and benzene in well MW-12 indicate an episodic but clearly increasing trend (attached). This trend is not seen in all perimeter wells (MW-4, MW-5B, MW-6, MW-7, MW-9, MW-10, or MW-11). This can imply that the backfilled excavation may be either an active bio-chamber, or may imply the contaminants are by-passing the existing well network to unevaluated offsite receptors. Neither possibility is understood.

The bore log for well MW-12 depicts pea gravel extending from near the surface pavement to a depth of 26 feet, where a one foot thick clay layer is present. Beneath the clay is a poorly-graded medium to coarse-grained sand which extends from 27 to 29.5 feet, but which is of an undetermined depth. The well casing extends from 10 feet to 29.5 feet, extending through the one-foot clay layer, and into the sand unit below. This can be important as the backfill can be argued to act as a direct conduit to groundwater beneath an active station, while contaminant trends in the well are not reflected elsewhere.

In conjunction with these observations, ACEH also observes that while groundwater contour maps largely depict a radial pattern centered on the pea gravel backfill excavation, the pattern is generally broken toward the west and to the east, both prior to and after the Kaiser-Permanente construction dewatering event to the west of the site across Broadway. In part this may be an artifact of well placement and the lack of wells sufficiently offsite and away from the backfill excavation; however, the consistency of this break, an observed topographic slope towards the Kaiser – Permanente (KP) hospital and garage (extending 15 and 30 feet bgs, respectively) to the west, and the range of depicted historic groundwater flow patterns that suggest this, suggest this can be ascribed to more than just well placement. Because wells on the western property perimeter are spaced approximately 65 feet apart, and on the southern perimeter are 45 feet apart, contaminant concentrations in well MW-12 can be reasonably argued to by-pass undetected the existing well network.

The inclusion of Monitored Natural Attenuation (MNA) parameters in the existing groundwater monitoring program site wells is anticipated to address the potential for the excavation backfill to be an active bio-chamber, and the placement of a number of soil bores in the gaps identified above is anticipated to address offsite contaminant migration, and begin to address risk to unknown offsite receptors (inclusive of the sub-grade KP garage and hospital across Broadway).

Depth discrete groundwater sampling is requested in this investigation for the site. The majority of wells at this site contain 25-foot screen lengths (wells MW-6 to MW-10) or 20-foot screen lengths (wells MW-5B & MW-12) and appear to cross connect two water bearing zones that are not depicted on existing cross sections contained in the *Site Conceptual Model*, dated June 29, 2009 except as isolated granular units.

For these reasons ACEH requests a revised work plan, by the date identified below, to undertake these activities.

- 2. Electronic Report and Data Upload Compliance** – A review of the case file and the State's Geotracker database indicates that the site is not in compliance Geotracker requirements. Compliance is a State requirement. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the UST or LUST program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs, including SLIC programs. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites was required in GeoTracker. At present missing data and documents include, but may not be limited to older EDF submittals, older GEO\_WELL data, all bore logs, and a surveyed well location for MW-12 (At a minimum MW-12 appears to be misplaced on site maps based on a web-based mapping of the site). **Compliance is required by the State and is tied to reimbursement funding by the UST Cleanup Fund.** Please see Attachment 1 for limited additional details, and the state GeoTracker website for full details. Please upload all submittals to GeoTracker as well as to ACEH's ftp website, provide written notification and a copy of the upload list by the date specified below.

- 3. Request for Point of Contact and Email Addresses** – If your email address is not listed on the first page of this letter, or in the list of cc's below, ACEH requests your email address to help expedite communications and to help lower overall costs. Please provide that information in your next submittal.

**TECHNICAL REPORT REQUEST**

Please submit the following deliverable to ACEH (Attention: Mark Detterman), according to the following schedule:

- **January 28, 2012** – Revised Work Plan
- **60 Days After Work Plan Approval** – Soil and Groundwater Investigation Report, with soil vapor and sub-slab survey

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.

Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org).

Sincerely,

Mark Detterman, PG, CEG  
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations  
Electronic Report Upload (ftp) Instructions

cc: Kiersten Hoey, Conestoga-Rovers & Associates, 5900 Hollis Street, Suite A, Emeryville, CA 94608; (sent via electronic mail to [khoey@croworld.com](mailto:khoey@croworld.com))

N. Scott MacLeod, Conestoga-Rovers & Associates, 5900 Hollis Street, Suite A, Emeryville, CA 94608; (sent via electronic mail to [smacleod@croworld.com](mailto:smacleod@croworld.com))

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 to [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))  
Mark Detterman, ACEH, (sent via electronic mail to [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org))  
Geotracker, Case Electronic File

**Responsible Party(ies) Legal Requirements / Obligations**

**REPORT REQUESTS**

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.waterboards.ca.gov/water\\_issues/programs/ust/electronic\\_submittal/](http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)).

**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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>REVISION DATE:</b> July 20, 2010
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities.

## REQUIREMENTS

- **Please do not submit reports as attachments to electronic mail.**
- Entire report including cover letter must be submitted to the ftp site as **a single portable document format (PDF) with no password protection.**
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- **Signature pages and perjury statements must be included and have either original or electronic signature.**
- **Do not password protect the document.** Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:

RO#\_Report Name\_Year-Month-Date (e.g., RO#5555\_WorkPlan\_2005-06-14)

## Submission Instructions

- 1) Obtain User Name and Password
  - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
    - i) Send an e-mail to [deh.loptoxic@acgov.org](mailto:deh.loptoxic@acgov.org)
  - b) In the subject line of your request, be sure to include "**ftp PASSWORD REQUEST**" and in the body of your request, include the **Contact Information, Site Addresses,** and the **Case Numbers (RO# available in Geotracker) you will be posting for.**
- 2) Upload Files to the ftp Site
  - a) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
    - (i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
  - b) Click on Page located on the Command bar on upper right side of window, and then scroll down to Open FTP Site in Windows Explorer.
  - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
  - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
  - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
  - a) Send email to [deh.loptoxic@acgov.org](mailto:deh.loptoxic@acgov.org) notify us that you have placed a report on our ftp site.
  - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name @acgov.org. (e.g., firstname.lastname@acgov.org)
  - c) The subject line of the e-mail must start with the RO# followed by **Report Upload.** (e.g., Subject: RO1234 Report Upload) If site is a new case without an RO#, use the street address instead.
  - d) If your document meets the above requirements and you follow the submission instructions, you will receive a notification by email indicating that your document was successfully uploaded to the ftp site.

### MW-12 Concentration and DTW Trend

