



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

January 28, 2011

Mr. Dave Patton
Chevron Products Company
6011 Bollinger Canyon Road
San Ramon, CA 94583
(sent via electronic mail to drpatten@chevron.com)

Subject: Request for Work Plan; Fuel Leak Case No. RO0000284 and Geotracker Global ID T0600100328, Chevron #9-0121; 3026 Lakeshore Avenue, Oakland, CA 94610

Dear Mr. Patton:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the *Offsite Sampling Report*, dated July 24, 2007, the *Response to Comments*, dated August 31, 2007, and the *Second Semi Annual 2010 Groundwater Monitoring and Sampling Report*, dated November 15, 2010; each submitted on your behalf by Conestoga-Rovers & Associates (CRA). The reports advance the site understanding; however, a number of data gaps appear to require further evaluation. Most critically from a potential human health perspective this includes a vapor intrusion study for the adjacent building; however, remaining data gaps are not limited to vapor intrusion. 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. **Elevator Sump Groundwater Samples** – Table 1 in the *First Quarter 2010 Groundwater Monitoring and Sampling Report*, dated May 10, 2010 contains the analytical results for four irregularly spaced grab groundwater samples from the elevator sump in the Chancery Office of the Diocese of Oakland Annex for the period between May 2007 and March 2010. While the most recent event indicates a statistically significant increase in the concentration of TPHd, TPHg, BTEX, and MTBE in the sump water (5,200 µg/l TPHd, 3,200 µg/l TPHg, 7 µg/L benzene, 3 µg/l toluene, 3 µg/l ethylbenzene, 5 µg/l total xylenes, and 35 µg/L MTBE), analytical concentrations collected prior to that event are of concern in an interior space and in turn, an interior air space. It is understood that complete volatilization from groundwater is not expected; however, the exposure level for indoor air is very low. Several buildings are associated with the Oakland Annex, or in the immediate vicinity, and may have similar vapor intrusion concerns but not necessarily an elevator sump, but do not appear to have been investigated. As a consequence, ACEH requests submittal of a work plan to conduct the following related work, by the date identified below:
 - a. **Sensitive Receptor Survey** – A complete Sensitive Receptor Survey is requested for the vicinity. It is understood that a well survey and a utility conduit survey have been undertaken at the site; however, it is not clear that all sensitive receptors have been previously identified or investigated. Please note that the current Site Conceptual Model (SCM), dated October 15, 2001, on the ACEH ftp site appears incomplete in the concluding section entitled “Discussion and Recommendations”, specifically a discussion on an evaluation of potential threats to human health and the environment. Submittal of a completed copy is requested to understand that discussion and recommendation and will help complete the case record.

- b. **Vapor Intrusion Survey** - A Vapor Intrusion Survey of all potentially impacted structures in the vicinity is requested by the date identified below. Please account for vapor intrusion pathways potentially allowed by utility conduits or laterals to interior air spaces by vapor point placement.

2. **Updated Site Conceptual Model** – Due to the age of the existing SCM, ACEH requests incorporation of more recent work into an updated SCM. This should include but not be limited to an analysis of the following observations:

- a. **Contaminant Exploitation of Utilities** – While the location of utility mains are reasonably well understood in the immediate vicinity of the site, the understanding of the potential for these utilities, or utility laterals (such as the sanitary sewer to the former restrooms), to be used as preferential conduits has not been evaluated. Previous documents submitted for the site (including the October 15, 2001 SCM) state utilities may be a preferential pathway for plume migration. An analysis of groundwater flow patterns overtime indicate well MW-3A is seasonally both upgradient and downgradient of the site depending on the time of year, a somewhat anomalous situation due to the rising land (e.g. hill) surface at that vicinity. The data appears to imply that the storm drain that runs along the southeastern edge of the property both contributes and receives groundwater to or from the site, depending on the time of year. Because Lake Merritt is nearby, it would not be unexpected for the storm drain to discharge to the lake. This needs further evaluation.

