CONESTOGA-ROVERS & ASSOCIATES

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March 23, 2009

Reference No. 311956

Mr. Steven Plunkett
Alameda County Environmental Health (ACEH)
1131 Harbor Bay Parkway
Alameda, California 94502

Re: Addendum to Remediation Activities Report
Former Chevron Service Station 9-0020
1633 Harrison Street
Oakland, California
Fuel Leak Case No. RO0143

Dear Mr. Plunkett:

Conestoga-Rovers & Associates (CRA), on behalf of Chevron, is submitting this Addendum to its July 11, 2008 Remediation Activities Report (RAR) in response to ACEH's letter of February 9, 2009 (Attachment A). In addition to responding to ACEH's technical comments and information requests, this Addendum provides historical perspective to the site-specific regulatory review process as it relates to pending redevelopment by the current property owner, Oakland Housing Authority (OHA), and provides clarification and response to ACEH's technical comments outlined in your letter dated February 9, 2009. Furthermore, we use this opportunity to reiterate that the site represents no undue risk to future site users or the environement, as presented in our reports using extensive site data, and to request that the ACEH accept the RAP as being complete and concur with findings in its RAP approval letter, so as to allow site redevelopment to proceed as scheduled.

REGUALTORY REVIEW PROCESS AND PENDING SITE REDEVELOPMENT

The RAR documented significant remedial effort conducted in accordance with a Remedial Activities Plan (RAP) approved by ACEH staff in July 2007. The RAR was preceded by a number of soil, soil gas and groundwater investigations and assessments focused on site characterization. Chevron, OHA, and the project developers approached ACEH in 2004 seeking ACEH's active participation in this joint effort to prepare the site for a much needed inner-city senior housing project, and ACEH was updated as development plans changed. Beginning in 2006, ACEH was made aware of unique project redevelopment circumstances including those specific to Housing and Urban Development (HUD) grant funding requirements and critical redevelopment time schedules which are intertwined with the funding. We understand that HUD environmental cleanup requirements for this project include the following:

- Acceptance of the HUD grant triggers a 24 month window to start construction or funds are forfeited. Requires that a cleanup plan (RAP) is approved and implemented within the 24-month period;
- No onsite wells can be left in place following cleanup; and
- No active or passive remediation is in place following cleanup.

Project proponents and HUD were satisfied with the RAP and recognized that it was an aggressive approach. The parties all agreed with the direction contained in the ACEH RAP approval letters received in 2007, which included a practical mechanism to address localized zones of contamination that may be identified during redevelopment. This approach was clearly stated in one of the Technical Comments we received in a July 2007 ACEH letter, as follows:

> *We concur that any other contamination encountered during site development should be defined, remediated and sampled. In the absence of encountering additional contamination during the excavation and development activities, no additional on-site remediation will be required by our office.*

Redevelopment planning has been performed at substantial expense to OHA and the project's non-profit joint developers based on ACEH's July 2007 approval of the RAP. Although the project is still in predevelopment, most of its local approvals have been completed and construction plans and documents are being readied for submission so as to meet planned September 2009 construction start date. The final required step is receipt of ACEH concurrence that the RAP was properly implemented and that any localized impacts remaining can be handled following site demolition in accordance with the RAP approval letter.

We, OHA, and the development team are concerned with issues and questions raised in ACEH's February 9, 2009 letter, and believe that they put the project at jeopardy. The statement, "[w]e have no objections to the proposed plan for redevelopment provided the technical comments below are addressed prior to redevelopment activities," is particularly troubling, as we view it as a departure from an agreed-upon and approved course of action.

ACEH TECHNICAL COMMENTS

1. RISK ASSESSMENT

1a. The findings from the risk assessment only address residual contamination in shallow soil onsite, neglecting the residual contamination remaining at depth and any other valid exposure scenario.

We disagree with this statement. The risk assessment included with the RAR addressed vapor intrusion risks as requested by ACEH. Other exposure pathways had previously been assessed in previous risk assessment documents. Exposure pathways assessed to date include ingestion of soil, dermal contact with soil, ingestion of groundwater, dermal contact with groundwater and inhalation of dust and vapors.

