ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

ENVIRONMENTAL HEALTH SERVICES
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March 16, 2009

Mr. Ian Robb
6001 Bollinger Canyon Road K2256 B
PO Box 6012
San Ramon, CA 94583-2324

Mr. Rene Boisvert
Boulevard Equity Group
484 Lake Park Ave #246
Oakland, CA 94610-2730

Terrilla Sadler
618 Brooklyn Avenue
Oakland, CA 94606-1004

Subject: Fuel Leak Case No. RO0000454 (Global ID # T0600102230), Chevron #20-6145/Signal SS, 800 Center Street, Oakland CA 94607

Dear Mr. Robb, Mr. Boisvert and Terrella Sadler:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site and the documents entitled "Soil Vapor Investigation Results" and "Response to Comments" dated November 18, 2008 and October 30, 2008, respectively, and prepared by Conestoga Rovers Associates (CRA). Results from the soil vapor sampling confirm that residual vapor phase contamination above ESLs remains in the vadose zone at concentrations of up to 120,000 $\mu g/m^3$ TPHg. CRA has proposed low flow air sparging as a remediation method to mitigate residual contamination in groundwater beneath the site. The proposed remedial method may be effective for the cleanup of residual contamination in groundwater, however the low flow air sparging remedial method will not address residual soil or soil vapor contamination.

Based on ACEH staff review of the case file, we request that you address the following technical comments and send us the reports described below.

TECHNICAL COMMENTS

1. **Corrective Action Plan (CAP) Recommendation for Low Flow Air Sparging.** The CAP proposes low flow air sparging (also known as biosparging) as a remedial method to reduce dissolved phase contamination in groundwater beneath the site. ACEH generally concur with the recommendation for the implementation of the pilot test for low flow air sparging. While low flow air sparging may be effective enhancing biodegradation of groundwater contamination, the proposed remedial method will not address residual contamination in soil or the vapor. Since residential redevelopment is proposed at this site, we request that you consider remediation activities that will also mitigate contamination in both soil and vapor. For that reason, we require that you evaluate other remedial methods that will reduce residual contamination in shallow soil and vapor. Please prepare a revised CAP that addresses remediation in all media including soil and vapor, and submit the revised CAP according to the schedule below.

   Post excavation confirmation sampling completed in November 2002 and soil boring data collected in January 2003 detected high levels of contamination -significantly above residential ESLs- at concentrations of up to 18,000 mg/kg TPHg, 3,400 mg/kg TPHd and 91 mg/kg benzene, 1,000 mg/kg toluene, 480 mg/kg ethylbenzene and 1,900 mg/kg xylenes in soil. It appears that a considerable mass of contaminated soil remains in place beneath the site. Therefore, we request that you evaluate if the residual contamination in all media will pose a

risk for the proposed residential redevelopment of the property. Please present the results of your evaluation in the revised CAP requested below.

2. **Groundwater Contamination at Depth.** CRA maintains that remediation of the dissolved phase contamination at depth is not necessary, because groundwater analytical data indicate that contamination at depth has decreased significantly over time. Groundwater analytical data collected in May 2008 did not detect TPHg or benzene above laboratory reporting limits, while dissolved phase TPHd contamination was detected at maximum concentrations of up 120 µg/L. Furthermore, CRA recommends that the monitoring wells should be decommissioned. ACEH concurs that groundwater analytical data indicate that the concentrations of dissolved phase contamination at depth are decreasing. Consequently, you may consider reducing groundwater monitoring in the deeper wells to a semi-annual basis.

3. **Soil Vapor Sampling.** Additional soil vapor sampling competed in October 2008 detected contamination above residential ESLs at concentrations of up to 120,000 µg/m^3 TPHg. CRA states that the distribution of soil vapor sample points exceeds the recommendations in the December 2004 DTSC "Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air." The vapor points were chosen based on proposed building footprints and vapor points were installed in areas of elevated concentrations of TPHg and benzene in soil and groundwater. Due to the presence of high concentrations of TPHg detected during post excavation confirmation soil sampling we request that you consider additional soil vapor sample locations between to SW-3 and SW-4. Please submit you proposal for additional soil vapor sampling according to the schedule below.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Mr. Steven Plunkett), according to the following schedule:

- **April 27, 2009** – Work Plan for Pilot Test and additional Soil Vapor Sampling
- **May 24, 2009** – Revised Draft Corrective Action 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 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) 383-1767 or send me an electronic mail message at steven.plunkett@acgov.org.

Sincerely,

Steven Plunkett
Hazardous Materials Specialist

Donna L. Drogos, PE
Supervising Hazardous Materials Specialist

cc: Charlotte Evans
CRA
5900 Hollis Street, Suite A
Emeryville, CA 94608

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