



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
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Alameda, CA 94502-6577  
(510) 567-6700  
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June 20, 2013

Shannon Couch  
Atlantic Richfield Company  
PO Box 1257  
San Ramon, CA 94583  
(Sent via E-mail to: [shannon.couch@bp.com](mailto:shannon.couch@bp.com))

Omid Enterprises, Inc.  
c/o Abbas Farahbakhsh  
8110 Blackwood Lane  
Roseville, CA 95747-9745

Subject: Case File Review for Fuel Leak Case No. RO0000393 and GeoTracker Global ID T0600100111, ARCO #06113, 785 East Stanley Boulevard, Livermore, CA 94550

Dear Ms. Couch and Mr. Farahbakhsh:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the most recent document entitled, "*First Quarter 2013 Status Report*," dated April 30, 2013. The Report, which was prepared on behalf of Atlantic Richfield Company by Broadbent & Associates, Inc. presents a summary of recent activities.

ACEH is currently reviewing all sites including this case to assess whether the site is eligible for closure under the State Water Resources Control Board (SWRCB) Low-Threat Closure Policy (LTCP). If the general and media-specific criteria in the LTCP are met, the leaking fuel case is generally considered to present a low threat to human health and the environment. An initial review of your case indicates that the site appears to meet the general criteria, vapor intrusion-specific criteria, and direct contact and outdoor air exposure-specific criteria for closure under the LTCP. The site does not appear to meet scenarios 1 through 4 of the groundwater-specific criteria because the nearest surface water feature, Arroyo Mocho, is less than 250 feet south, west, and northwest of the site.

Case closure under scenario 5 of the LTCP can be considered if it can be demonstrated that the plume does not pose a threat to Arroyo Mocho. Therefore, we request that you submit a Conceptual Site Model (CSM) for the site that includes an evaluation of the site under the LTCP and specifically, an evaluation of whether the plume potentially may impact Arroyo Mocho. ACEH guidance regarding required information for LTCP reviews is attached. Please submit the CSM and evaluation **no later than August 30, 2013**.

In previous correspondence dated October 22, 2012, ACEH had requested completion of remedial well installation, geochemical sampling, and a dual-phase extraction event no later than February 23, 2013. The schedule for reporting these events was extended to August 30, 2013 due to difficulty in obtaining a clear location for the remedial well. The proposed well installation and remedial actions are now held in abeyance and the schedule suspended pending the CSM and evaluation requested below.

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### **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:

- **August 30, 2013** – Conceptual Site Model (CSM) and LTCP Evaluation  
File to be named: CSM\_RFC\_R\_YYYY-mm-dd RO393

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](mailto:jerry.wickham@acgov.org). Case files can be reviewed online at the following website: <http://www.acgov.org/aceh/index.htm>. As your email address does not appear on the cover page of this notification ACEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

Sincerely,

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

Attachments: Required Information to Review Case for Low-Threat Closure Per Resolution 2012-0016  
Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Danielle Stefani, Livermore Pleasanton Fire Department, 3560 Nevada St, Pleasanton, CA 94566  
(Sent via E-mail to: [dstefani@lpfire.org](mailto: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](mailto:cwiney@zone7water.com))

Jason Duda, Broadbent & Associates, Inc., 1324 Mangrove Avenue, Suite 212, Chico, CA 95926  
(Sent via E-mail to: [jduda@broadbentinc.com](mailto:jduda@broadbentinc.com))

Matt Herrick, Broadbent & Associates, Inc., 1324 Mangrove Avenue, Suite 212, Chico, CA 95926  
(Sent via E-mail to: [mherrick@broadbentinc.com](mailto:mherrick@broadbentinc.com))

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

GeoTracker, eFile

**Alameda County Environmental Health**

**Required Information to Review Case for Low-Threat Closure Per Resolution 2012-0016**

On May 1, 2012, the State Water Resources Control Board adopted Resolution 2012-0016, which established a state-wide policy (Policy) for the closure of leaking petroleum underground storage tank sites. The Policy applies to petroleum UST sites subject to Chapter 6.7 of the Health and Safety Code. The Policy establishes both general and media-specific criteria. If both the general and applicable media-specific criteria are satisfied, then the leaking UST case is generally considered to present a low threat to human health, safety, and the environment. The Policy recognizes, however, that even if all of the specified criteria in the Policy are met, there may be unique attributes of the case or site-specific conditions that increase the risk associated with the residual petroleum constituents. In these cases, the regulatory agency overseeing corrective action at the site must identify the conditions that make case closure under the Policy inappropriate.