The only potential direct contact with impacted soil would be by construction/utility workers during construction or in the future. The maximum detected concentration of TPHg in shallow soil is 680 mg/kg and does not exceed the TPHg environmental screening level[1] (ESL) for construction/trench workers of 6,000 mg/kg.

Historical depth to groundwater across the site ranges from approximately 12 to 22 fbg, so there is no expected direct contact for either future residents or construction/utility workers given the proposed at grade construction.

The potential vapor intrusion risk was estimated based on soil vapor measurements collected within the vadose zone both pre- and post-remedial action. Use of soil vapor data to evaluate potential vapor intrusion exposure pathways is preferred over modeling expected conditions based on either groundwater data or soil data. Using the pre-remedial action soil vapor measurements and proposed slab-on-grade construction, the risk assessment showed no potential risk of vapor intrusion to future onsite residents. The post-remedial sampling validated the original risk assessment.

The RAP, as approved by the ACEH, acknowledged that some soil contamination at depth would likely remain following RAP implementation; however, any risks posed due to its presence could be addressed through additional offsite assessment and monitoring.

1b. The risk assessment did not include descriptions or figures showing the proposed building construction or include an evaluation of the data with reference to the proposed construction in relation to areas of residual contamination.

Building plan schematics and elevations have been provided to ACEH at previous meetings and the proposed building footprint was presented on Figure 2 of the June 28, 2007 RAP. The July 11, 2008 RAR indicated the proposed senior housing development plans call for the entire site to be covered by buildings or concrete floors. No residential units will be located on the ground floor. The eastern portion of the site will be occupied by offices and common gathering areas and the western side of the site will be occupied by garage space. Residential units will be located on floors 2-4.

1 Regional Water Quality Control Board – San Francisco Bay Region's (RWQCB) Screening for Environmental Concerns at Sites with Contaminated Soil and Groundwater, Interim Final November 2007, Revised May 2008

Following remedial efforts, residual hydrocarbon impact within the building footprint was significantly reduced and remnant materials are situated within the groundwater fringe at depths greater than 25 feet below grade (fbg). An isoconcentration contour map for TPHg concentrations in soil from 23 to 25 fbg was included with the July 2008 report. Based on soil vapor measurements across the site, both pre- and post-remedial action, there is no risk posed by the remnant materials to future onsite residents or construction/utility workers due to the depth of impact.

1c. Table 4 uses residential ESLs where groundwater is not a current or potential source of drinking water. Please use the appropriate designation per the Basin Plan which designates this site as being located in an area where drinking water is a potential drinking water source. In addition, Table 2 uses residential ESLs for direct contact.

Table 4 within the Remedial Activities Report (RAR) was a comparison of soil vapor concentrations to ESLs for soil gas intended for evaluation of potential indoor-air impacts (Table E). The RWQCB guidance for ESL selection makes no distinction to beneficial use of water when evaluating soil vapor impacts.

Table 2 compared concentrations from the waste oil UST excavation to ESLs for shallow and deep soils as appropriate since construction workers will come into contact with the soil. This soil will be completely removed in accordance with the approved RAP, during construction.

2. 1ST GENERATION UST SOURCE AREA 1

2a. Residual contamination remains in place in 13 auger boring locations above residential ESLs.

Although some residual hydrocarbon impact may remain in place, it is at depths of greater than 25 fbg within the groundwater fringe. Comparison of the soil data at depth to residential soil screening criteria is not valid since residential ESLs are for the first 10 fbg.

Soil vapor measurements were taken in the area of the 1st generation USTs both pre- and post-remedial action. The risk assessment shows no potential risk of vapor intrusion to future onsite residents.

2b. Further, we note that non discrete soil samples collected from the auger flight would likely undergo heating and volitization of contamination and thus may not yield samples representative of soil conditions at depth. Please justify if soil samples collected in this manner are representative of actual soil conditions at depth.

