



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

June 25, 2015

Chevron Environmental Management Company  
6001 Bollinger Canyon Road  
San Ramon, CA 94583  
Attn.: Nicole Arceneaux (*Sent via email to:*  
[nicole.arceneaux@chevron.com](mailto:nicole.arceneaux@chevron.com))

Son T. & Pham Le Nguyen Trust  
5022 Crystal Ridge Court  
Oakland, CA 94605

Subject: Fuel Leak Case No. RO0000058 and Geotracker Global ID T0600101465, Unocal #6129,  
3420 35<sup>th</sup> Ave, Oakland, CA

Dear Responsible Parties:

Thank you for the recently submitted document entitled, *Focused Site Conceptual Model* (SCM) dated April 9, 2015, which was prepared by AECOM for the subject site. Alameda County Environmental Health (ACEH) staff has reviewed the case file including the above-mentioned report. The report addressed potential down gradient receptors of the contaminant plume, specifically a nearby downgradient supply well and discharge to Highway 580, a sunken freeway abutting the property to the southwest.

ACEH has evaluated the data and recommendations presented in the above-mentioned reports, in conjunction with the case files, to determine if the site is eligible for closure as a low risk site under the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case Closure Policy (LTCP). Based on ACEH staff review, we have determined that the site fails to meet the LTCP General Criteria e (Site Conceptual Model) and the Media-Specific Criteria for Groundwater.

We request that you address the following technical comments and send us the technical reports requested below.

**TECHNICAL COMMENTS:**

1. **Supply Well** - A property on Arkansas Street is listed by the Alameda County Public Works Agency (ACPWA) as having an irrigation well. Attempts have been made to contact the property owners and resident of Arkansas Street property. ACEH has been unable to confirm the well existence or status as the property owners and resident have been unresponsive.

ACEH requests a third attempt be made to contact the property owners and resident. The contact should be made via a certified mailing.

2. **Sunken Freeway** - Groundwater elevations at the site varies from approximately 157.3 feet above mean sea level (msl) to about 166.3 feet msl. The SCM included drawings depicting the network of inverts and subdrains for water collection and discharge for Highway 580 in the vicinity of the site. The study was performed to evaluate the effect of groundwater flow beneath the sunken freeway as the top of grade for the freeway may be a few feet above depth to groundwater. Please review the highway drawings provided in the SCM and relate them to the

groundwater elevations at the site and the downgradient site identified in Technical Comment 3.

- 3. Off-site Down Gradient Well Network** - In conjunction with this review, ACEH performed a review of BP #11132, ACEH case number RO0000014, located at 3201 35<sup>th</sup> Avenue, located down gradient of the subject site. Groundwater monitoring well MW-4 is an up gradient well at the BP site, and well MW-7 is a cross-gradient well. Both wells have reported detectable concentrations of MTBE, most recently (March 27, 2015) reported at 22 micrograms per liter ( $\mu\text{g/L}$ ) and 240  $\mu\text{g/L}$  for MW-4 and MW-7, respectively. The down gradient well at the BP site, MW-8, has been non-detect for MTBE since August, 2009. This data suggests an off-site up-gradient source of MTBE, such as the subject site.

Therefore, please evaluate the MTBE groundwater plume length and flow direction incorporating the highway and BP site data. Please also evaluate the potential for impacts to the water supply well. Present the evaluation findings by the date specified below.

#### **TECHNICAL REPORT REQUEST**

Please upload technical reports to the ACEH ftp site (Attention: Keith Nowell), and to the State Water Resources Control Board's Geotracker website, in accordance with the following specified file naming convention and schedule:

- **August 28, 2015** – Groundwater Plume Evaluation (file name: RO0000058\_SCM\_R\_yyyy-mm-dd)

If your email address does not appear on the cover page of this notification ACEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

Thank you for your cooperation. ACEH looks forward to working with you and your consultants to advance the case toward closure. Should you have any questions regarding this correspondence or your case, please call me at (510) 567-6764 or send an electronic mail message at [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org).

Sincerely,

Keith Nowell PG, CHG  
Hazardous Materials Specialist

Enclosure: Responsible Party(ies) Legal Requirements/Obligations  
ACEH Electronic Report Upload (ftp) Instructions

cc: Jim Harms, 2020 L Street, Suite 400, Sacramento, CA 95811 (Sent via E-mail to: [jim.harms@aecom.com](mailto:jim.harms@aecom.com))

Responsible Parties  
RO0000058  
June 25, 2015, Page 3

Ed Ralston, Phillips 66, 76 Broadway, Sacramento, CA 95818, Attn.: Ed Ralston (Sent via E-mail to: [Ed.C.Ralston@p66.com](mailto:Ed.C.Ralston@p66.com))

Dilan Roe, ACEH (Sent via E-mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))

Keith Nowell, ACEH (Sent via E-mail to: [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org))

GeoTracker

File

## Attachment 1

### 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> May 15, 2014
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 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.