



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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February 28, 2013

Jennifer Sedlachek
ExxonMobil
4096 Piedmont, Ave., #194
Oakland, CA 94611

On Dan and Nathan Lam
200 El Dorado Terrace
San Francisco, CA 94112

Subject: Fuel Leak Case No. RO0000445 and Geotracker Global ID T0600101855, Mobil#99-105 / Cars Rent A Car, 6301 San Pablo Avenue, Oakland, CA 94608

Dear Ms. Sedlachek and Messrs. Lam:

Thank you for the recently submitted reports entitled, *Site Conceptual Model Update, Low-Threat Closure Evaluation, and Feasibility Study/Corrective Action Plan* dated October 25, 2012 and *Semi-Annual Groundwater Monitoring Report, Third Quarter 2012* dated August 20, 2012 prepared by Cardno ERI for the subject site. Alameda County Environmental Health (ACEH) staff has reviewed the case file including the above-mentioned reports for the above-referenced site.

The above-mentioned report does not include cleanup levels, detailed cost estimates of the evaluated remedial alternatives or the timeframe to cleanup. Therefore, an adequate evaluation could not be performed. ACEH requests that you address the following technical comments and send us a draft corrective action plan addendum as requested below.

TECHNICAL COMMENTS

1. **Free Product Observed in MW-5** – The text and field notes of the groundwater monitoring report referenced above state that sheen was present in MW-5. However, the presence of free product is not noted in the table. Please update the table to reflect the presence of sheen and submit an addendum to the groundwater monitoring report.
2. **Low Threat Closure Policy Review** – Cardno ERI presented an evaluation of the site using the LTCP and concluded that the site passes for all criteria except petroleum intrusion to indoor air. ACEH has also reviewed the site under the LTCP and finds that in addition to not meeting the media specific criteria for petroleum vapor intrusion to indoor air, the site does not meet the media specific criteria for groundwater since free product has recently been detected in MW-5, demonstrating an increasing petroleum hydrocarbon trend.
3. **Cleanup Levels** – The corrective action plan (CAP) proposes using Environmental Screening levels (ESLs) as clean up goals. These cleanup goals are appropriate for long-term closure goals. However, site cleanup levels, the levels at which the system will be turned off and groundwater and soil expected to continue to naturally attenuate, and the timeframe to reach these levels have not been specified. Please present the clean up levels for active remediation and the timeframe to reach them in the addendum requested below. An evaluation of the costs for each alternative cannot be made if the length of time for the remediation is not specified. Please present the proposed cleanup levels for active

remediation and time frame to reach them for the proposed viable alternatives in the Draft FS/CAP Addendum requested below.

4. **Cost Evaluation** – Please provide costs for the remedial options evaluated in your corrective action plan. Please specify the breakout costs for each option including groundwater monitoring by year, for the projected duration of the cleanup and include well installation costs, waste disposal costs, etc. Please submit this information in the addendum requested below.

5. **Baseline Environmental Project Schedule** – The State Water Resources Control Board passed Resolution No. 2012-0062 on November 6, 2012 which requires development of a Path to Closure Plan by December 31, 2013 that addresses the impediments to closure for the site. The Path to Closure must have milestone dates by calendar quarter which will achieve site cleanup and case closure in a timely and efficient manner that minimizes the cost of corrective action. The Project Schedule should include, but not be limited to, the following key environmental elements and milestones as appropriate:
 - Preferential Pathway Study
 - Soil, Groundwater, and Soil Vapor Investigations
 - Initial, Updated, and Final/Validated SCMs
 - Interim Remedial Actions
 - Feasibility Study/Corrective Action Plan
 - Pilot Tests
 - Remedial Actions
 - Soil Vapor and Groundwater Monitoring Well Installation and Monitoring
 - Public Participation Program (Fact Sheet Preparation/Distribution/Public Comment Period, Community Meetings, etc.)
 - Case Closure Tasks (Request for closure documents, ACEH Case Closure Summary Preparation and Review, Site Management Plan, Institutional Controls, Public Participation, Landowner Notification, Well Decommissioning, Waste Removal, and Reporting.)

Please include time for regulatory and RP in house review, permitting, off-site access agreements, and utility connections, etc.

Please use a critical path methodology/tool to construct a schedule with sufficient detail to support a realistic and achievable Path to Closure Schedule. The schedule is to include at a minimum:

- Defined work breakdown structure including summary tasks required to accomplish the project objectives and required deliverables

- Summary task decomposition into smaller more manageable components that can be scheduled, monitored, and controlled

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- Sequencing of activities to identify and document relationships among the project activities using logical relationships
- Identification of critical paths, linkages, predecessor and successor activities, leads and lags, and key milestones
- Identification of entity responsible for executing work
- Estimated activity durations (60-day ACEH review times are based on calendar days)

Please submit an electronic copy of the Path to Closure Schedule by the date listed below. ACEH will review the schedule to ensure that all key elements are included.

TECHNICAL REPORT REQUEST

Please submit technical reports to ACEH (Attention: Barbara Jakub), according to the following schedule:

- **March 15, 2013** – Groundwater Monitoring Report Addendum (Third Quarter 2012)
(File to be named GWM_R_ADEND_yyyy-mm-dd)
- **May 15, 2013** – Draft Corrective Action Plan Addendum
(File to be named: CAP_ADD_R_yyyy-mm-dd)
- **May 15, 2013** – Path to Closure and Schedule
(File to be named PROJ_SCH_yyyy-mm-dd)

Should you have any questions or concerns regarding this correspondence or your case, please call me at (510) 639-1287 or send me an electronic mail message at barbara.jakub@acgov.org.

Sincerely,

Barbara J. Jakub, P.G.
Hazardous Materials Specialist

Enclosure: Responsible Party(ies) Legal Requirements/Obligations
ACEH Electronic Report Upload (ftp) Instructions

cc: Rebekah Westrup, Cardno ERI, 601 North McDowell Blvd., Petaluma, CA 94954-2312 (*Sent via e-mail to: rwestrup@ERI-US.com*)
Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (*Sent via E-mail to: lgriffin@oaklandnet.com*)
Donna Drogos, ACEH (*Sent via E-mail to: donna.drogos@acgov.org*)
Barbara Jakub, ACEH (*Sent via E-mail to: barbara.jakub@acgov.org*)
GeoTracker, 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: July 20, 2010
	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 (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.