In order for the site to be accurately and completely evaluated for the above conditions, we request that you review each of the general and specific criteria established in the Policy and provide at a minimum, the information requested in the table below. The information must be provided within the format of a technical report that is prepared, signed, and stamped by a California Professional Geologist or Engineer. The thoroughness of the technical report will facilitate timely review and ultimately case closure.

<b>General Criteria a: The unauthorized release is located within the service area of a public water system.</b>
Required Information: Please identify the local provider for the public water system and confirm that the property has a hook-up and uses the public water system. Identify any other sources of water for the property such as wells, cisterns, or other water capture systems.
<b>General Criteria b: The unauthorized release consists only of petroleum.</b>
Required Information: Please describe the site history, types of products or chemicals used at the site, and history of any types of releases other than petroleum. Present the sampling results for all chemicals other than petroleum such as volatile organic compounds, metals, semi-volatile organic compounds, PCBs, phenol, 1,4-dioxane, dibenzofurans, or dioxins.
<b>General Criteria c: The unauthorized (“primary”) release from the UST system has been stopped.</b>
Required Information: Please describe the history of releases and the actions that were taken to stop each release. Please evaluate and account for changing contaminant concentrations over the full time period of site investigations.
<b>General Criteria d: Free product has been removed to the maximum extent practicable.</b>
Required Information: Please describe the investigation and monitoring activities that have been undertaken to assess whether free product is present. Present data including tables and figures showing any observations and measurements of free product. Describe the corrective actions that were taken to remove free product, dates of the removal actions, and volume removed. If free product remains at the site, present an evaluation of whether free product removal is practicable. If free product removal is not practicable, fully describe the conditions that prevent free product removal.
<b>General Criteria e: A conceptual site model has been developed.</b>
Required Information: Please present your complete conceptual site model (CSM) that includes a site history, receptor survey, description of releases, geologic and hydrogeologic assessment, identified stratigraphic and manmade migration pathways, identified controls on contaminant migration, delineation of the lateral and vertical extent of contamination in all affected media, assessment of vapor intrusion pathways, groundwater monitoring and evaluation of plume stability, and description of the type and effectiveness of corrective actions. The CSM must be complete and thorough enough to evaluate whether site characterization is complete and identify any remaining data gaps.

**General Criteria f: Secondary source removal has been addressed. The secondary source is the petroleum-impacted soil, free product, or groundwater that acts as a long-term source releasing contamination to the surrounding area. Unless site conditions 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.**

Required Information: Please present the history of corrective actions for the site including the types of cleanup actions taken, dates of the actions, mass removed, figures depicting the location of the removal action, and confirmation sampling results which demonstrate the effectiveness of secondary source removal, as well as a brief narrative description of the actions and areas of success or infeasibility of actions. For any in-situ corrective actions, long-term monitoring data must be presented that demonstrate that concentrations have not rebounded following the cessation of corrective action.

**General Criteria g: Soil or groundwater has been tested for MTBE and results reported in accordance with Health and Safety Code section 25296.15.**

Required Information: Please present sufficient data to assess whether MTBE is or was present in soil and groundwater at the site.

**General Criteria h: Nuisance as defined by Water Code section 13050 does not exist at the site.**

Required Information: Please present sufficient data to support your evaluation of whether a nuisance condition currently exists or potentially could exist in the future. This evaluation should describe whether any site contamination is present in locations that have the potential to pose nuisance conditions during common or reasonably expected site activities. This data should be incorporated into the CSM. These locations would include but not necessarily be limited to surface soils, near surface soils, utility corridors, and basements or other subsurface structures. The types of data presented should include descriptions of the type and vertical and lateral extent of shallow soil or lateral extent of surface soil contamination, depths to contamination, analytical results for surface soil, shallow soil, and groundwater samples, discussion of any odors or visual evidence of contamination, preferential pathway and utility conduit surveys, review of potential points for exposure (such as groundwater seeps into basements), current use of the site, expected future use of site, and description of surface water runoff from the property to storm drains or other sites.

**Media-Specific Criteria 1. Groundwater:** If groundwater with a designated beneficial use is affected by an unauthorized release, 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. A plume that is "stable or decreasing" is a contaminant mass that has expanded to its maximum extent: the distance from the release where attenuation exceeds migration.

