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By Alameda County Environmental Health at 2:28 pm, Sep 09, 2013



Catalina Espino Devine
Project Manager
Marketing Business Unit

**Chevron Environmental
Management Company**
6101 Bollinger Canyon Road
San Ramon, CA 94583
Tel (925) 790-3949
espino@chevron.com

Alameda County Health Care Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Re: Chevron Service Station No. 91851
451 Hegenberger Drive
Oakland, CA

I have reviewed the attached letter dated September 6, 2013.

I agree with the conclusions and recommendations presented in the referenced letter. The information in this report is accurate to the best of my knowledge and all local Agency/Regional Board guidelines have been followed. This letter was prepared by Conestoga-Rovers & Associates, upon whose assistance and advice I have relied.

This letter is submitted pursuant to the requirements of California Water Code Section 13267(b)(1) and the regulating implementation entitled Appendix A pertaining thereto.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Sincerely,

A handwritten signature in blue ink that reads "Catalina Espino Devine".

Catalina Espino Devine
Project Manager

Attachment: Report



**CONESTOGA-ROVERS
& ASSOCIATES**

5900 Hollis Street, Suite A, Emeryville, California 94608
Telephone: (510) 420-0700 Fax: (510) 420-9170
www.CRAworld.com

September 6, 2013

Reference No. 311976

Mr. Mark Detterman
Alameda County Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502-6577

Re: Response Letter Regarding Long-Term Site Management Plan
Former Chevron Service Station 91851
451 Hegenberger Road
Oakland, California
Fuel Leak Case No. RO0000464

Dear Mr. Detterman:

On behalf of Chevron Environmental Management Company (EMC), Conestoga-Rovers & Associates (CRA) has prepared this *Response Letter* as requested by Alameda County Environmental Health (ACEH) in its *Comments on Soil & Groundwater Management Plan and Building Pad Overexcavation Reports* letter (Attachment A) dated July 24, 2013, for the site referenced above (Figure 1). This letter will only address ACEH's comments that pertain to the former operations of Chevron Service Station 91851 (ACEH Comment 2). EMC will not respond to any of ACEH's comments in regards to current site redevelopment being conducted by the property owner (ACEH Comments 1 and 3), because EMC is not involved in or responsible for any aspect of the owner's redevelopment activities. Below is the response to ACEH's Comment 2.

ACEH requested a Long-Term Site Management Plan (LTSMP) due to potential future exposure of "construction workers (utility, fueling system service personnel, or others) working in proximity to the location" of elevated concentrations of benzene in shallow soil beneath the eastern dispenser island, or alternatively, a rationale for excluding these personnel from a LTSMP. CRA and EMC conclude that these personnel should be excluded from a LTSMP; presented below is the rationale.

The remaining petroleum hydrocarbons in soil underneath the eastern dispenser island poses a low-threat to fueling system service personnel. Fueling system service personnel that work on above-ground equipment will not come into contact with the impacted soil because the area around the dispensers is concreted. Fueling system service personnel that purposely intrude into the soil in the vicinity of a dispenser, (for example to repair piping) know that the possibility of contact with petroleum-impacted soil is high at any such location and would be expected to use at least minimal health and safety personal protective equipment such as gloves. Servicing active dispensers or intruding into the soil at an active dispenser island is not a year-long generic worker situation, and this type of activity is not part of the conceptual

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& ASSOCIATES**

September 6, 2013

Reference No. 311976

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model upon which the Low-Threat Closure Policy (LTCP) and its criteria is based. Consistent with the rationale for the vapor intrusion exclusion for active service stations in the LTCP, the exposure risks to petroleum hydrocarbons for fueling system service personnel are greater during fueling system service operations, due to vapors and/or residual gasoline that are present in the fueling system, than during potential exposure to impacted soil.

The site is currently an active service station and is planned to be a service station for the foreseeable future, and therefore it is unlikely that new utilities would be installed within the impacted active dispenser area. Any new utility trench would not go through the dispenser product piping or the reinforced concrete pad of the dispenser island, as the cost would be significantly less to go around the dispenser area and the safety risk of laying utilities beneath a dispenser island are too great (e.g., potential explosion). Therefore, the petroleum hydrocarbons remaining in the soil under the eastern dispenser poses a low-threat to the utility/construction worker because no utilities will be placed within the dispenser area.

