



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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April 21, 2014

Mr. Perry Pineda
Shell Oil Products US
20945 S. Wilmington Ave.
Carson, CA 90810-1039
(Sent via E-mail to: perry.pineda@shell.com)

Anabi Real Estate Development LLC
Attn: Rene Anabi
1041 North Benson Avenue
Upland, CA 91786-2157

Subject: Case File Review for Fuel Leak Case No. RO0000363 and GeoTracker Global ID T0600101257, Shell#13-5784, 3790 Hopyard Road, Pleasanton, CA 94566

Dear Mr. Pineda:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the document entitled, "*Groundwater Monitoring Report – Fourth Quarter 2013*," dated January 20, 2014 (Monitoring Report). The Monitoring Report presents groundwater monitoring results from groundwater sampling conducted on November 8, 2013. During the November 8, 2013 the maximum concentrations of MTBE and TBA detected in groundwater were 120 and 2,500 micrograms per liter ($\mu\text{g/L}$), respectively. The maximum concentration of MTBE (120 $\mu\text{g/L}$) was detected in groundwater from monitoring well S-5, which is located along the southern property boundary. The maximum concentration of TBA (2,500 $\mu\text{g/L}$) was detected in groundwater from monitoring well S-6, which is located off-site in the median strip of Hopyard Road.

ACEH reviewed the above referenced site under the State Water Resources Control Board's Low-Threat Closure Policy (LTCP). Based on our review, we believe that the site meets the general criteria in the LTCP as well as the Vapor Intrusion and Direct Contact media-specific criteria but does not meet the Groundwater-specific criteria for case closure. The groundwater-specific criteria are discussed further in technical comment 1 presented below. We request that you address the technical comments below and resume semi-annual groundwater monitoring.

TECHNICAL COMMENTS

- 1. Groundwater-Specific Criteria in the Low-threat Closure Policy.** We believe that the site does not meet any of the four scenarios with specific numeric criteria for case closure under the Groundwater-Specific Criteria in the LTCP for the following reasons:
 - There is some uncertainty regarding plume stability under current and likely future conditions.
 - The nearest surface water body (Arroyo Mocho) is less than 100 feet from the plume boundary.

Therefore, case closure, when appropriate, would take place under scenario 5 of the Groundwater-Specific Criteria, which indicates that the regulatory agency determines that under current and

reasonably anticipated near-term future scenarios, the plume poses a low threat. We do not believe the case can be closed under scenario 5 until potential impacts from increased pumping of municipal water supply wells in the area are understood.

- 2. Pumping of Municipal Well Hopyard No. 6.** The nearest water supply well is the Zone 7 Water Agency Municipal Well Hopyard No. 6, which is located approximately 1,050 feet southeast (downgradient) of the MTBE plume boundary. Pumping of approximately 5 million gallons of water per day was initiated from Hopyard Well No. 6 in April 2012. The pumping of Hopyard No. 6 caused water levels at a fuel leak site (2991 Hopyard Road) located 1,400 feet southeast of Hopyard 6 to drop approximately 10 feet. Pumping of Hopyard No. 6 stopped in early October 2012. In response to the cessation of pumping, groundwater elevations at the 2991 Hopyard Road fuel leak site partially recovered in December 2012 as much as 6 feet from September 2012 groundwater levels. The pumping of Hopyard 6 lowered water levels across the site and created a downward vertical gradient that caused MTBE to appear in the deepest monitoring wells at the site. We request that you review the groundwater monitoring data for the 3790 Hopyard Road site during and after pumping of Hopyard 6 between April and early October 2012 to assess whether pumping of Hopyard 6 may have affected the site. Please present this analysis in the Groundwater Monitoring Report – Second Quarter 2014 requested below.
- 3. Plume Stability and Groundwater Monitoring.** During the November 8, 2013 monitoring event, the concentration of MTBE detected in groundwater from off-site downgradient well S-9 decreased from 7.4 to 6.5 micrograms per liter ($\mu\text{g/L}$). However, the concentration of MTBE in groundwater from on-site downgradient well S-5 increased from 4.0 $\mu\text{g/L}$ on January 4, 2013 to 120 $\mu\text{g/L}$ on November 8, 2013. The concentration of TBA in groundwater from off-site well S-6 increased from 1,600 $\mu\text{g/L}$ on August 2, 2013 to 2,500 $\mu\text{g/L}$ on November 8, 2013. Although the plume has appeared to be generally stable over the long term, some variability has appeared in recent data. One of the primary questions which must be addressed under scenario 5 of the LTCP is whether increased pumping in Hopyard Well No. 6 or other municipal supply wells during drought conditions could cause the plume to become unstable and migrate beyond its current extent. In order to address this issue, we request that groundwater monitoring be resumed on a quarterly basis for the remainder of 2013. Please present the results in the groundwater monitoring reports requested below.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACEH ftp site (Attention: Jerry Wickham), and to the State Water Resources Control Board's GeoTracker website according to the following schedule and file-naming convention:

- **July 30, 2014** – Groundwater Monitoring Report – Second Quarter 2014
File to be named: GWM_R_YYYY-mm-dd RO363
- **October 30, 2014** – Groundwater Monitoring Report – Third Quarter 2014
File to be named: GWM_R_YYYY-mm-dd RO363
- **January 30, 2015** – Groundwater Monitoring Report – Fourth Quarter 2014
File to be named: GWM_R_YYYY-mm-dd RO363

Perry Pineda
RO0000363
April 21, 2014
Page 3

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 510-567-6791 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

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

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

Peter Schaefer, Conestoga-Rovers & Associates, 5900 Hollis Street, Suite A, Emeryville, CA 94608
2032 (Sent via E-mail to: pschaefer@croworld.com)

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

GeoTracker, File

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/)

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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: July 25, 2012
	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 (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 .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 <://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 .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.