

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

REBECCA GEBHART, Interim Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP)
For Hazardous Materials Releases
1131 HARBOR BAY PARKWAY
ALAMEDA, CA 94502
(510) 567-6700
FAX (510) 337-9335

November 7, 2017

Ms. Carryl MacLeod
Chevron Environmental Management Company
6101 Bollinger Canyon Road
San Ramon, CA 94583
(Sent via electronic mail to:
CMacleod@chevron.com)

9401 San Leandro LP
104 Caledonia Street
Sausalito, CA 94965

Linda Hothem Trust
c/o Mr. Jan Greban
Greben & Associates
1332 Anacapa Street
Suite 110
Santa Barbara, CA 93101
(Sent via electronic mail to:
Jan@grebenlaw.com)

Mr. Francis Meynard
Pacific American Group
104 Caledonia Street
Sausalito, CA 94965
(Sent via electronic mail to:
FMeynard@pacamgroup.com)

Ms. Gene Kida
Gerber Products
12 Vreeland Road
Fiorham Park, NJ 07932

Subject: Conditional Work Plan Approval; Fuel Leak Case No. RO0000412 and Geotracker Global ID T0600101789, Chevron #9-1723; 9757 San Leandro Street, Oakland, CA 94603

Dear Ladies and Gentlemen:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the *Site Additional Soil Vapor Assessment Work Plan*, dated October 30, 2017. The work plan was prepared and submitted on your behalf to ACDEH and Geotracker by Stantec Consulting Services, Inc (Stantec). The work plan, initiated based on discussions during a teleconference held on October 16, 2017, as partly modified by an October 18, 2017 directive letter, proposed the installation of 11 temporary soil vapor probes to laterally define the petroleum hydrocarbon vapor plume at the site, the potential installation of one to five contingency step-out temporary soil vapor probes if needed, the installation of one 3 foot deep permanent soil vapor probe VP-2S, one temporary sub-pavement vapor sampling point, and three 13 foot soil bores (SB-35, SB-36, and SB-37).

Based on ACDEH staff review of the referenced documents the resulting proposed scope of work is conditionally approved for implementation *provided that the technical comments below are incorporated* during the proposed field investigation. Submittal of a revised work plan or a work plan addendum is not required unless an alternate scope of work outside that described in the work plan or technical comments below is proposed. We request that you address the following technical comments, perform the proposed work, and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to: mark.detterman@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Conditional Work Plan Approval** – The referenced work plan proposes a series of actions with which ACDEH is in general agreement of undertaking; however, ACDEH requests several modifications to the approach as detailed below. Please submit a report by the date specified below.
 - a. **ACDEH Vapor Probe Locations** – As noted in the work plan four additional temporary vapor probe locations were requested by ACDEH as a result of the teleconference call and confirmed in the October 18, 2017 directive letter. Several locations were requested to more fully delineate the vapor plume, and several were requested to more fully understand the potential for residual contamination beneath San Leandro Street, but were moved onto the site due to seasonal City of Oakland work restrictions that would delay the scope of work. Stantec indicated that three of the four locations were less than

ideal for delineating the vapor plume or were redundant, and proposed either elimination locations or suggested new sampling locations. ACDEH is in partial agreement with revised locations as follows:

- i. **Relocation of TVP-9** – It appears that the relocation of TVP-9 to a position approximately 10 feet west of the proposed location of the bore appears warranted, such that it moves the bore to a location along the northern property line of the subject site. This may also require that SB-35 be relocated proximal to the new location of the temporary vapor bore.
 - ii. **Relocation of TVP-10** – It appears that the proposed location of TVP-10 should move approximately 15 feet northwest along the eastern property line, such that it is approximately positioned between VP-2 and VP-3, along that eastern property line.
 - iii. **Relocation of TVP-11** – It appears that the proposed location of TVP-11 should move approximately 10 feet northwest along the eastern property line, such that it is located further north of TVP-7, yet positioned close to the former dispenser island located offsite beneath San Leandro Street.
- b. **HVOC Vapor Sampling** – It appears appropriate to request vapor sampling for Halogenated Volatile Organic Compounds (HVOCs) at TVP-2 and TVP-3, located on the downgradient property line and downgradient of the former waste oil underground storage tank (UST), respectively.
 - c. **Evaluation of Biogenic Methane** – The referenced work plan proposed to evaluate methane at the subject site based on the Department of Toxic Substances Control (DTSC) guidance entitled *Evaluation of Biogenic Methane*, March 28, 2012. The guidance indicates in Section 1.2 that methane at petroleum production sites should not be evaluated using the guidance, and that at sites where groundwater is shallower and fluctuates significantly; stating that methane evaluation can pose complications at such sites which are best addressed on a case-by-case basis. In order to ensure the proposed use of the guidance is appropriate for the site, please address potential complications at the subject site in the report requested below.