Therefore, these receptors are appropriately excluded from the need for a LTSMP, and a LTSMP is not needed for this site

With respect to ACEH's administrative record-keeping for this property, EMC requests that ACEH separate the property owner's redevelopment activities from the EMC request for site closure. EMC is not involved in the site redevelopment activities and is not responsible for any site redevelopment activities. EMC requests that ACEH keep separate files and records for (1) the EMC-related site remediation and closure issues, and (2) the redevelopment issues. Any letter sent by ACEH should be addressed to the correct party and contain comments and requests that relate only to that party. Also, the current site redevelopment should have no bearing on ACEH's evaluation of EMC's request for site closure.

CRA agrees with the LTCP Checklist on GeoTracker dated May 14, 2013, that indicates that this site meets all the LTCP criteria and should be closed.



**CONESTOGA-ROVERS
& ASSOCIATES**

September 6, 2013

Reference No. 311976

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If you have any questions or concerns, please contact Nathan Lee of Conestoga-Rovers & Associates at 925-849-1003 or nlee@craworld.com.

Regards,

CONESTOGA-ROVERS & ASSOCIATES

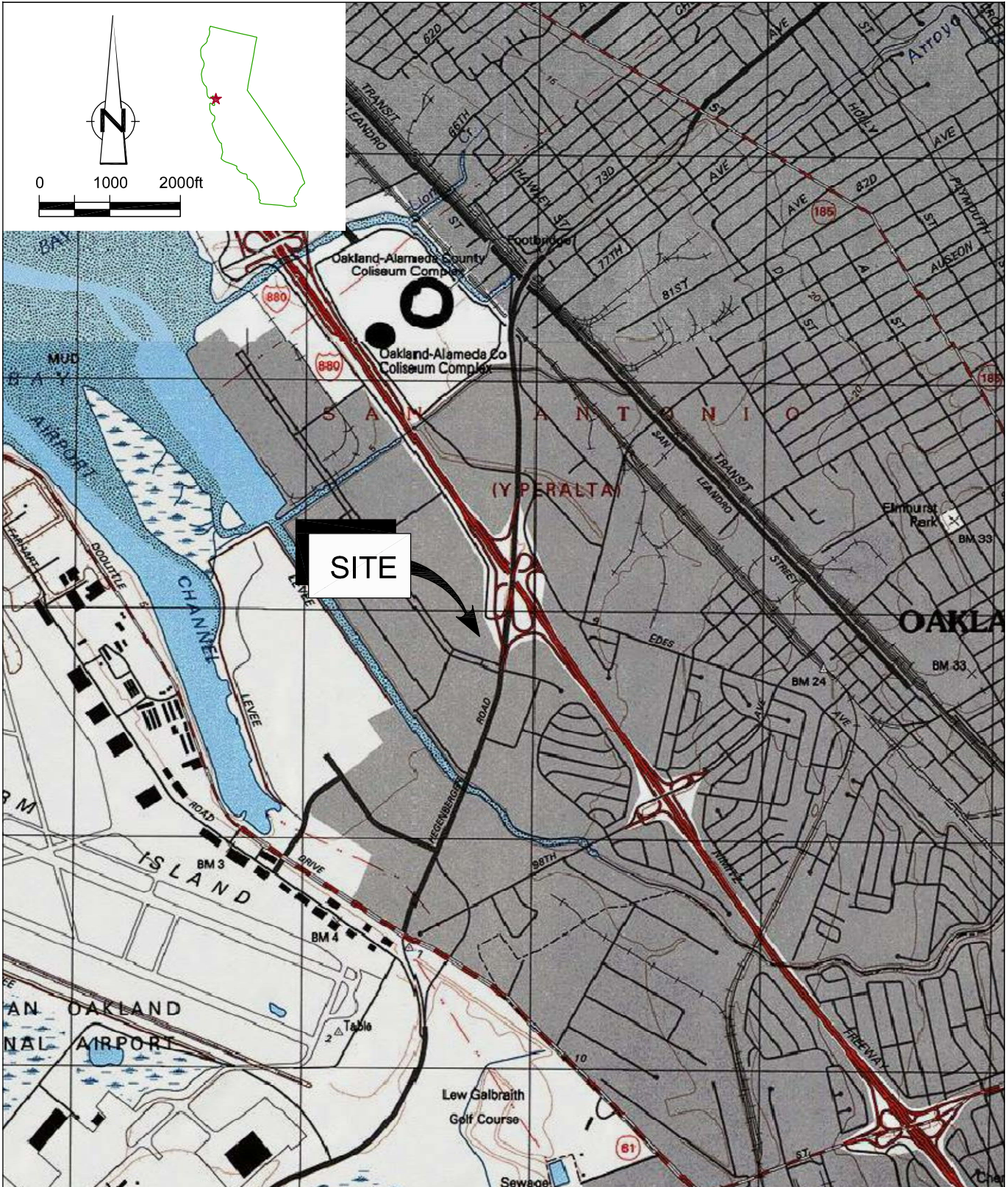
Nathan Lee
NL/aa/5



Figure 1 Vicinity Map

Attachment A Regulatory Letter

cc: Ms. Catalina Espino Devine, Chevron
 Mr. Navadeep Singh Grewal
 Mr. Bob Clark-Riddell (*electronic copy*)