Non-depth discrete disturbed soil samples were taken in accordance with methods approved by ACEH, first in an email exchange between Charlotte Evans of CRA and Barney Chan of ACEH following receipt of the ACEH RAP response letter dated July 5, 2007, and finally as part of ACEH July 10, 2007 approval of the RAP (Attachment B). The area of soil removed in the vicinity of the 1st generation USTs was based on previous 2004 and 2007 investigations. Boring B23A, from the 2004 Cambria Environmental Technology, Inc. *Subsurface Investigation Report*, was located in the immediate vicinity of former well MW-7 and in the area excavated by bucket auger. The maximum TPHg detection was 2,400 mg/kg at 19 fbg, 240 mg/kg at 23 fbg, and 4.2 mg/kg at 25 fbg. The bucket auger soil samples closest to boring B23A were BA5, BA6, and BA13, which had TPHg detections of 160 mg/kg, 230 mg/kg and 13 mg/kg, respectively. Based on these comparisons, it appears that the soil samples are representative of subsurface conditions encountered in known impacted areas, which serves to validate the collection methodology.

Approximately 384 pounds of TPHg were removed during bucket auger activities. The samples taken from the bucket auger borings were non-discrete samples taken from 23 to 25 fbg, with the majority of hydrocarbon impact from 19 to 25 fbg. It is reasonable to assume that the majority of hydrocarbon impact was removed since all soil was removed to at least 25 fbg. The ACEH approval letters requested that some type of screening be conducted to estimate the amount of remnant material present following RAP implementation. We judge that the testing conducted as summarized in the July 2008 report along with previously collected data demonstrates that remnant material is localized and may represent an insignificant volume within the groundwater fringe.

2c. Other possible risk scenarios including residual soil contamination at depth and the potential for volatilization of dissolved phase contamination were not addressed.

All soil vapor results from the probes closest to the 1st generation USTs (VP-4, VP-4R, VP-5 and VP-5R) declined post-remedial action and all results were below ESLs. The risk assessment considered all potentially complete exposure pathways under the assumption that the future land use is residential.

As previously acknowledged and approved by the ACEH, to further address risks posed due to the localized remnant material at depth, a work plan for the installation of an offsite groundwater monitoring well in the vicinity of 17th and Harrison Streets will be submitted under separate cover by March 30, 2009. Until the groundwater monitoring well is installed and sampled, we are unable to evaluate the potential for continuing contribution from any residual impact left in place to the offsite dissolved plume.

3. WASTE OIL UST SOURCE AREA 2

3a. Contamination above residential ESLs was detected in sidewall samples at concentrations up to 680 mg/kg TPHg, 7,800 mg/kg TPHd, and 8,970 mg/kg TPH oil and grease (TPHo&g) and in bottom samples at 460 mg/kg TPHo&g.

This statement does not clearly indicate the findings of the study. No hydrocarbons, except for 9.7 mg/kg TPHd and 690 mg/kg TPHo&g were detected in bottom samples at 12 fbg. The only elevated concentrations in the sidewall of the excavation that were not subsequently removed by excavation were from sample EX8 at 5 fbg with detections of 2,180 mg/kg TPHo&g, 4,500 mg/kg TPHd, and 680 mg/kg TPHg. The excavation was unable to be expanded horizontally or vertically in this area due to the footing of a concrete wall that was adjacent to the excavation. The presence of this material, in our opinion, represents a localized release in the area of the former waste oil tank and as such does not represent a significant release. Nonetheless this remnant material will be removed in its entirety following the start of site grading in accordance with the ACEH RAP approval letter of July 5, 2007. Confirmation sampling will be conducted and reported to ACEH.

3b. Collection of soil vapor samples from undisturbed locations outside the excavation backfill is needed. Also, the potential soil vapor to indoor air migration pathway for the adjacent properties was not considered.

