



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
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March 30, 2012

Ms. Olivia Skance  
Chevron Environmental Management Co.  
6001 Bollinger Canyon Road  
San Ramon, CA 94583  
(sent via electronic mail to:  
[Olivia.Skance@chevron.com](mailto:Olivia.Skance@chevron.com))

Mr. John Ratto  
Ratto Land Company  
P.O. Box 6104  
Oakland, CA 94603-0104

Ms. Vivian McIlraith  
Vivian L. McIlraith Trust  
407 Castello Road  
Lafayette, CA 94549

Subject: Conditional Approval of Data Gap Work Plan, Fuel Leak Case No. RO0000233 (Global ID # T0600100333), Chevron #9-4612, 3616 San Leandro Street, Oakland, 94601

Dear Mesdames Skance and McIlraith, and Mr. Ratto:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site including the reports entitled *Work Plan for Additional Investigation*, dated September 8, 2011 and the *2011 Annual Groundwater Monitoring Report*, dated October 11, 2011. Both reports were submitted on your behalf by Conestoga-Rovers & Associates (CRA). A previous case review had identified a number of data gaps the work plan intends to investigate. Based on ACEH staff review of the referenced documents and of the case file we generally concur with the proposed scope of work, provided that the modifications requested in the technical comments below are addressed and incorporated during the field implementation. This may require some changes to the planned scope of work; however, the submittal of a revised Work Plan is not required unless an alternate scope of work outside that described in the Work Plan and technical comments below is proposed.

We request that you address the following technical comments, perform the proposed work, and send us the technical reports requested below. Please provide 72-hour advance written notification to this office (e-mail preferred to: [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org)) prior to the start of field activities.

### **TECHNICAL COMMENTS**

- 1. Collection of Soil Samples** – The referenced work plan does not propose the collection of soil samples from any of the proposed bore locations due to the drilling technology and historic analytical results. However, ACEH judges that it is critical to this investigation that additional soil analytical data, particularly (but not exclusively) at depth, be collected as it is likely to yield useful insights to the consistent and unusual distribution of either elevated PID detections 6 to 11 feet below first encountered groundwater (B-1, B-2, B-3, MW-2, and MW-3; and typically beneath a 20 foot soil column with low or without notable PID detections), or low PID detections (and relatively low analytical results) 4 to 6 feet below first water, and again beneath a 20 foot soil column without any PID detections (MW-4 and SB-1). As previously discussed, this unusual contaminant distribution (or indications of) can be explained by previously lower groundwater levels (indicated by the previously noted unusual first encountered groundwater depths) or upgradient offsite contamination. As a consequence ACEH requests the collection of soil samples at signs of contamination, including but not limited to, discolored soil, PID detections, or other indications, including below groundwater.
- 2. Requested Addition of One Soil Bore** – In the referenced groundwater monitoring report, CRA reported on the additional analysis of standard waste oil analytes in groundwater samples collected from well MW-3, as previously requested by ACEH. This is appreciated. TPHmo (with

and without Silica Gel Cleanup [SGC]) was not detected at <41 µg/l. PCBs and SVOCs were also nondetectable at various limits of detection. Most metals were detected over applicable ESL values; however, the groundwater sample appears to have been acidified. A limited set of VOCs were detected (3 µg/l n-Butylbenzene, 3 µg/l sec-Butylbenzene, 4 µg/l tert-Butylbenzene and 2 µg/l naphthalene, and 2 µg/l MTBE). These low concentrations appear to indicate the presence of a diesel or heavier hydrocarbon contaminant at a location slightly lateral from a potential source (former waste oil UST). As discussed previously, this may be derived either from an upgradient or from onsite source. Because the USTs are reported to have been removed in 1976, generally prior to environmental regulations, the final disposition of tank hold soil is unknown. As also previously discussed, soil in the vicinity of the former location of the waste oil UST has only been analyzed for TPHg and related compounds. As a consequence, and in an effort to minimize future mobilizations, ACEH requests the installation of an additional soil bore through the former waste oil UST location in an effort to characterize the tank hold material and any residual contamination beneath the tank hold. Should the basin be found to contain concrete or other debris, the bore should be placed immediately downgradient of the former UST location, similar in distance as soil bore GP-3 is to the former UST location. Soil and groundwater samples from this bore are requested to include standard waste oil constituents (TPHg, TPHd, TPHmo, O&G, BTEX, all fuel oxygenates, lead scavengers [EDB and EDC], LUFT metals [for groundwater non-preserved, or filtered and preserved], PCBs PNA, chlorinated VOCs).

3. **Collection of Grab Groundwater Samples** – The referenced work plan indicates that once CPT drilling establishes the depth of the groundwater-bearing zone(s) beneath the site, a Hydropunch sampling device would be employed to collect groundwater from the zone(s). Should the Hydropunch initially not return an adequate groundwater sample, ACEH requests significant additional efforts to obtain a groundwater sample at each location. This request is an effort to eliminate the need for additional mobilizations to the site.
4. **Use of “Stringent” Silica Gel Cleanup (SGC)** – CRA reports that a stringent SGC would be used at the site. This procedure is reported to use a 10 gram mass column cleanup that includes use of capric acid as a reverse surrogate to validate the removal of polar hydrocarbons. Because this is a relatively new procedure, ACEH requests further details in order to determine the appropriateness of the analytical technique, and to determine if non-polar (hydrocarbon) compounds are also removed in the process. ACEH requests this data be submitted by the date identified below.
5. **Geotracker Well Survey Compliance** – A review of the case file and the State’s Geotracker database indicates that the site is not in compliance with previous directive letters. Compliance is a State requirement. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites was required in GeoTracker. At present missing data include (but may not be limited to) all bore logs, regardless of date of installation.
6. **Request for Email Addresses** – If your email address is not listed on the first page of this letter, or in the list of cc’s listed below, ACEH requests your email address to help expedite communications and to help lower overall costs. Because this is largely a paperless office, please provide that information in your next electronic submittal.

### **TECHNICAL REPORT REQUEST**

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

- **May 11, 2012** – Notification of Any Work Plan Revisions

- **May 11, 2012** – Documentation of Appropriateness of Proposed SGC Technique (documentation or technical discussion regarding extent of removal of non-polar hydrocarbons; e.g. acceptable spike and surrogate recoveries)
- **June 15, 2012** – Soil and Groundwater Investigation and Geotracker Compliance

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.

If you have any questions, please call me at (510) 567-6876 or send me an electronic mail message at [mark.detterman@acgov.org](mailto: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: James Kiernan, 10969 Trade Center Drive, Suite 106, Rancho Cordova, CA 95670  
(sent via electronic mail to [jkiernan@craworld.com](mailto:jkiernan@craworld.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))  
Electronic File, 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.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> 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.