SOURCE: USGS QUADRANGLE MAP;
 EAST OAKLAND, CALIFORNIA; DATE: 1997
 SAN LEANDRO, CALIFORNIA; DATE: 1993

Figure 1
 VICINITY MAP
 CHEVRON SERVICE STATION 91851
 451 HEGENBERGER ROAD
 Oakland, California





ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

July 24, 2013

Ms. Catalina Espino Devine
Chevron Environmental Management Co.
6101 Bollinger Canyon Road
San Ramon, CA 94583
(sent via electronic mail to
espino@chevron.com)

Mr. Mark Gomez
City of Oakland
250 Frank Ogawa Plaza,
Suite 5301
Oakland, CA, 9461
(sent via electronic mail to
mgomez@oaklandnet.com)

Simgas LLC
655 Montgomery St #1900
San Francisco, CA 94111

Gurinder Grewal & Singh Navdeep
349 Brianne Ct.
Pleasanton, CA 94566
(sent via electronic mail to grewalngns@yahoo.com)

Subject: Comments on Soil & Groundwater Management Plan and Building Pad Overexcavation Reports; Fuel Leak Case No. RO0000464; (Global ID # T0600102238); Chevron #9-1851, 451 Hegenberger Road, Oakland, CA 94612

Dear Ladies and Gentlemen:

Alameda County Environmental Health Department (ACEH) staff has reviewed the case file, including the *Soil and Groundwater Management Plan*, by Pangea Environmental Services (Pangea), and dated June 20, 2013, and the *Report of Testing Services During Building Pad Backfill Operations*, by Wayne Ting & Associates, Inc (Wayne Ting), and dated June 22, 2013. Thank you for submitting the reports.

The *Soil and Groundwater Management Plan* (SGMP) was developed to manage any contaminated soil and groundwater encountered during site redevelopment, but was specifically limited to demolition of the existing building and the construction of the proposed new service station on the eastern third of the site. The *Report of Testing Services During Building Pad Backfill Operations* documented the densification of native soils beneath the building pad footprint of the future service station and convenience store building. The densification included compaction testing and the mixing of imported material derived from the Dumbarton Quarry and Bay Area Concrete Recycling.

Based on ACEH staff review of the case file, we request that you address the following technical comments and submit a revised work plan as described below.

TECHNICAL COMMENTS

- 1. Soil and Groundwater Management Plan** - For the specific purpose of managing contaminated soil and groundwater removed or otherwise encountered during construction of the new service station building, the SGWMP appears to be adequate. In addition to Mr. Bob Clark-Riddell, ACEH requests immediate notification of the discovery of contaminated soil or groundwater, and work stoppage until the contamination is assessed. ACEH requests an SGMP addendum to document the requested change in notification procedures. At the completion of site redevelopment actions, or by the date identified below, ACEH requests the submittal of a letter certifying that the SGMP was followed.
- 2. Long-Term Site Management Documentation** - An additional area of concern to ACEH is the exposure to fueling system service personnel to elevated concentrations of volatile organic compounds related to gasoline that are documented to be / to have been present beneath the

eastern dispenser island. Chevron's approach to residual contamination at the site has been to use an Upper Confidence Level (UCL) approach to evaluate risk at the entire site; however, the elevated residual contamination at this location could potentially expose construction workers (utility, fueling system service personnel, or others) working in proximity to the location. Consequently ACEH requests Chevron generate a Long-Term Site Management Document to manage the risk of exposure to these contaminants, or alternatively provide a rationale for the exclusion of these personnel from a Long-Term Site Management Plan. Please submit this document by the date identified below.

