

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

REBECCA GEBHART, Interim Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP)
For Hazardous Materials Releases
1131 HARBOR BAY PARKWAY, SUITE 250
ALAMEDA, CA 94502
(510) 567-6700
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August 16, 2017

Mr. David Patten
Chevron Products Company
6101 Bollinger Canyon Road
San Ramon, CA 94583
(Sent via electronic mail to:
drpatten@chevron.com)

7225 Bancroft St LP
c/o The Najdawi 2009 Trust
5 Kingswood Circle
Hillsborough, CA 94010

Mr. Amardeep Sidhu
Malwa Petroleum Sales, LLC
Address Unknown

Mike and Dean Najdawi
Address Unknown

Subject: Feasibility Study / Corrective Action Plan; Fuel Leak Case No. RO0000274 and Geotracker
Global ID T0600102079, Chevron #9-3322; 7225 Bancroft Avenue, Oakland, CA 94605

Dear Responsible Parties:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the *Site Investigation Report and Updated Site Conceptual Model*, dated July 14 2017. The report was prepared and submitted on your behalf by GHD Services, Inc (GHD). Thank you for submitting the report.

The report documented the installation of groundwater monitoring wells MW-11 and MW-12, soil sample analytical results, the collection of soil vapor samples (except in the shallow VP-2 vapor well due to the presence of water vapor), and groundwater monitoring and sampling conducted in March 2017 prior to the installation of wells MW-11 and MW-12.

Based on the recently submitted report, ACDEH has 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 ACDEH staff review, we have determined that the site fails to meet the LTCP General Criteria f (Secondary Source Removal) and the 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 version and below for details).

Based on the review of the case file ACDEH requests that you address the following technical comments and send us the documents requested below.

TECHNICAL COMMENTS

- 1. General Criteria f – Secondary Source Has Been Removed to the Extent Practicable** – “Secondary source” is defined as petroleum-impacted soil or groundwater located at or immediately beneath the point of release from the primary source. Unless site attributes prevent secondary source removal (e.g. physical or infrastructural constraints exist whose removal or relocation would be technically or economically infeasible), petroleum-release sites are required to undergo secondary source removal to the extent practicable as described in the policy. “To the extent practicable” means implementing a cost-effective corrective action which removes or destroys-in-place the most readily recoverable fraction of source-area mass. It is expected that most secondary mass removal efforts will be completed in one year or less. Following removal or destruction of the secondary source, additional

removal or active remedial actions shall not be required by regulatory agencies unless (1) necessary to abate a demonstrated threat to human health or (2) the groundwater plume does not meet the definition of low threat as described in this policy.

Based on available data from the site, substantial secondary source / residual soil contamination appears to be present beneath the central dispenser area (defined by soil samples P6, P7, P8, and deeper soil samples from soil bore SB-13). This soil contamination continues to supply concentrations equivalent to Light Non Aqueous Phased Liquids (LNAPL) to groundwater in monitoring well MW-1; however, LNAPL does not appear to be present likely due to the introduction of surfactant to the well in the past.

Please present a strategy in Technical Comment 5 described below to address this.

- 2. LTCP Media Specific Criteria for Groundwater** – To satisfy the media-specific criteria for groundwater, the contaminant plume that exceeds water quality objectives must be stable or decreasing in areal extent, and meet all of the additional characteristics of one of the five classes of sites listed in the policy.

At the present time, our review of the case files indicates that insufficient data collection and analysis has been presented to support the requisite characteristics of plume stability or plume classification. Included in this analysis is the current lack of repeat sampling of recently installed wells MW-11 and MW-12. Please also see Technical Comment 7 below.

- 3. LTCP Media Specific Criteria for Vapor Intrusion to Indoor Air** – The LTCP describes conditions, including bioattenuation zones, which if met will assure that exposure to petroleum vapors in indoor air will not pose unacceptable health risks to human occupants of existing or future site buildings, and adjacent parcels. Appendices 1 through 4 of the LTCP criteria illustrate four potential exposure scenarios and describe characteristics and criteria associated with each scenario.

Our review of the case files indicates that the site data collection and analysis fail to support the requisite characteristics of one of the four scenarios. Specifically, vapor sampling at VP-2, in the 5.0 – 6.5 foot depth interval, has been consistently problematic. Multiple recent attempts to collect soil vapor from this depth interval has yielded no additional soil vapor samples due to soil moisture. Additionally the last successful vapor sampling event in May 2008 detected 4.2 percent (%) helium, which while below the 5.0% value observed by Department of Toxic Substances Control (DTSC) guidance, is a substantial leak rate. Because subsequent sampling events have not been successful at collecting repeat, or temporal / seasonal data per DTSC guidance from a depth LTCP guidance states is appropriate, and due to the presence of a residential home immediate downgradient of the vapor well, it appears appropriate to collect additional data from the vapor well. At that time, and in conformance with DTSC guidance, please ensure that the shroud helium concentration is documented in order to determine any potential leak rate. Under the LTCP, the collection of deeper soil vapor samples, or for aliphatic or aromatic ranges of hydrocarbons, may not be necessary.

Please incorporate this data gap into any proposed work associated with feasibility studies for Technical Comment 5 below.