Required Information: In general, the Low-Threat Groundwater Classes are classified on stable or decreasing plumes, status of free product removal, distance to the nearest groundwater or surface water receptor from the plume boundary, and other factors that may be required to demonstrate a low-threat. Sufficient data must be presented to demonstrate that site characterization activities have defined the horizontal and vertical extent of the plume and that the plume is stable. Plume stability must be demonstrated using a valid technical analysis that considers the accuracy of data from the wells, well placement within the plume, changes in areal extent of the plume, and valid concentration trends within the plume. Factors such as seasonal variability, water level changes, sampling methods, well construction, and other factors that can affect data quality must be considered. Plotting of decreasing concentrations using data from a single well is not likely to be sufficient. A recent well survey that uses all available well from both the Department of Water Resources and local agencies (Zone 7 Water Agency or Alameda County Public Works as appropriate) is required. Water supply wells located within 2,000 feet of the site are to be presented on a site figure with a table identifying each well along with the well construction details. Following completion of a complete CSM and consideration of the above factors, please present your evaluation of whether your site fits within one of the five classes in the Policy.

**Media-Specific Criteria 2. Petroleum Vapor Intrusion to Indoor Air:** The low-threat vapor-intrusion criteria in the Policy apply to release sites and impacted or potentially impacted adjacent parcels when: (1) existing buildings are occupied or may be reasonably expected to be occupied in the future, or (2) buildings for human occupancy are reasonably expected to be constructed in the near future.

Required Information: Sufficient data must be presented to demonstrate that site characterization is complete and that the data demonstrate that the site-specific conditions satisfy all the assumptions, characteristics, and screening criteria of scenarios 1 through 3 or all of the characteristics and screening criteria of scenario 4 of the Policy. Input to the scenarios include any evidence of LNAPL, soil data and where applicable, soil gas data to demonstrate that a continuous bioattenuation zone is or is not present, concentrations of benzene in groundwater, and direct measurements of soil gas concentrations. Results from preferential pathway and utility conduit surveys are to be presented and evaluated to determine whether a continuous bioattenuation zone is present. Please present site data using figures, tables, and text in a complete CSM that evaluates site data relative to the conditions defined by the vapor intrusion scenarios in the Policy. Such factors as data representativeness, quality, spatial distribution relative to current or potential receptors and sources, and temporal variability must be considered in the evaluation. Following completion of a comprehensive CSM and consideration of the above factors, please present your evaluation of whether your site fits within one of the vapor intrusion scenarios in the Policy or site-specific risk assessment for the vapor intrusion pathway demonstrates that human health is protected.

Although satisfaction of media-specific criteria is not required for active commercial fueling facilities except in cases where release characteristics can be reasonably believed to pose an unacceptable health risk, the above evaluation is required to assess whether nearby facilities potentially may be impacted by petroleum vapor intrusion.

**Media-Specific Criteria 3. Direct Contact and Outdoor Air Exposure.** 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 they meet any of the following:

- a. Maximum concentrations of petroleum constituents in soil are less than or equal to those listed in Table 1 for the specified depth below ground surface (bgs). The concentration limits for 0 to 5 feet bgs protect from ingestion of soil, dermal contact with soil, inhalation of volatile soil emissions and inhalation of particulate emissions, and the 5 to 10 feet bgs concentration limits protect from inhalation of volatile soil emissions. Both the 0 to 5 feet bgs concentration limits and the 5 to 10 feet bgs concentration limits for the appropriate site classification (Residential or Commercial/Industrial) shall be satisfied. In addition, if exposure to construction workers or utility trench workers are reasonably anticipated, the concentration limits for Utility Worker shall also be satisfied; or
- b. Maximum concentrations of petroleum constituents in soil are less than levels that a site specific risk assessment demonstrates will have no significant risk of adversely affecting human health; or
- c. As a result of controlling exposure through the use of mitigation measures or through the use of institutional or engineering controls, the regulatory agency determines that the concentrations of petroleum constituents in soil will have no significant risk of adversely affecting human health.

Required Information: Sufficient data must be presented to demonstrate that site characterization is complete for the prescribed depth ranges of 0 to 5 feet and 5 to 10 feet bgs in order to assess potential direct contact and outdoor air exposure. Please present figures and tables showing the soil data for each of the prescribed depth ranges with a comparison to the screening levels for each exposure scenario. Analytical data for all chemicals of concern including total petroleum hydrocarbons are to be presented in order to assess whether unique conditions not considered in the Policy may exist at the site. For all data, such factors as data representativeness, quality, spatial distribution relative to current or potential receptors and sources, and temporal variability must be considered in the evaluation. In addition, please describe the current and expected future land use, redevelopment, or construction for the site.

## 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 [.loptoxic@acgov.org](mailto:.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](mailto:.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.