- 3. Imported Material Quality** – The subject site has been the under the oversight of the Alameda County Local Oversight Program for a release of petroleum hydrocarbons to the subsurface. The primary goal is to achieve cleanup of the site to be protective of human health and the environment. ACEH has been provided documentation on the source and volume of recently imported recycled concrete and quarry materials. This material was imported without agency oversight, or analytical testing to document the quality (potential for contamination) of the imported material. Due to potential contamination issues with recycled concrete (e.g. absorbed PCBs, PNAs, solvents, and etc.), ACEH requests the submittal of a document that certifies that the recycled concrete is appropriate for this site, by the date identified below. Additionally, due to potential metals contamination of quarry rock (e. g. serpentine), ACEH requests certification from the quarry that the rock is virgin and clean material, and does not contain unacceptable concentrations of contaminants.

Please see Attachment A for the Department of Toxic Substances Control (DTSC) clean import guidance document (*Information Advisory Clean Imported Fill Material*), and the New Jersey Department of Environmental Protection (NJDEP) *Guidance for Characterization of Concrete and Clean Material Certification for Recycling*.

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 specified file naming convention below, according to the following schedule:

- **August 26, 2013** – Fill Quality Certifications
File to be named: MISC_R_yyyy-mm-dd
- **August 26, 2013** – Long Term Site Management Documentation
File to be named: MISC_R_yyyy-mm-dd
- **December 20, 2013** – Certification of Adherence of SMGP Protocols
File to be named: MISC_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.

Ladies & Gentlemen
RO0000464
July 24, 2013, Page 3

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

Sincerely,



Digitally signed by Mark Detterman
DN: cn=Mark Detterman, o, ou,
email=mark.detterman@acgov.org,
c=US
Date: 2013.07.24 17:37:38 -07'00'

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

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

Attachment A - DTSC *Information Advisory Clean Imported Fill Material*, and
NJDEP *Guidance for Characterization of Concrete and Clean Material
Certification for Recycling*

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

Bob Clark-Riddell, Pangea Environmental Services, Inc., 1710 Franklin Street, Suite 200, Oakland, CA
94612 (sent via electronic mail to BRiddell@pangeaenv.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)

Donna Drogos, (sent via electronic mail to donna.drogos@acgov.org)

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

Mark Detterman (sent via electronic mail to mark.detterman@acgov.org)

Electronic File, GeoTracker

ATTACHMENT 1

**Responsible Party(ies) Legal Requirements/Obligations
& ACEH Electronic Report Upload (ftp) Instructions**

Attachment 1

Responsible Party(ies) Legal Requirements/Obligations

REPORT/DATA REQUESTS

These reports/data are being requested pursuant to Division 7 of the California Water Code (Water Quality), Chapter 6.7 of Division 20 of the California Health and Safety Code (Underground Storage of Hazardous Substances), and Chapter 16 of Division 3 of Title 23 of the California Code of Regulations (Underground Storage Tank Regulations).

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (Local Oversight Program [LOP] for unauthorized releases from petroleum Underground Storage Tanks [USTs], and Site Cleanup Program [SCP] for unauthorized releases of non-petroleum hazardous substances) require submission of reports in electronic format pursuant to Chapter 3 of Division 7, Sections 13195 and 13197.5 of the California Water Code, and Chapter 30, Articles 1 and 2, Sections 3890 to 3895 of Division 3 of Title 23 of the California Code of Regulations (23 CCR). Instructions for submission of electronic documents to the ACEH FTP site are provided on the attached "Electronic Report Upload Instructions."

Submission of reports to the ACEH FTP site is in addition to requirements for electronic submittal of information (ESI) to the State Water Resources Control Board's (SWRCB) Geotracker website. In April 2001, the SWRCB adopted 23 CCR, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1 (Electronic Submission of Laboratory Data for UST Reports). Article 12 required electronic submittal of analytical laboratory data submitted in a report to a regulatory agency (effective September 1, 2001), and surveyed locations (latitude, longitude and elevation) of groundwater monitoring wells (effective January 1, 2002) in Electronic Deliverable Format (EDF) to Geotracker. Article 12 was subsequently repealed in 2004 and replaced with Article 30 (Electronic Submittal of Information) which expanded the ESI requirements to include electronic submittal of any report or data required by a regulatory agency from a cleanup site. The expanded ESI submittal requirements for petroleum UST sites subject to the requirements of 23 CCR, Division, 3, Chapter 16, Article 11, became effective December 16, 2004. All other electronic submittals required pursuant to Chapter 30 became effective January 1, 2005. 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, 7835, 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, 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: July 25, 2012
	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 (petroleum UST 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 .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 [://alcoftp1.acgov.org](http://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 .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.