



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

February 1, 2011

Mr. Bill Borgh (Sent via E-mail to: Bill.Borgh@conocophillips.com)
ConocoPhillips Company
76 Broadway
Sacramento, CA 95818

Mr. Henry O. Armour
P.O. Box 2527
Olympia, WA 98507

CD & PWS Enterprises, Inc.
8998 Alcosta Boulevard
San Ramon, CA 94583

De L Liu and Na Li
922 Saddlehorn Court
Danville, CA 94506

Subject: Review of Remedial Action Plan for Fuel Leak Case No. RO0000361 and Geotracker Global ID T0600100101, Unocal #7376, 4191 First Street, Pleasanton, CA 94566

Dear Mr. Borgh:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the most recent report entitled, "*Remedial Action Plan, 76 Service Station #7376, 4191 First Street, Pleasanton, CA,*" dated December 20, 2010 (RAP). The RAP, which was prepared on behalf of ConocoPhillips by Delta Environmental, presents detailed plans for implementation of a remedial alternative using soil vapor extraction (SVE) and groundwater extraction (GWE). Based upon our review of the RAP, we request that you prepare a Revised RAP that addresses the technical comments below **no later than March 2, 2011**.

TECHNICAL COMMENTS

- 1. Sampling during Installation of Proposed Vapor Extraction Wells.** Previous soil borings in the area of the former Bunker Fuel UST have typically detected petroleum hydrocarbons in the diesel and heavier range in soil samples collected at depths greater than 10 feet. However, limited soil sampling has been conducted within the upper 10 feet. In order to confirm the apparent results from previous soil borings, we request that you collect soil samples within the upper 10 feet from selected borings for the proposed vapor extraction wells (VEW) in the area of the former Bunker Fuel UST. Specifically, we request that you collect soil samples for laboratory analysis at depths of 2, 4, 6, and 8 feet bgs from the soil borings for VEW-8A, 9, 11A, 14, 15, 20, 21, and 22. The soil samples are to be analyzed for total petroleum hydrocarbons (TPH) as gasoline, TPH as fuel oil #6, and BTEX. Please include these plans in the Revised RAP requested below.

2. **Start-up and Progress Monitoring.** The RAP indicates that all sampling will be based on specific permit-driven requirements without a description of those requirements. We request that the Monitoring and Sampling section of the RAP be expanded to describe the minimum performance monitoring and sampling that will be conducted during both the start-up and longer-term operation of the system. This detailed description should include the expected frequency, duration, and type of monitoring and sampling that will be conducted during the start-up period and during the long-term operation of the system. We understand that monitoring and sampling requirements may be revised as necessary to meet permit requirements where the permit requirements are more stringent.
3. **Targeted Cleanup Goals and Implementation Schedule.** We received email correspondence dated January 20, 2011 from counsel for Alameda County (attached). The correspondence contained comments on the RAP regarding targeted cleanup goals and implementation schedule. ConocoPhillips responses to the comments and resulting revisions to the RAP were also included in the January 20, 2011 email correspondence. We have no objection to the revisions to the RAP described in the January 20, 2011 correspondence.
4. **Groundwater Monitoring.** Following start -up of the remediation system, the frequency of groundwater monitoring is to be increased to quarterly monitoring.

TECHNICAL REPORT REQUEST

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

- **March 2, 2011** – Revised Remedial Action Plan

If you have any questions, please call me at 510-567-6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Attachments: E-mail Correspondence dated January 20, 2011
Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

Responsible Parties
RO0000361
February 1, 2011
Page 3

cc: Danielle Stefani, Livermore Pleasanton Fire Department, 3560 Nevada St, Pleasanton, CA 94566
(Sent via E-mail to: dstefani@lpfire.org)

Cheryl Dizon (QIC 8021), Zone 7 Water Agency, 100 North Canyons Pkwy, Livermore, CA 94551
(Sent via E-mail to: cdizon@zone7water.com)

R. Lee Dooley, Delta Consultants, 312 Piercy Road, San Jose, CA 95138 (Sent via E-mail to:
ldooley@deltaenv.com)

Les Hausrath, Wendel, Rosen, Black & Dean, 1111 Broadway, 24th Floor, Oakland, CA 94607 (Sent
via E-mail to: LHausrath@wendel.com)

Christine Noma, Wendel, Rosen, Black & Dean, 1111 Broadway, 24th Floor, Oakland, CA 94607
(Sent via E-mail to: CNoma@wendel.com)

Rory MacNeil, Alameda County Public Works, 399 Elmhurst Street, Hayward, CA 94544-1307 (Sent
via E-mail to: rory@acpwa.org)

Donna Drogos, ACEH (Sent via E-mail to: donna.drogos@acgov.org)
Jerry Wickham, ACEH (Sent via E-mail to: jerry.wickham@acgov.org)

GeoTracker, File

Wickham, Jerry, Env. Health

From: Christine Noma [CNoma@wendel.com]
Sent: Thursday, January 20, 2011 1:53 PM
To: Wickham, Jerry, Env. Health
Cc: Garrett, John (LDZX); Les Hausrath; Massey, Andrew J., County Counsel; Gallardo, Susan
Subject: 76 Conoco Phillips Service Station: Pleasanton Transportation Corridor

Dear Mr. Wickham,

The County has reviewed the Remedial Action Plan (RAP) for the 76 Conoco Phillips Service Station. The County and Conoco have discussed a few discrepancies in the RAP which Conoco has agreed to revise in the final RAP. The following are the County's technical comments about the RAP and Conoco's response in italics:

Proposed Cleanup Goals:

- There is no cleanup goal for TPH-d (middle distillate), however, the ESLs are the same for TPH-d as for TPH-g. *Conoco has agreed to revise to include a targeted clean up goal for TPH-d which will be the same as that set forth for TPH-g.*
- Delete reference to the 210 ug/L on page 2 table of Targeted Cleanup Goals. *Conoco has agreed that the targeted cleanup goal for TPH-residual fuels for groundwater will be changed to 100 ug/L.*
- The target cleanup goal for naphthalene in soil is 2.8 mg/kg for soil at depths of < 3m and 3.4 mg/kg for soil at depths > 3m. If soil impacted with naphthalene is present in shallower soil, the 2.8 mg/kg level should be specified. *Conoco's consultant will add a shallow soil clean up goal.*
- The target cleanup level for tertiary-butyl alcohol in groundwater should be 12 ug/L, not 120 ug/L as shown. *Conoco's consultant will make that correction.*

Implementation Schedule – The text of the report is geared toward an initial evaluation, and possible remediation program completion, after 1 year. *Conoco's consultant will revise the implementation schedule to reflect a range: "1 to 3 years (with annual system performance reviews)"*

Thank you for your consideration of the County's comments and Conoco's response.

Regards, Chris Noma

Christine K. Noma | Wendel Rosen Black & Dean LLP

Direct: 510.622.7634 | Fax: 510.808.4679
1111 Broadway, 24th Floor | Oakland, CA 94607
cnoma@wendel.com
www.wendel.com

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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.