Similarly the additional storm drain under Lakeshore Avenue appears to be a conduit for impacted groundwater moving offsite to the northwest based on depth to groundwater and depth of the utility. Older nondetectable data from well MW-7 appears to support this interpretation. Again, because Lake Merritt is nearby, it would not be unexpected for the storm drain to discharge to the lake. This needs further evaluation.

- b. **Source of Sump Groundwater Contamination** – A minimum of two potential sources for the impacted groundwater in the elevator sump can be quickly identified (storm drain or other utility, or an aged plastic barrier between the site and the Diocese Annex buildings). Contaminants in the sump grab groundwater sample were similar, but higher, than those in well MW-9 in the most recent sampling in March 2010. Groundwater from well MW-9 is among the most impacted at the site. An evaluation of these, or other, sources may help mitigate vapor intrusion concerns.
3. **Sump Sampling Interval** – ACEH requests that the sampling of the sump groundwater be conducted on a semi-annual basis, at least until further information is generated that documents the level of potential health risks to building occupants is negligible. Please co-ordinate and submit the data with the regularly scheduled semi-annual groundwater monitoring events.
 4. **Detection of Elevated TPH_{mo}** - The October 20, 2006 report entitled *Additional Subsurface Investigation Report* found elevated TPH_{mo} concentrations in groundwater at soil bores SB-8 and SB-9 (up to 3,700 µg/l, in SB-9). A motor oil UST has not been reported to have been associated with the site, although that may be unusual for an older service station facility. As a consequence, ACEH requests a minimum of one groundwater monitoring event include analysis for TPH_{mo} to help gauge the extent of concern with this contaminant.
 5. **Missing Data** – The October 20, 2006 report entitled *Additional Subsurface Investigation Report* prepared by Cambria does not include either Table 2 *Groundwater Analytical Data*, or the attendant laboratory report for the groundwater analytical data. The copy in GeoTracker is similarly incomplete. Please submit a complete copy of the report to the ACEH ftp site and to GeoTracker in order to help complete the data record and to validate the data.
 6. **Clarification of UST Removal Report Excavation Sampling** – Recent confirmation soil samples for the four 10,000-gallon gasoline USTs was reported to be at a depth of 9.5 feet below grade surface (bgs); however, general depth-to-water measurements shortly after UST removal (August 10, 2010 and September 15, 2010, respectively) was reported to be between 6 and 7 feet bgs. Please clarify the extent of groundwater extraction / removal at the time of UST removal.

7. **Status of Proposed Work** – A December 4, 2001 work plan proposed, and a December 6, 2001 ACEH directive letter approved, the installation of two wells and a series of soil bores along the southeastern boundary storm drain. The work was proposed to evaluate the extent of the plume towards the southeast across the storm drain line, to determine if the storm drain was acting as a preferential pathway, and to determine the effectiveness of the plastic barrier between the two sites. ACEH has not found either a report or an explanation as to why this investigation may not be necessary; please clarify the status of this investigation.

TECHNICAL REPORT REQUEST

Please submit the following deliverables and technical reports to ACEH (Attention: Mark Detterman), according to the following schedule:

- **April 1, 2011** – Sensitive Receptor Survey, and Vapor Intrusion Survey Work Plan
- **May 2, 2011** - Updated SCM, clarifications, missing data, etc.
- **May 16, 2011** – First Semi-Annual 2011 Groundwater Monitoring Report
- **60 Days After Work Plan Approval** –Vapor Intrusion Survey

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

Sincerely,

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: Nathan Lee, Connestoga-Rovers & Associates, Inc., 5900 Hollis Street, Suite A, Emeryville, CA 94608
(sent via electronic mail to nlee@croworld.com)
Donna Drogos (sent via electronic mail to donna.drogos@acgov.org)
Mark Detterman (sent via electronic mail to mark.detterman@acgov.org)
ftp eFile, 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

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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	REVISION DATE: July 20, 2010
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
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

- **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 dehloptoxic@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 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.