- 4. LTCP Media Specific Criteria for Direct Contact and Outdoor Air Criteria** – The LTCP describes conditions where direct contact with contaminated soil or inhalation of contaminants volatilized to outdoor air poses a low threat to human health. According to the policy, release sites where human exposure may occur satisfy the media-specific criteria for direct contact and outdoor air exposure and shall be considered low-threat if the maximum concentrations of petroleum constituents in soil are less than or equal to those listed in Table 1 for the specified depth bgs. Alternatively, the policy allows for a site specific risk assessment that demonstrates that maximum concentrations of petroleum constituents in soil will have no significant risk of adversely affecting human health, or controlling exposure through the use of mitigation measures, or institutional or engineering controls.

Our review of the case files indicates that insufficient data collection and analysis has been presented to satisfy the media-specific criteria for direct contact and outdoor air exposure. Specifically, naphthalene concentrations in the shallow source area beneath the canopy discussed above have not been collected.

Please incorporate this data gap into any proposed work associated with feasibility studies for Technical Comment 5 below.

- 5. Feasibility Study and Corrective Action Plan** – At this time, a Feasibility Study/Corrective Action Plan (FS/CAP) prepared in accordance with Title 23, California Code of Regulations, Section 2725 appears warranted. This request is overdue and late. The FS/CAP must include a concise background of soil and groundwater investigations performed in connection with this case and an assessment of the residual impacts of the chemicals of concern (COCs) for the site and the surrounding area where the unauthorized release has migrated or may migrate. The FS/CAP should also include, but is not limited to, a detailed description of site lithology, including soil permeability, and most importantly, contamination cleanup levels and cleanup goals, in accordance with the San Francisco Regional Water Quality Control Board (SFRWQCB) Basin Plan and appropriate Environmental Screening Level (ESL) guidance or the Low-Threat Closure Policy (LTCP) requirements for all COCs. Please specify appropriate cleanup levels and cleanup goals in accordance with 23 CCR Section 2725, 2726, and 2727 in the FS/CAP.

The FS/CAP must evaluate at least three viable alternatives for remedying or mitigating the actual or potential adverse affects of the unauthorized release(s) besides the 'no action' and 'monitored natural attenuation' remedial alternatives. Each alternative shall be evaluated not only for cost-effectiveness but also its timeframe to reach cleanup levels and cleanup goals, and ultimately the Responsible Party must propose the most cost-effective corrective action.

- 6. Public Participation** - Public participation is a requirement for the Corrective Action Plan process in order to notify potentially affected stakeholders who live or own property in the surrounding area of the proposed remediation. We request that you submit a Draft Fact Sheet for ACDEH review. Upon ACDEH approval of a Draft Fact Sheet, we will request that you send the Fact Sheet to an address list provided by ACDEH. Public comments on the proposed remediation will be accepted for a 30-day period. Following the end of the public comment period, any comments received including ACDEH's comments described below, must be addressed and incorporated into a Final CAP.
- 7. Groundwater Monitoring** – In an effort to collect data quickly, please place wells MW-11 and MW-12 on a quarterly groundwater monitoring and sampling basis. Please collect depth to water measurements at all wells in order to generate a groundwater gradient map. Please submit reports by the dates identified below.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACDEH 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:

- **October 6, 2017** – Feasibility Study / Corrective Action Plan
File to be named: RO274_FEASSTUD_CAP_R_YYYY-MM-DD
- **November 3, 2017** – Third Quarter 2017 Groundwater Monitoring Report
File to be named: RO274_GWM_R_YYYY-MM-DD
- **February 9, 2018** – Fourth Quarter 2017 Groundwater Monitoring Report
File to be named: RO274_GWM_R_YYYY-MM-DD

Responsible Parties

RO0000274

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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>.

If your email address is not listed on the first page of this letter, ACDEH is requesting your email address to help expedite communications and to help lower overall costs. Please provide that information in your next submittal.

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,

A handwritten signature in blue ink, appearing to read "Mark E. Detterman", with a stylized flourish extending to the right.

Mark E. Detterman, P.G., C.E.G.

Senior Hazardous Materials Specialist

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

cc: Kiersten Hoey, GHD Services, Inc, 5900 Hollis Street, Suite A, Emeryville, CA 94608; (Sent via electronic mail to: kiersten.hoey@ghd.com)

Greg Barclay, GHD Services, Inc, 5900 Hollis Street, Suite A, Emeryville, CA 94608; (Sent via electronic mail to: greg.barclay@ghd.com)

Dilan Roe, ACDEH, (Sent via electronic mail to: dilan.roe@acgov.org)

Paresh Khatri, ACDEH, (Sent via electronic mail to: paresh.khatri@acgov.org)

Mark Detterman, ACDEH, (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

Alameda County Department of Environmental Health's (ACDEH) Environmental Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) 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 File Transfer Protocol (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 SCP 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 (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/) for more information on these requirements.

ACKNOWLEDGEMENT STATEMENT

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to ACDEH's FTP server and the SWRCB's GeoTracker website." 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 6731, 6735, and 7835) 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 licensed 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 case meet this requirement. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

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.

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 SCP)	REVISION DATE: December 1, 2016
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010; May 15, 2014, November 29, 2016
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (LOP and SCP) 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) Open File Explorer using the Windows  key + E keyboard shortcut.
 - i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) On the address bar, type in ftp://alcoftp1.acgov.org.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive)
 - d) Click Log On.
 - e) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - f) 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.