The risk assessment used maximum concentrations, regardless of location, to estimate risk for the site. The risk assessment also assumes that onsite risk due to onsite hydrocarbon impacts is greater than any potential offsite risk since the source area is onsite. The pre-remedial action samples from VP-1 were used in the first risk assessment (pre-remedial action) submitted to ACEH on May 25, 2007, which concluded that there was no risk to onsite future residents. VP-1R was placed in the excavated area at the request of ACEH. From the second risk assessment (post-remedial action), the maximum concentrations were used and again the conclusion was that there is no risk to future onsite residents. This notwithstanding, hydrocarbon impacted soil in this area will be removed concurrent with site redevelopment as mentioned above. As a result no further soil vapor testing or soil assessment will be needed.

3c An evaluation of the potential for continuing contribution of residual onsite soil pollution, at the waste oil UST, to the dissolved phase contaminant plumes was not performed.

Onsite depth to groundwater has ranged from 12-22 fbg. Soil samples taken at 12 fbg had no detections above residential ESLs. Based on the studies completed to date there is no indication that releases from the waste oil tank has degraded groundwater quality at the site. As such no further assessment of this risk is planned beyond documentation of the removal of the localized impacted soil as mentioned above.

4. 2ND GENERATION USTS SOURCE AREA 3

4a. We request that a work plan be prepared to evaluate the data gap at the 2nd generation UST area.

Several past reports document information and site conditions in the 2nd generation UST area. In short, in January 1992, a 30 foot x 5 foot trench was dug in the area of the former 2nd generation USTs to confirm they had been removed. Construction debris, including piping and concrete slabs, was found beneath the surface in this area, although it is not known to what depth.

Due to the presence of the debris, no attempts were made to advance soil borings in the area of the 2nd generation USTs. One soil boring was advanced in the vicinity of the 2nd generation dispenser island. Soil boring B24 was advanced to 20 fbg and no hydrocarbons were detected in soil or grab-groundwater samples obtained therein. Former monitoring well MW-6 was located downgradient of the USTs and dispenser island. Prior to well destruction, the highest detections of TPHg and benzene were 180 µg/L and 6.1 µg/L, respectively, reported during the 3rd quarter of 1991. No hydrocarbon detections were reported in well MW-6 during the four monitoring events prior to the destruction of the monitoring well.

Debris in the 2nd generation UST area will be removed during pre-construction activities. As stated in the June 2007 RAP and the July 2008 RAR, any hydrocarbon impacted soil encountered during development activities will be assessed and mitigated as needed. ACEH in their letter dated July 5, 2007 indicated their approval of this process as noted below:

> **Technical Comment 5. July 5, 2007**. ***We concur that any other contamination encountered during site development should be defined, remediated and sampled. In the absence of encountering additional contamination during the excavation and development activities, no additional on-site remediation will be required by our office.***

As a result no work plan is deemed required to address this issue.

5. DISSOLVED CONTAMINANT PLUME DEFINITION

5a. We require that offsite definition be performed and the previously requested work plan be submitted by March 30, 2009.

Chevron and CRA held back submission of the requested work plan for further offsite groundwater assessment pending receipt of a review letter from ACEH of the RAR, which we waited 7 months to receive. CRA will submit the work plan for offsite definition under separate cover by March 30, 2009.

CLOSING

We trust that the information presented in this Addendum along with the information already in the record for provides the response ACEH needs to be assured that the implementation of the RAP has been conducted in accordance with the approved RAP, and has substantially addressed the soil contamination issues at the site. Further, we again formally request that the ACEH issue a no further action letter with respect to the onsite soil issues at the site.

CONESTOGA-ROVERS
& ASSOCIATES

March 23, 2009 Reference No. 311956

Please contact Charlotte Evans of CRA at (510) 420-3351 or Aaron Costa of Chevron at (925) 543-2961 if you have any questions or comments.

Sincerely,

CONESTOGA-ROVERS & ASSOCIATES

Charlotte Evans

Brandon S. Wilken, PG #7561

CE/doh/2
Encl.

