



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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February 19, 2010

Mr. Aaron Costa
6001 Bollinger Canyon Road, Room 3360
PO Box 6012
San Ramon, CA 94583-2324
(sent via electronic mail to acosta@chevron.com)

Mr. Shadrick Small
Oakland Housing Authority
1805 Harrison Street
Oakland, CA 94612
(sent via electronic mail to ssmall@oakha.org)

Subject: Response to *Additional Onsite Investigation Report*, Fuel Leak Case No. RO0000143 (Global ID # T0600100304), Chevron #9-0020, 1633 Harrison Street, Oakland, CA 94612

Dear Mr. Costa and Mr. Small:

Thank you for submitting the *Additional Onsite Investigation Report*, dated December 30, 2009, and prepared by Conestoga Rovers Associates (CRA). Thank you also for the submittal of *Harrison Street Senior Housing* redevelopment plans forwarded by the Oakland Housing Authority, dated March 20, 2009, and prepared by Pyatok Architects, Inc. The report documents the installation of two direct-push soil bores in the second generation tank complex area, the installation of a vapor probe, sample results for both, and an updated risk assessment. Based on Alameda County Environmental Health (ACEH) staff review of the referenced documents, and of the case file, ACEH is in general agreement that the second generation UST pit currently does not appear to have significantly affected the subsurface in the vicinity of the second generation tank pit. In regards to the revised health risk assessment ACEH is concerned with the exclusion of total petroleum hydrocarbons as gasoline (TPHg) in the risk assessment. Guidelines for the inclusion of TPH into risk assessments have been issued by the Department of Toxic Substances Control (DTSC) in the *Interim Guidance Evaluating Human Health Risks from Total Petroleum Hydrocarbons (TPH)*, dated June 6, 2009. While it is currently understood that an order-of-magnitude decrease in the concentration of TPHg was documented between 10- and 5-feet below grade surface (bgs) at vapor well VP-7, that the soil gas may be associated with potential offsite contamination that underlies the public right-of-way, and that an 18-inch post-tensioned concrete slab is currently planned for the building at the redevelopment (Shadrick Small, email communication, February 8, 2010), the exclusion of a significant component of the soil gas sample results is unwarranted in light of these guidelines.

It is also understood that further onsite remedial activities are planned, including the destruction of soil vapor wells, excavation and bottom sampling of the former second generation UST pit, and additional overexcavation of the used oil UST pit. These will be completed at the time of site preparation for redevelopment. Additional offsite activities are also planned and include the installation of well MW-17 and a minimum of three soil bores across Harrison and 17th Streets.

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

TECHNICAL COMMENTS

1. **Revise Updated Risk Assessment** – ACEH requests incorporation of the DTSC TPH Guidance into revised risk assessment calculations for the site.

TECHNICAL REPORT REQUEST

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

- **April 30, 2010** – Revised Health Risk Assessment

Reports are 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).

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.

Mr. Aaron Costa and Mr. Shadrick Small
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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.

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

Sincerely,

Mark E. Detterman, PG, CEG
Hazardous Materials Specialist

cc: Charlotte Evans, Conestoga-Rovers & Assoc., 5900 Hollis Street, Suite A, Emeryville, CA 94608
(sent via electronic mail to cevans@croworld.com)
Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Suite 3341, Oakland, CA 94612-2032
(sent via electronic mail to lgriffin@oaklandnet.com)
Karl Lauff, Christian Church Homes, 303 Hegenberger Road, Suite 201, Oakland, CA 94621-1419
(sent via electronic mail to klauff@cchnc.org)
Jeriann Alexander, Fugro West, Inc., 502 Giuseppe Court, Suite 11, Roseville, CA 95678
(sent via electronic mail to jalexander@fugro.com)

Donna Drogos, (sent via electronic mail to donna.drogos@acgov.org)
File

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: March 27, 2009
	PREVIOUS REVISIONS: December 16, 2005, October 31, 2005
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

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- 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)

Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

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 dehloptoxic@acgov.org
Or
 - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of My Le Huynh.
 - 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 and Firefox browsers will not open the FTP site.
 - b) Click on File, then on Login As.
 - 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 dehloptoxic@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.