



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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December 17, 2009

Mr. Denis Brown
Shell Oil Products US
20945 S. Wilmington Ave.
Carson, CA 90810-1039

Mr. Richard Burge
Burge-Pacific Enterprises, Inc.
490 Grand Avenue, Suite 200
Oakland, CA 94610

Subject: Fuel Leak Case No. RO0000505 and Geotracker Global ID T0600102237, 7-Eleven #20009, 2350 Harrison Street, Oakland, CA 94612

Dear Mr. Brown and Mr. Burge:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above referenced site including the documents entitled, "*Soil Vapor Probe Sampling Report*," dated August 12, 2009 and "*Survey of Potential Off-site Sources and Subsurface Investigation Work Plan Addendum*," dated November 11, 2009. Both reports were prepared by Conestoga-Rovers & Associates on behalf of Shell Oil Products. The Soil Vapor Sampling Report presents the results from soil vapor sampling conducted adjacent to the northern wall of the 7-11 store building at 2350 Harrison Street. Benzene was detected in the soil vapor samples at concentrations ranging from 2,400 to 530,000 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$). The concentrations in each of the three soil vapor samples collected exceed the commercial land use environmental screening level (ESL) for soil vapor of $280 \mu\text{g}/\text{m}^3$ (San Francisco Bay Regional Water Quality Control Board May 2008). The Work Plan Addendum proposes off-site soil borings and soil vapor sampling.

The proposed scope of work is conditionally approved and may be implemented provided that the technical comments below are addressed during implementation of the site investigation. Submittal of a revised Work Plan or Work Plan Addendum is not required unless an alternate scope of work outside that described in the Work Plan and 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.

TECHNICAL COMMENTS

1. **Off-site Soil Borings.** The proposed locations and sampling methods for off-site soil borings are generally acceptable. Please include naphthalene as an analyte for soil and groundwater samples in addition to the analytes proposed using EPA Method 8260B.
2. **Soil Vapor Sampling.** The Work Plan proposes re-sampling the three existing soil vapor probes and installing and sampling a single soil vapor probe at a depth of 1.75 feet bgs adjacent to SVP-2. We concur with re-sampling of the three existing soil vapor probes. Collection of soil vapor samples at depths less than 5 feet bgs is generally not advisable due to the potential effects of breakthrough

from ambient air and the effects of temperature and barometric pressure changes. Based on the results obtained to date in soil vapor samples collected adjacent to the building, sub-slab or indoor air sampling is more appropriate than collecting shallower soil vapor samples. The step by step process for evaluating the potential for vapor intrusion is outlined in the December 15, 2004 DTSC document entitled, "*Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air.*" Given these limitations, the proposed scope of collecting one shallow soil vapor sample will not be sufficient to fully address the potential for vapor intrusion to indoor air. Nevertheless, you may proceed with re-sampling the existing probes and the proposed collection of one shallow soil vapor sample for comparison purposes. Alternatively, you may propose sub-slab or indoor air sampling in a work plan addendum.

3. **Soil Vapor Sampling and Analysis.** We request that the soil vapor samples be analyzed for the full scan of VOCs, naphthalene, and TPH as gasoline using EPA Method 8260B and not limited to reporting of BTEX. In addition to the proposed analyses, we request that the soil vapor samples be analyzed for oxygen, carbon dioxide, methane, and helium using ASTM D1946. Please present these results in the Site Investigation Report requested below.
4. **Alternative Screening Levels.** We do not concur with the proposed alternative soil vapor screening levels. The commercial ESL for benzene is $280 \mu\text{g}/\text{m}^3$ and the proposed alternative screening level is $6,800 \mu\text{g}/\text{m}^3$. The alternative screening levels are based on a target risk of 10-05 versus the commercial ESL for soil vapor which uses a target risk of 10-06 and target hazard quotient of 0.2. The commercial ESLs incorporate these factors in part to account for cumulative risk. The alternative screening levels do not consider cumulative risk, which appears to be inappropriate for the site given that additional chemicals of concern to those listed are present at the site. We note that 1,1,2,2-tetrachloroethane is a chemical of concern for the site based on detections in soil boring S-2. The reporting limit for 1,1,2,2-tetrachloroethane in the soil vapor sample from SVP-2 was $13,000 \mu\text{g}/\text{m}^3$ which exceeds the commercial ESL for 1,1,2,2-tetrachloroethane of $140 \mu\text{g}/\text{m}^3$ by nearly two orders of magnitude. The commercial ESLs are to be used for screening purposes.
5. **Groundwater Monitoring.** Groundwater monitoring is to be continued on a semiannual basis with sampling conducted during the second and fourth quarters. Please present these results in the Groundwater Monitoring reports requested below.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **February 15, 2010** – Fourth Quarter 2009 Groundwater Monitoring Report
- **April 23, 2010** – Site Investigation Report
- **August 13, 2010** – Second Quarter 2010 Groundwater Monitoring Report

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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/cleanup/electronic_reporting).

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.

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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) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 2032 (*Sent via E-mail to: lgriffin@oaklandnet.com*)

Peter Schaefer, Conestoga-Rovers & Associates, 5900 Hollis Street, Suite A
Emeryville, CA 94608 (*Sent via E-mail to: pschaefer@croworld.com*)

David Siegel, ERAS Environmental, 1533 B Street, Hayward, CA 94541 (*Sent via E-mail to: dave@eras.biz*)

Donna Drogos, ACEH (*Sent via E-mail to: donna.drogos@acgov.org*)
Jerry Wickham, ACEH
Geotracker, File

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: March 27, 2009
	PREVIOUS REVISIONS: December 16, 2005, October 31, 2005
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

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- 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)

Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

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 dehloptoxic@acgov.org
 - Or
 - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of My Le Huynh.
 - 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 and Firefox browsers will not open the FTP site.
 - b) Click on File, then on Login As.
 - 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 dehloptoxic@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.