Attachment A ACEH Letter Dated February 9, 2009
Attachment B ACEH Letter Dated July 5 and July 10, 2007

cc: Aaron Costa, Chevron Environmental Management Company
Shad Small, Oakland Housing Authority
Karl Lauff, Christian Church Homes
Jeriann Alexander, FugroWest

APPENDIX A

ACEH LETTER DATED FEBRUARY 9, 2009

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J KEARS, Agency Director

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

February 9, 2008

Mr Aaron Costa
6001 Bollinger Canyon Road RM 3360
PO Box 6012
San Ramon, CA 94583-2324

Mr Shaddirck Small
Oakland Housing Authority
1805 Harrison Street
Oakland, CA 94612

Subject Fuel Leak Case No RO0000143 (Global ID # T0600100304), Chevron #9-0020, 1633 Harrison Street, Oakland CA 94612

Dear Mr Costa and Mr Small

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site and the document entitled "Remediation Activities Report," dated July 11, 2008, prepared by Conestoga Rovers Associates (CRA) Remediation activities include the excavation of contaminated soil by bucket auger, replacement of soil vapor probes and soil vapor sampling, and excavation of the former used oil tank pit ACEH's technical comments focus on the following issues residual soil contamination associated with the 1st generation USTs on the corner of 17th and Harrison (source area 1), soil excavation and residual contamination associated with the waste oil UST (source area 2), characterization of the 2nd generation USTs system (source area 3) 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

Additionally, we understand that the site is proposed for redevelopment as senior housing We have no objections to the proposed plan for redevelopment provided the technical comments below are addressed prior to redevelopment activities

TECHNICAL COMMENTS

1 **Risk Assessment** CRA preformed a Tier II risk assessment to evaluate the human health risk associated with residual contamination in the vadose zone The findings from the risk assessment only address residual contamination in shallow soil onsite, neglecting the residual contamination remaining at depth and any other valid exposure scenario for the site, the potential soil vapor to indoor air migration pathway associated with adjacent buildings (source 2 waste oil UST area), and the potential continuing contribution of residual onsite soil pollution to the offsite dissolved phase contaminant plumes migrating down-gradient

The risk assessment did not include descriptions or figures showing the proposed building construction or include an evaluation of the data with reference to the proposed construction in relation to areas of residual contamination Please include graphics clearly depicting locations of residual pollution in relation to the new building/use to support your evaluation

Table 4 uses residential ESLs where groundwater is not a current or potential source of drinking water Please use the appropriate designation per the Basin Plan which designates this site as being located in an area where

groundwater is a potential drinking water source In addition, in Table 2 uses residential ESLs for direct contact Since direct contact is a highly unlikely exposure scenario, please also evaluate using final ESLs for soil >10 feet bgs

Please address these comments in the Addendum report requested below

2 **1st Generation UST Source Area 1** Soil excavation was performed to remove contaminated soil in the location of the 1st generation USTs Approximately 810 yd^3 of contaminated soil was removed from a total of 105 auger borings Once the maximum depth of between 23 to 25 feet below ground surface (bgs) was reached in each excavation boring, non discrete confirmation soil samples were collected from the auger flights Petroleum hydrocarbon contamination was detected at maximum concentrations of up to 6,400 mg/kg TPHg and 0 235 mg/kg EDB in boring 1 between 23 to 25 feet bgs suggesting that residual contamination remains in place in 13 auger boring locations above residential ESLs Further, we note that non discrete soil samples collected from the auger flight would likely undergo heating and volatilization of contamination and thus may not yield samples representative of soil conditions at depth Please justify if soil samples collected in this manner are representative of actual soil conditions at depth in the Addendum report requested below

Post excavation soil vapor sampling conducted adjacent to the bucket auger excavation detected vapor phase contamination in the vadose zone at maximum concentrations up to 1,100 $\mu g/m^3$ TPHg and 14 $\mu g/m^3$ benzene and the risk evaluated However, other possible risk scenarios including residual soil contamination at depth and the potential for volatilization of dissolved phase contamination were not addressed Also, since direct contact is a highly unlikely exposure scenario, please use final ESLs for soil >10 feet bgs Please address these comments in the Addendum report requested below

Due to the apparent residual pollution in soil and groundwater in the vicinity of Harrison & 17th St we request that soil and vapor sampling be completed in this area We request that you prepare a scope of work that includes the installation of groundwater monitor wells and submit the work plan report requested below

