



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
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March 24, 2014

Mr. Brian Waite  
Chevron Environmental Management Co.  
6101 Bollinger Canyon Road  
San Ramon, CA 94583  
(sent via electronic mail to  
[bwaite@chevron.com](mailto:bwaite@chevron.com))

Mr. Mark Hom and Anna Cheng  
3135 Gibbons Drive  
Alameda, CA, 94501-1749  
(sent via electronic mail to  
[mark@galvinhom.com](mailto:mark@galvinhom.com))

JL and Jane Bolton  
Address Unknown

John Thompson  
Address Unknown

Shirley & Ruben Cohen  
Address Unknown

Gary & Jerri Fenstermaker  
Address Unknown

Claire Cepollina & Fred Martini  
Address Unknown

Subject: Request for Vapor Mitigation Evaluation; Fuel Leak Case No. RO0000341; (Global ID # T0600100330); Chevron #9-1153, (3126 Fernside Blvd), 3135 Gibbons Drive, Alameda, CA 94501

Dear Messrs. Waite and Hom, and Ms. Cheng:

As discussed in our meeting of March 13, 2014, and in an effort to move this case forward, Alameda County Environmental Health Department (ACEH) staff has reviewed the case file, including the *Crawl Space, Indoor Air and Sub-Slab Soil Gas Investigation Report*, dated December 20, 2013 and the *Third Quarter 2013 Groundwater Monitoring and Sampling Report*, dated November 20, 2013. Both reports were prepared and submitted by Conestoga-Rovers & Associates (CRA) on your behalf. Thank you for submitting the reports.

The soil gas report documents the installation of two subslab vapor points in the garage, the collection of an additional three indoor air vapor samples, and one background outdoor air vapor sample. Based on the review of the case file ACEH requests that you address the following technical comments and send us the documents requested below.

## **TECHNICAL COMMENTS**

**1. Comments and Observations on Vapor Sampling** – ACEH has a number of comments and observations in regards to the vapor sampling effort at the site:

- The first observation by ACEH is that all benzene vapor concentrations, including outdoor air samples, are above generic but conservative Environmental Screening Levels (ESLs) promulgated by the San Francisco Regional Water Quality Control Board (RWQCB). Concentrations below ESLs are generally considered to be protective of human health. ACEH notes that the site is at one of the corners of a five-star intersection, and anticipates that air concentrations could be expected to be elevated above indoor ESLs.
- Outdoor air and crawl space vapor concentrations were essentially similar. This appears to indicate that ventilation in the crawl space may be adequate; however, ACEH requests information relative to the number of crawl space vents, and an assessment of the ability, and the commitment, to keep these vents permanently free of obstructions in the future.

- Indoor air benzene and ethylbenzene concentrations are above, sometimes significantly above, outdoor air or crawl space concentrations and the concentrations consistently increase toward the garage.
- ACEH uses a level of “significance” for benzene that corresponds to the indoor air ESL of 0.084 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ), and for ethylbenzene of  $0.97 \mu\text{g}/\text{m}^3$ .
- The building survey form indicates no PID detections at the house during the survey, thus suggest no contribution from household products in the house or garage. It does not appear, or is not reported, if household consumer products were removed prior to sampling to eliminate the potential for contribution to the vapor sample results.
- Garage indoor air concentrations are significantly above ESLs, and relative to subslab vapor samples, indicate an attenuation factor due to the presence of the concrete slab.
- Subslab vapor concentrations beneath the garage are exceptional and significant for a residential parcel. These subslab concentrations cannot be compared to the Low Threat Closure Policy (LTCP) soil gas criteria assumed to have been collected at a depth five feet below the foundation (presumed 6.5 to 7 feet bgs), whereas the subslab samples were collected at a depth of 0.8 feet below grade surface (bgs), and a sufficient thickness of soil is not present to mitigate the concentrations.
- It is unclear or not reported, if the garage was used during the sampling period. The entry or exit of a vehicle would be expected to influence the garage results.
- The detection limit for naphthalene in all indoor, outdoor, and crawl space samples is significantly above the ESL for naphthalene. In subslab samples the estimated concentration was significantly above the ESL.
- Oxygen beneath the slab ranged between 1.3 and 1.5%, substantially below the minimum of 4% required by the LTCP at 6.5 to 7 feet in depth.
- It does not appear, or is not reported, that a vapor notification flyer was provided to the occupants of the house in regards to the importance of the collection of representative vapor samples. Department of Toxic Substance Control (DTSC) guidance exists to efficiently communicate this information (March 5, 2012 DTSC *Vapor Intrusion Public Participation Advisory*).
- It is reported that a shroud atmosphere of approximately 40% helium was created during vapor sampling; however, there do not appear to be shroud helium concentrations reported, either as meter readings or through laboratory analysis.

