



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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October 1, 2014

Hollis Phillips
ARCADIS U.S., Inc
100 Montgomery, Suite 300
San Francisco, CA 94104
(Sent via E-mail to:
Hollis.Phillips@arcadis-us.com)

Jim Smith
BP Contracts Manager
201 Helios Way, Sixth Floor
Houston, TX, 77079
(Sent via E-mail to:
Jim.Smith2@bp.com)

Ed Ralston
The Phillips 66 Company
(Sent via E-mail to: Ed.C.Ralston@p66.com)

Subject: Modified Approval of Work Plan; Fuel Leak Case No. RO0000066 (Global ID #T0600100208), BP #11126; 1700 Powell Street, Emeryville, CA 94608

Dear Ladies and Gentlemen:

Alameda County Environmental Health (ACEH) has reviewed the case file, including the *First and Second Fourth Quarter 2014 Semi-Annual Groundwater Monitoring Report*, dated August 6, 2014 and the *Data Gaps Investigation Work Plan*, dated August 12, 2014. The reports were prepared and submitted on your behalf by ARCADIS U.S, Inc, (Arcadis). Thank you for submitting the reports. Thank you for illuminating existing data, as it appears to help fill data gaps discussed in our previous letter of June 30, 2014.

ACEH has previously 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, at that time ACEH determined that the site failed to meet the LTCP Media-Specific Criteria for Groundwater, the Media-Specific Criteria for Vapor Intrusion to Indoor Air, and the Media-Specific Criteria for Direct Contact (see Geotracker for an updated copy). Based review of the referenced work plan and responses to comments, ACEH is in general agreement that comments relative to near-vicinity offsite vapor intrusion have been satisfied, and that the site appears to fit the active service station exclusion.

Based on ACEH staff review of the work plan, the proposed scope of work is conditionally approved for implementation provided that the technical comments below are incorporated during the proposed work. Submittal of a revised work plan or a work plan addendum is not required unless an alternate scope of work outside that described in the work plan or these technical comments is proposed. We request that you address the following technical comments, perform the proposed work, and send us the report described below. Please provide 72-hour advance written notification to this office (e-mail preferred to: mark.detterman@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Work Plan Clarifications** – The referenced work plan proposes a series of actions with which ACEH is in general agreement of undertaking; however, ACEH requests several modifications to the approach. Please submit a report by the date specified below.
 - a. **LTCP Media Specific Criteria for Groundwater; Preferential Pathway and Soil Bore Request** – ARCADIS is in general agreement that additional evaluation of the Total Petroleum

Hydrocarbon as diesel (TPHd) dissolved-phase plume is appropriate and has proposed the collection of TPHd from existing wells in the next semi-annual groundwater monitoring event in December 2014. Naphthalene and poly-aromatic hydrocarbons (PAHs) are also proposed to be analyzed at that time. ARCADIS has also presented a reasonable argument that delineation of the groundwater dissolved-phase plume to the northeast, east, and southeast is sufficient. Delineation to the southwest is argued to be sufficient based on analytical data from groundwater monitoring wells MW-5, MW-10, and MW-11; however, this analysis ignores the presence of utility conduits in Powell Street that have been identified as likely preferential pathways in the July 3, 2013 Site Conceptual Model (SCM).

To evaluate the extent these preferential pathways reduce groundwater concentrations further to the southwest of the utilities in Powell Street (such as at MW-5, MW-10, MW-11, UCPT-03), ACEH requests a two pronged approach in order to quickly gather data and assess the site. First, ACEH requests that a utility preferential pathway survey, including the location of on- and offsite laterals, be conducted. ACEH requests that the location and depth of installation of utilities in the site vicinity be depicted on site figures and included in a table, as appropriate, in the pending investigation report requested below. ACEH additionally requests the installation of a minimum of one soil bore in, or in close proximity to, the planter on the southwest side of the site for the purpose of collecting shallow soil and grab groundwater samples for analytical testing prior to offsite migration and into potential utility corridors beneath Powell Street.

- b. LTCP Media Specific Criteria for Direct Contact and Outdoor Air Criteria; Additional Soil Bore Request** – ARCADIS is in general agreement that the collection of shallow soil analytical data at selected locations at the site will elucidate shallow soil concentrations relative to this media-specific criteria. Three soil bores were proposed to collect analytical soil data near well MW-9 and the two former waste oil underground storage tanks (USTs; one bore each location).

ACEH is in general agreement with this approach; however, additionally requests the installation of a soil bore in proximity to the location of product line sample PL-3, 3' TD-2, and TD-3, in order to elucidate current concentrations in the vicinity of the product line samples. These contaminant concentrations do not appear to have been excavated, and are understood to be older. However, the installation of a soil bore will elucidate current contaminant concentrations and will also allow naphthalene concentrations to be collected in the vicinity of among the highest TPHd concentrations in soil to additionally satisfy this LTCP criterion. It is understood that a soil bore cannot be installed in an occupied product line trench; however, can be installed in proximity to one to characterize the lateral extent of the residual contamination. This request is intended to provide multiple lines of evidence by which the site can be evaluated under the LTCP.

- c. Soil Sample Selection Protocols** – The work plan proposes to collect and retain for laboratory analysis soil samples at the depths of 4.5 to 5 bgs, and in the 5 to 10 feet, dependent on the depth of first groundwater. Additional soil will also be collected at signs of contamination (Photoionization Detector [PID] responses, staining, odor, etc.). Rather than collect soil samples at a predetermined sampling depth, ACEH requests that soil be collected in each depth interval based on higher PID or other indications of contamination, if present. Otherwise, if signs are not present, the intervals appear reasonable.

ACEH additionally requests the collection and analysis of soil samples to determine the vertical extent of contaminated soil at these locations beneath the site.

- d. Soil Naphthalene Analysis** – ACEH is in general agreement with the analytical suite proposed for the three soil bore locations proposed in the referenced work plan (near MW-9, and the two former waste oil USTs), and two as requested in Technical Comments 1a and 1b above. However, ACEH additionally requests the inclusion of analysis for naphthalene in soil by EPA Method 8260B or Method 8270 in order to collect data to evaluate the direct contact media-specific criteria at these locations. While likely an oversight, as naphthalene was proposed for groundwater, ACEH seeks to ensure no miscommunications and that the analysis is conducted.

TECHNICAL REPORT REQUEST

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

- **December 5, 2014** – Soil and Groundwater Investigation Report
File to be named: RO66_SWI_IR_R_yyyy-mm-dd
- **March 13, 2015** – Semi-Annual Groundwater Monitoring Report
File to be named: RO66_GWM_R_yyyy-mm-dd

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.

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

Thank you for your cooperation. If you have any questions, please call me at (510) 567-6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,

Mark E. Detterman, PG, CEG
Senior Hazardous Materials Specialist

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

cc: Dilan Roe, ACEH, (sent via electronic mail to dilan.roe@acgov.org)
Mark Detterman, ACEH, (sent via electronic mail to mark.detterman@acgov.org)
Electronic File, GeoTracker

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/).

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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	REVISION DATE: May 15, 2014
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: 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
 - 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 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.