Please evaluate the potential for continuing contribution of residual onsite soil pollution, at the 1st generation USTs, to the offsite dissolved phase contaminant plumes migrating down-gradient of your site Include your evaluation in the Addendum report requested below

3 **Waste Oil UST Source Area 2** Approximately 112 yd^3 of contaminated soil was excavated from the former waste oil UST location and nine post excavation confirmation soil samples were collected from the excavation sidewalls and bottom Contamination above residential ESLs was detected in sidewall samples at concentrations up to 680 mg/kg TPHG, 7,800 mg/kg TPHd and 8,970 mg/kg TPH oil and grease (TPHo&g) and in bottom samples at 460 mg/kg TPHo&g BTEX was not detected above laboratory reporting limits

Soil vapor sampling completed in the excavation backfill did not detect vapor phase contamination in the vadose zone at concentrations above laboratory reporting limits However, soil vapor sampling was conducted in clean imported Class 2 gravel backfill and would be unlikely to detect residual contamination in the vadose zone Collection of soil vapor samples from undisturbed locations outside of the excavation backfill is needed Also, the potential soil vapor to indoor air migration pathway for the adjacent properties was not considered Additionally, since direct contact is a highly unlikely exposure scenario, please use final ESLs for soil >10 feet bgs Please address these comments in the work plan requested below

An evaluation of the potential for continuing contribution of residual onsite soil pollution, at the waste oil UST, to the dissolved phase contaminant plumes was not performed Please evaluate this in the Addendum report requested below

4 **2nd Generation USTs Source Area 3** ACEH is unable to locate any documentation or information regarding the 2nd generation UST system removal including tank removal permits, tank or soil disposal manifests or confirmation soil sampling data Furthermore, no soil or groundwater data has been collected near the 2nd generation UST system to determine if contamination exists at this location Soil vapor sampling down-gradient of the USTs detected up to 38,000 µg/m^3 TPHg indicating that a source may be present in this area Therefore, we request that you prepare a work plan to evaluate this data gap including the collection of samples at the 2nd generation dispensers and USTs Please submit the work plan by the date below

5 **Dissolved Contaminant Plume Definition** Elevated levels of dissolved phase contamination have been detected in offsite down-gradient well MW-16 (over 100 feet down-gradient of the site) at concentrations of up to 8,000 µg/L TPHg and 300 µg/L benzene Consequently, the lateral extent of dissolved phase contamination down-gradient of your site remains undefined In a directive letter dated July 5, 2007, ACEH requested a work plan for offsite plume characterization be submitted by October 2008 To date, ACEH has not received the previously requested work plan We require that offsite definition be performed and the previously requested work plan be submitted by the date below

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention Mr Steven Plunkett), according to the following schedule

- **March 23, 2009** – Addendum to Remedial Activities Report
- **March 30, 2009** – Work Plan

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

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

If you have any questions, please call me at (510) 383-1761 or send me an electronic mail message at steven plunkett@acgov org

Sincerely,

Steven Plunkett
Hazardous Materials Specialist

Donna L Drogos, PE
Supervising Hazardous Materials Specialist

cc Charlotte Evans
CRA
2000 Opportunity Drive, Suite 110
Roseville, CA 95678

Leroy Griffin (OFD) via email, Jeff Angell (CEDA) via e-mail
Donna Drogos, Steven Plunkett, File

APPENDIX B

ACEH LETTERS DATED JULY 5 AND JULY 10, 2007

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

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

July 5, 2007

Mr. Satya Sinha
Chevron Environmental Management Co.
P.O. Box 6012, Room K2256
San Ramon, CA 94583

Mr. Shaddrick Small, Oakland Housing Authority
1805 Harrison St.
Oakland, CA 94612

Dear Messrs. Sinha and Small:

Subject: Fuel Leak Case RO0000143 & Global ID T0600100304, Chevron #9-0020, 1633 Harrison St., Oakland, CA 94612

Alameda County Environmental Health (ACEH) has reviewed the files for the subject site including the June 28, 2007 Vapor Probe Survey Report and the June 28, 2007 Remedial Action Plan for the referenced site prepared by Conestoga-Rovers & Associates (CRA). The first report provides soil and soil vapor sampling results evaluating petroleum and chlorinated solvent releases. The second report provides a work plan proposing on-site remediation to address the soil vapor results and the impacted area near MW-7, which may affect the off-site contamination release. Please address the following technical comments when performing the proposed work.

