



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
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April 14, 2011

Ms. Stacie Harting-Frerichs  
Chevron Corporation  
6111 Bollinger Canyon Road, Rm 3596  
San Ramon, CA 94583  
(sent via electronic mail to [staciehg@chevron.com](mailto:staciehg@chevron.com))

Ms. Leslie Riasanovsky  
Unknown address

Neil & Diane Goodhue  
300 Hillside Avenue  
Piedmont, CA 9461

Subject: Request for Work Plan; Fuel Leak Case No. RO0000138; Global ID # T0600102248;  
Chevron #9-0517 / Homestead Federal Savings, 3900 Piedmont Avenue, Oakland CA  
94610

Ladies and Gentlemen:

Alameda County Environmental Health Department (ACEH) staff has reviewed the case file, including the *Work Plan for Additional Site Investigation*, dated July 16, 2009, the *Work Plan Addendum*, dated March 3, 2010, the *Case Closure Request*, dated October 12, 2010, and the *Second Semi-Annual 2010 Groundwater Monitoring Report*, dated November 5, 2010. The reports were prepared and submitted by Conestoga-Rovers & Associates (CRA) on your behalf. Thank you for submitting the reports; they continue the conversation at the site. The *Case Closure Request* reviews the history of the site and in an effort to move the case towards closure compares the site to the seven SWRCB low-risk criteria contained in the January 13, 2010 *Resolution 2009-0042 – UST Cleanup Program Task Force Report*. These criteria were derived from the 1996 Lawrence Livermore National Laboratories Report generated for the San Francisco RWQCB, but which does not consider vapor intrusion concerns. Consequently, based on this unevaluated concern and other factors discussed below in Technical Comments, this fuel leak case cannot be closed at this time. This decision is subject to appeal to the State Water Resources Control Board (SWRCB), pursuant to Section 25299.39(b) of the Health and Safety Code (Thompson-Richter Underground Storage Tank Reform Act - Senate Bill 562). Please contact Mr. George Lockwood in the SWRCB Underground Storage Tank Program at (916) 341-5752 or [GLockwood@waterboards.ca.gov](mailto:GLockwood@waterboards.ca.gov) for information regarding the appeal process.

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.

### **TECHNICAL COMMENTS**

1. **Onsite Subsurface Investigation and Vapor Intrusion** - The subject site has been investigated through the installation of four groundwater wells and nine soil bores, including a downgradient offsite soil bore (SB-2). In general the wells and bores have been installed around the perimeter of the existing (former Home Federal Savings Association) building. The building was constructed subsequent to the removal of four USTs in 1978. These are understood to have been second generation USTs and dispensers that replaced four first-generation USTs and dispensers, removed at an undefined time previously. Bores at the site were installed near several, but not into any of, the eight former UST locations due to the construction of the building directly over a number of the former

USTs and dispensers. The investigations thus have had limited success in evaluating the extent and magnitude of residual soil impacts remaining in proximity to a number of the former USTs or if UST removal spoils were reused to backfill the removal excavations, as would be fairly typical for pre-environmental time periods. This is otherwise indicated by the existence of the most highly impacted groundwater known at the site at the most downgradient wells, MW-3 and MW-4 and in grab groundwater at FNBO-6; all located just offsite in the streets.

In general this affects two issues of concern at the site, the previously mentioned magnitude of residual contamination beneath the site, especially beneath the existing building, and the potential for vapor intrusion into the building at the site. Recent research appear to suggest that a number of feet of contamination free soil are required to preclude vapor intrusions issues; this site would not fit that model without further investigation. Consequently it appears reasonable to investigate both the magnitude and extent of impacted soil beneath the building, as well as the vapor intrusion risk to the building. Three soil vapor locations were proposed in the existing *Work Plan for Additional Site Investigation*; however, are exterior to the building and will not address vapor intrusion concerns to the building. Please incorporate more recent vapor guidance documents from DTSC into a work plan, by the date identified below.

2. **Offsite Subsurface Investigation** – At present the downgradient extent of the hydrocarbon plume has not been defined, except potentially with soil bore SB-2, located at a distance of approximately 160 feet downgradient from the site. Bore SB-2 was the only bore of four planned bores to be successfully installed during the previous phase of investigation; soil bore SB-1 encountered an obstruction at three adjacent locations, while bores SB-3 and SB-4 could not be installed at their planned locations due to the presence utilities. The presence of 1 µg/l MTBE in the groundwater sample from SB-2 has been used to suggest that at least a portion of the contamination (MTBE) may be from another source (540 µg/l TPHg was the only other hydrocarbon constituent detected).

Additionally the use of utility conduits as a preferential pathway has been discounted in several reports. It is reported that utility conduits in the downgradient vicinity of the site typically do not extend to groundwater, except for the sanitary sewer line which is reported to have been installed at 12 to 13 feet bgs. Groundwater was initially encountered at depths of 10 to 12 feet in wells MW-1 to MW-4; however, typical groundwater ranges as shallow as 6 to 7 feet bgs are not unusual. In either situation, the sewer lines appear to be potential conduits that have not been evaluated.

While understandably limited and difficult, it appears that additional soil bore locations appear needed in the downgradient direction to define the extent of the hydrocarbon contamination associated with the site and to determine if offsite properties have been impacted without resorting to the installation of soil bores at a distance of approximately 170 to 350 feet downgradient of the site, and across several separate utility corridors that may be preferential conduits as proposed in the *Work Plan Addendum*. Because the downgradient extent of the groundwater plume is undetermined across Piedmont Avenue, it may also be appropriate to dovetail a vapor intrusion investigation to building(s) across Piedmont Avenue as a partial alternative to full plume delineation. As a consequence, ACEH requests an offsite investigation work plan be submitted by the date identified below.

3. **Semi-Annual Groundwater Monitoring** – Two waste oil USTs and a waste oil sump were previously located at the site; however, the only groundwater analytical result for oil range hydrocarbons was collected at FNBO-6 at the downgradient edge of the site (TRPH was present at a concentration of 2,800 µg/L). Although volatile organic compounds have been analyzed in groundwater at the site at least once, not all of the standard analytical tests for waste oil constituents have been conducted at the site. Please incorporate these standard constituents a minimum of one time at well MW-1 in an effort to determine if they represent a point of concern for the site, or conversely please locate and forward previously collected analytical results for this issue if they exist. Please incorporate this request in the next regularly scheduled semi-annual event.

**TECHNICAL REPORT REQUEST**

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

- **May 27, 2011** – Work Plan
- **60 Days After Approval of Work Plan** – Subsurface Investigation and Vapor Survey Report

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, do not hesitate to call me at (510) 567-6876.

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: James Kiernan, 10969 Trade Center Drive, Suite 106, Rancho Cordova, CA 95670  
(sent via electronic mail to [jkiernan@croworld.com](mailto:jkiernan@croworld.com))

Donna Drogos (sent via electronic mail to [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))  
Mark Detterman (sent via electronic mail to [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org))  
eFile, GeoTracker

## **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.swrcb.ca.gov/ust/electronic\\_submittal/report\\_rqmts.shtml](http://www.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.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.

<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.