



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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July 15, 2008

Mr. Bill Borgh
ConocoPhillips
76 Broadway
Sacramento, CA 95818

Subject: Fuel Leak Case No. RO0000408 and Geotracker Global ID T0600101488, Unocal #3135, 845 66th Ave, Oakland, CA

Dear Mr. Borgh:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the documents entitled, *Site Conceptual Model - Addendum*, dated February 27, 2006 and Semi-Annual Monitoring Report dated April 16, 2008 which were prepared by TRC. These reports indicate that groundwater concentrations are declining and a RBCA model was included in the addendum. TRC requested case closure in their RBCA but did not use the maximum soil results stating in a June 1, 2006 e-mail that fifteen year old benzene results should not be considered relevant. However, no confirmation samples were submitted to justify this assertion. There is also a statement saying the land use is changing, however, future use has not been reported to us and has not been considered in reports for this site. Based upon our review, ACEH cannot consider case closure for the subject site at this time. This decision to deny closure is subject to appeal to the State Water Resources Control Board (SWRCB), pursuant to Section 25299.39.2(b) of the Health and Safety Code (Thompson-Richter Underground Storage Tank Reform Act - Senate Bill 562). Please contact the SWRCB Underground Storage Tank Program at (916) 341-5851 for information regarding the appeals process.

We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

TECHNICAL COMMENTS

1. **Dissolved Contaminant Plume Definition.** Dissolved contaminant concentrations remaining on-site are reported at maximums of 3,400 micrograms per liter ($\mu\text{g/L}$) total petroleum hydrocarbons as gasoline, 9.8 $\mu\text{g/L}$ benzene and 35 $\mu\text{g/L}$ methyl tertiary butyl ether (MTBE) in the groundwater samples collected in March 2008. However, Tertiary Butyl Alcohol (TBA) has not been analyzed in groundwater in all wells since March 2003 and the detection levels were elevated at that time. Include the following analyses in your next semi-annual monitoring event in September 2008 so the ACEH staff can review the site for

potential closure: total petroleum hydrocarbons as gasoline (TPHg), total petroleum hydrocarbons as diesel (TPHd) by EPA Method 8015M, benzene, toluene, ethylbenzene, toluene, xylenes, MTBE, ethyl tertiary butyl ether (ETBE), di-isopropyl ether (DIPE), tertiary amyl methyl ether (TAME), TBA, ethylene dibromide (EDB), ethylene dibromide (EDB), and 1,2-dichloroethane (1,2-DCA) by EPA Method 8260. Analyze only wells near the current USTs, dispensers and piping (MW-1, MW-2, MW-3, and MW-6) for ethanol by EPA Method 8260. Also, the latest semi-annual monitoring report was not uploaded to the ACEH ftp site. Please upload the report by the date requested below.

2. **Risk-Based Corrective Action Plan.** Soil samples collected at the site indicate that the lateral and vertical extent of the contamination is predominantly defined. However, one soil sample left in place exceeds environmental screening levels (ESLs) with 1,400 milligrams per kilogram (mg/Kg) TPHg, and 18 g/Kg benzene. The RBCA prepared for this site, did not use these sample results nor was there a discussion on which soils were used for the risk evaluation. An e-mail indicates that the site use may be changing but it does not say what the use will be and this information is not considered in the RBCA. It may be appropriate to collect and analyze confirmation soil and water samples in the vicinity of the residual benzene to evaluate your site. We request that you prepare a work plan to advance a confirmation soil boring to investigate residual contaminant concentrations in soil adjacent to SW10 by the date requested below.
3. **Preferential Pathway Study.** TRC performed portions of a preferential pathway study which included a well survey and nearby receptor survey. The well survey did not identify any nearby wells. However, it identified Lion Creek and Damon Slough as nearby receptors. No evaluation or conclusions were presented as to whether these receptors were impacted. Please include an evaluation in the report requested below. Also the study did not include an evaluation of all utility lines and trenches (including sewers, storm drains, pipelines, trench backfill, etc.) within and near the site and plume area(s) as required by ACEH. Please perform a conduit study that details the remaining potential migration pathways and potential conduits (utilities, pipelines, etc.) for vertical and lateral migration that may be present in the vicinity of the site. Please include maps and cross-sections illustrating the location and depth of all utility lines and trenches within and near the site and plume areas(s) as part of your study and include it in the report requested below.

REQUEST FOR INFORMATION

ACEH's case file for the subject site contains only the electronic files listed on our website at <http://www.acgov.org/aceh/index.htm>. You are requested to submit copies of all other reports related to environmental investigations for this property (including Phase I reports) by **August 15, 2008**.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Barbara Jakub), according to the following schedule so that we can complete our closure review for this site:

- **October 17, 2008** – Work Plan

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

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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

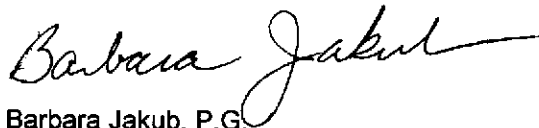
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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.

If you have any questions, please call me at (510) 639-1287 or send me an electronic mail message at barbara.jakub@acgov.org.

Sincerely,



Barbara Jakub, P.G.
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Mr. Daniel Davis, Delta Environmental Consultants, Inc., 11050 White Rock Road,
Rancho Cordova, CA 95670
Donna Drogos, ACEH
Barbara Jakub, ACEH
File

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|---|---|
| Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) | ISSUE DATE: July 5, 2005 |
| | REVISION DATE: December 16, 2005 |
| | PREVIOUS REVISIONS: October 31, 2005 |
| SECTION: Miscellaneous Administrative Topics & Procedures | SUBJECT: Electronic Report Upload (ftp) Instructions |

Effective **January 31, 2006**, 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

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- 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)

Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

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
or
 - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of Alicia Lam-Finneke.
 - 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 and Firefox browsers will not open the FTP site.
 - b) Click on File, then on Login As.
 - 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 at 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)