Based on the data, it is apparent that additional information is required as to the extent of the public notification process, and the exact protocols used to collect the samples (garage usage, crawl space vents, and other). It is also apparent that a vapor intrusion mitigation evaluation is required for the home. Therefore, by the date identified below, ACEH requests a response and the appropriateness of immediate vapor mitigation at the site. ACEH will respond within 30 days of the submittal.

2. **Groundwater Monitoring of Recovery Well** – The August 31, 2012 directive letter requested that recovery well RW-1 be incorporated into the groundwater monitoring program. This does not appear to have been done, and ACEH has not located a recent response of the status of the recovery well. As before, the well does not appear to have been monitored in recent history; however, appears to be present. ACEH requests that well RW-1 be incorporated into the current monitoring schedule, after it has been redeveloped. Please include redevelopment field sheets for the well in the next groundwater monitoring report, and past analytical data in all future groundwater monitoring reports, by the dates identified below.

### **TECHNICAL REPORT REQUEST**

Please upload technical reports to the ACEH 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:

- **April 27, 2014** – Vapor Mitigation Evaluation; Interim Remedial Action Plan  
File to be named: RO341\_IRAP\_R\_yyyy-mm-dd
- **May 30, 2014** – First Quarter 2014 Groundwater Monitoring and RW-1 Incorporation into Tables  
File to be named: RO341\_GWM\_R\_yyyy-mm-dd

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 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: N. Scott MacLeod, Conestoga-Rovers & Assoc., 5900 Hollis Street, Suite A, Emeryville, CA 94608  
(sent via electronic mail to [smacleod@croworld.com](mailto:smacleod@croworld.com))

Nathan Lee, Conestoga-Rovers & Assoc., 5900 Hollis Street, Suite A, Emeryville, CA 94608  
(sent via electronic mail to [nlee@croworld.com](mailto:nlee@croworld.com))

Dilan Roe, ACEH (sent via electronic mail to [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Mark Detterman, ACEH (sent via electronic mail to [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org))  
Electronic File, GeoTracker

# Attachment 1

## Responsible Party(ies) Legal Requirements/Obligations

### REPORT/DATA REQUESTS

These reports/data are being requested pursuant to Division 7 of the California Water Code (Water Quality), Chapter 6.7 of Division 20 of the California Health and Safety Code (Underground Storage of Hazardous Substances), and Chapter 16 of Division 3 of Title 23 of the California Code of Regulations (Underground Storage Tank Regulations).

### ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (Local Oversight Program [LOP] for unauthorized releases from petroleum Underground Storage Tanks [USTs], and Site Cleanup Program [SCP] for unauthorized releases of non-petroleum hazardous substances) require submission of reports in electronic format pursuant to Chapter 3 of Division 7, Sections 13195 and 13197.5 of the California Water Code, and Chapter 30, Articles 1 and 2, Sections 3890 to 3895 of Division 3 of Title 23 of the California Code of Regulations (23 CCR). Instructions for submission of electronic documents to the ACEH FTP site are provided on the attached "Electronic Report Upload Instructions."

Submission of reports to the ACEH FTP site is in addition to requirements for electronic submittal of information (ESI) to the State Water Resources Control Board's (SWRCB) Geotracker website. In April 2001, the SWRCB adopted 23 CCR, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1 (Electronic Submission of Laboratory Data for UST Reports). Article 12 required electronic submittal of analytical laboratory data submitted in a report to a regulatory agency (effective September 1, 2001), and surveyed locations (latitude, longitude and elevation) of groundwater monitoring wells (effective January 1, 2002) in Electronic Deliverable Format (EDF) to Geotracker. Article 12 was subsequently repealed in 2004 and replaced with Article 30 (Electronic Submittal of Information) which expanded the ESI requirements to include electronic submittal of any report or data required by a regulatory agency from a cleanup site. The expanded ESI submittal requirements for petroleum UST sites subject to the requirements of 23 CCR, Division, 3, Chapter 16, Article 11, became effective December 16, 2004. All other electronic submittals required pursuant to Chapter 30 became effective January 1, 2005. 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, 7835, 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.

### 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 SCP)</b>	<b>REVISION DATE:</b> July 25, 2012
	<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 (petroleum UST 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](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.