TECHNICAL COMMENTS

1. Post Excavation Sampling- Although no samples are proposed for sampling from the excavation in the northeast corner of the site, (excavation is proposed below estimated depth to groundwater and prior soil data predicts no impact), we request that minimally some type of screening method be performed to estimate the amount of residual petroleum contamination remaining after your bucket augering soil excavation. Please describe what type of screening method will be performed on the post-excavation samples and the frequency of this screening.

2. Excavation of Former Used Oil Tank Pit- The excavation of the former waste oil tank pit is not based upon past analytical data but rather on the suspicion of contamination since no sampling in this area was originally done and the most elevated soil vapor sample, VP-1, was detected in this location. Therefore, the limits of the proposed excavation (5'x10'x10') should be expanded as necessary to define the lateral and vertical extents of contamination.

3. Post-Excavation Monitoring Well Installation- Because MW-7 will be decommissioned during the proposed excavation at least one replacement well will be required to monitor the results of the remediation. Locations within the sidewalk or parking lane are acceptable. Please provide a work plan for the replacement well(s) in your excavation report.

4. Additional soil vapor sampling will be done after the remediation plus another risk assessment based on the new results. Please provide the location(s) of the new soil vapor well(s) in your excavation report.

5. We concur that any other contamination encountered during site development should be defined, remediated and sampled. In the absence of encountering additional contamination during the excavation and development activities, no additional on-site remediation will be required by our office.

6. Off-site Investigation shall be performed as requested below.

TECHNICAL REPORT REQUEST

We understand the exact schedule of this work is tied to the beginning of the proposed construction. Please submit the following technical reports according to the following schedule:

- July 12, 2007- Notification of Screening Method and Frequency of Screening
- 60 days after site excavation- Excavation Report, work plan for off-site monitoring well installation and soil vapor well(s).
- 60 days after site excavation - Work plan for off-site plume delineation and off-site risk evaluation.

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) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. 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 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, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board for more information at (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

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, late 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.

If you have any questions, please call me at (510) 567-6765.

Sincerely,

Barney M Chan

Barney M. Chan
Hazardous Materials Specialist

cc: files, D. Drogos
Ms. Charlotte Evans, CRA, 5900 Hollis St., Suite A, Emeryville, CA 94608
Ms. Jeriann Alexander, FugroWest, Inc., 1000 Broadway, Suite 200, Oakland, CA 94607

7_3_07 1633 Harrison St

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

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

July 10, 2007

Mr. Satya Sinha
Chevron Environmental Management Co.
P.O. Box 6012, Room K2256
San Ramon, CA 94583

Mr. Shaddrick Small, Oakland Housing Authority
1805 Harrison St.
Oakland, CA 94612

Dear Messrs. Sinha and Small:

Subject: Fuel Leak Case RO0000143 & Global ID T0600100304, Chevron #9-0020, 1633 Harrison St., Oakland, CA 94612

Alameda County Environmental Health (ACEH) has spoke with your consultant, CRA and reviewed their 7/10/07 e mail response regarding the post excavation sampling of the proposed northeast excavation. We concur with the proposed sampling/screening approach and conditionally approve the June 28, 2007 Remedial Action Plan for this site. Prior to closure consideration, we shall require additional post-excavation soil vapor sampling, your Remedial Action Plan Report, and off-site plume delineation and risk assessment

If you have any questions, please call me at (510) 567-6765.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

cc: files, D. Drogos
Ms. Charlotte Evans, CRA, 5900 Hollis St., Suite A, Emeryville, CA 94608
Ms. Jeriann Alexander, FugroWest, Inc., 1000 Broadway, Suite 200, Oakland, CA 94607

7_10_07 1633 Harrison St