2. **Permanent Vapor Probes** – The location of semi-permanent soil vapor probe locations will be dependent on the entire tabulated data set, and discussed in a teleconference call planned for November 28, 2017.

SUBMITTAL ACKNOWLEDGEMENT STATEMENT

Please note that ACDEH has updated Attachment 1 with regard to report submittals to ACDEH. ACDEH will now be requiring a Submittal Acknowledgement Statement, replacing the Perjury Statement, as a cover letter signed by the Responsible Party (RP). The language for the Submittal Acknowledgement Statement is as follows:

I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to ACDEH's FTP server and the SWRCB's Geotracker Website.

Please make this change to your submittals to ACDEH.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACDEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with the following specified file naming convention and schedule:

- **Results Meeting; November 28, 2017; 1:00 to 3:00 PM** – Please distribute tabulated data, figures, and any other appropriate data, for review to stakeholders prior to a teleconference call to discuss the results of the initial soil gas sampling (Additional step-out vapor locations, semi-permanent vapor probe locations, etc.). ACDEH requests that all tables be tabulated showing any non-detectable concentrations as <x, rather than ND to facilitate an understanding of the reporting level with respect to Environmental Screening Levels (ESLs).

- **Installation of Step-Out / Semi-Permanent Vapor Locations; December 15, 2017**
- **January 29, 2018 – Site Investigation Report and SCM**
File to be named: RO412_SWI_R_yyyy-mm-dd
- **April 6, 2018 – First 2018 Semi-Annual Groundwater Monitoring Report**
File to be named: RO412_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>. Additionally, if your email address does not appear on the cover page of this notification, ACDEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

If you have any questions, please call me at 510-567-6876 or send me an email at mark.detterman@acgov.org.

Sincerely,



Mark E. Detterman, PG, CEG
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 - Responsible Party(ies) Legal Requirements/Obligations & ACDEH Electronic Report Upload (ftp) Instructions

cc: Eva Hey, Stantec Consulting Services, Inc., 15575 Los Gatos Blvd, Los Gatos, CA 95032; (Sent via electronic mail to: eva.hey@stantec.com)

Michael Balster, Chevron Corporation, 6001 Bollinger Canyon Road (T-3068), San Ramon, CA 94583; (Sent via electronic mail to: michael.balster@chevron.com)

Peter Krasnoff, West Environmental Services & Technology, Inc, 711 Grand Avenue, Suite 220, San Rafael, CA 94901; (Sent via electronic mail to: peterk@westenvironmental.com)

Dilan Roe, ACDEH, (Sent via electronic mail to: dilan.roe@acgov.org)

Paresh Khatri, ACDEH; (Sent via electronic mail to: paresh.khatri@acgov.org)

Mark Detterman, ACDEH, (Sent via electronic mail to: mark.detterman@acgov.org)

Electronic File; GeoTracker

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

Alameda County Department of Environmental Health's (ACDEH) Environmental Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) 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 File Transfer Protocol (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 SCP 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 (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/) for more information on these requirements.

ACKNOWLEDGEMENT STATEMENT

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to ACDEH's FTP server and the SWRCB's GeoTracker website." 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 6731, 6735, and 7835) 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 licensed 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 case meet this requirement. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

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: December 1, 2016
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010; May 15, 2014, November 29, 2016
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions


The Alameda County Environmental Cleanup Oversight Programs (LOP 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.
 - 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) Open File Explorer using the Windows  key + E keyboard shortcut.
 - i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) On the address bar, type in ftp://alcoftp1.acgov.org.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive)
 - d) Click Log On.
 - e) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - f) 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 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.