



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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July 9, 2014

Ms. Alexis Fischer
Chevron Environmental Management Company
6101 Bollinger Canyon Rd.
San Ramon, CA 94583
(sent via electronic mail to: AFischer@chevron.com)

Loi & Josephine Le
Loi V Le et al.
4265 Foothill Blvd.
Oakland, CA 94601

Subject: Conditional Work Plan Approval; Fuel Leak Case No. RO0000427 and GeoTracker Global ID T0600100339, Chevron #9-0076, 4265 Foothill Blvd, Oakland, CA 94601

Dear Ms. Fischer and Mr. and Ms. Le:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site including the *First Semi-Annual 2014 Groundwater Monitoring and Sampling Report*, dated May 12, 2014, and the *Updated Site Plan*, dated May 22, 2014. The reports were prepared and submitted on your behalf by Conestoga-Rovers & Associates (CRA). Thank you for submitting the reports.

ACEH has previously evaluated the data and recommendations presented in the above-mentioned reports, in conjunction with the case files, and the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case Closure Policy (LTCP). Based on ACEH staff review, we have determined that the site fails to meet the LTCP e (Site Conceptual Model), f (Secondary Source Removal) and the Media-Specific Criteria for Groundwater, the Media-Specific Criteria for Vapor Intrusion to Indoor Air, and the Media-Specific Criteria for Direct Contact (see Geotracker for a copy of the updated LTCP checklist).

Based on ACEH staff review of the work plan, the proposed scope of work is conditionally approved for implementation provided that the technical comments below are incorporated during the proposed work. 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 these technical comments is proposed. We request that you address the following technical comments, perform the proposed work, and send us the report 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. **Work Plan Modifications** – The referenced work plan proposes a series of actions with which ACEH is in general agreement of undertaking; however, ACEH requests several modifications to the approach. Most of these modifications were contained in the November 21, 2013 directive letter, but not all. They are revisited here in order to minimize any confusion that could be caused by review of multiple documents. Should additional time be required due to permitting delays at the city of Oakland, please notify ACEH at an appropriate time. Otherwise, please submit a report by the date specified below.
 - a. **Source Area Investigation - Waste Oil Area** – As noted previously, a waste oil UST is documented to have been present at the site; however, waste oil analytical results are not reported, except incidentally in the text of a report (Weiss Associates, December 1990). The *Updated Site Plan* additionally proposed the installation of one soil bore in the former waste oil UST excavation. Therefore, please additionally analyze soil and groundwater samples for appropriate waste oil contaminants, including TPHg, TPHd, TPHmo, BTEX, MTBE, TAME, ETBE, DIPE, TBA, LUFT Metals [Cd, Cr, Pb, Ni, Zn], Chlorinated VOCs, SVOCs including naphthalene, PCBs, PAHs, Creosote, and etc). Please ensure representative shallow soil

samples (0 to 5, and 5 to 10 feet below grade surface [bgs]) are collected in order to address the Direct Contact criteria of the LTCP.

As identified before, if a copy of the UST removal report referenced in the Weiss Associates report (Blaine Tech, 1987) can be located and submitted, this may suit as an alternative to the installation of this soil bore; however, without knowledge of the completeness of the analytical data, the report may not be sufficient to eliminate this data gap.

- b. Source Area Investigation - Dispenser Areas** – The *Updated Site Plan* additionally proposed the installation of four soil bores to investigate secondary sources that have been suggested or appear to be indicated in the vicinity of the former dispensers. Please ensure representative shallow soil samples (0 to 5, and 5 to 10 feet bgs) are collected in order to address the Direct Contact criteria of the LTCP.
- c. Vapor Well Installation Depth** – The *Soil, Vapor Sampling, Preferential Pathway Study, and Work Plan*, dated September 14, 2012 indicates that vapor wells will be set at the depths of 5 and 15 feet bgs. Please install vapor wells to reflect the requirements of the LTCP (5 feet below the foundation, including the footing or basement) of existing buildings. Please document the depth of the foundations / footings / basement of adjacent residential structures in the report requested below.
- d. Representative Shallow Soil Samples** – The work plan proposes clearing bore locations with a hand auger or an air knife to a depth of 8 feet bgs. As discussed in previous letters ACEH agrees that hand clearing soil bores is an important step, and recognizes that Chevron corporate preferences exist; however, ACEH requests the use of a hand auger for utility clearing of the bores, as the collection of representative shallow soil analytical data is particularly important under the LTCP, and is not possible with an air knife due to volatilization of target compounds resulting in low-biased analytical results.
- e. Soil Selection Protocols** – The work plan proposes to collect soil samples at a minimum of five-foot intervals, and at signs of contamination, but does not specify the number of samples to be submitted to a laboratory. In addition, ACEH requests that soil samples be collected, and submitted for analysis, at signs of contamination (odor, discoloration, PID responses, etc.), at significant changes in lithology, and just above groundwater. Please recall that delineating the vertical extent of soil (and groundwater) contamination remains a requirement. Consequently in addition to the proposed soil samples please collect sufficient soil samples to define the vertical extent of soil contamination beneath the site. Please present your strategy to address these data gaps.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACEH 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 in Attachment 1, and schedule:

- **October 17, 2014** – Site Investigation Report and Updated Focused Site Conceptual Model
File to be named RO427_SWI_R_yyyy-mm-dd
- **November 21, 2014** – Second Semiannual Groundwater Monitoring Report
File to be named: RO427_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>. If 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.

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Should you have any questions, please contact me at (510) 567-6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,

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

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

cc: Nathan Lee, Conestoga-Rovers & Assoc., 5900 Hollis Street, Suite A, Emeryville, CA 94608
(sent via electronic mail to NLee@croworld.com)

Kiersten Hoey, Conestoga-Rovers & Assoc., 5900 Hollis Street, Suite A, Emeryville, CA 94608;
(sent via electronic mail to KHoey@croworld.com)

Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Suite 3341, Oakland, CA
94612-2032 (sent via electronic mail to lgriffin@oaklandnet.com)

Dilan Roe, ACEH (Sent via E-mail to: dilan.roe@acgov.org)

Mark Detterman, ACEH, (sent via electronic mail to mark.detterman@acgov.org)
Geotracker, Electronic File

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.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, 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: May 15, 2014
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 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 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) 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 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.