



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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October 29, 2015

Mr. Carryl MacLeod
Chevron Environmental Management Co.
6101 Bollinger Canyon Road
San Ramon, CA 94583

to:

(sent via electronic mail to:

teamspirit74@yahoo.com)

CMacleod@chevron.com)

WestMac LLC
1842 21st Avenue
San Francisco, CA 94122
(sent via electronic mail to:

gathconstruc@aol.com)

and sokaneconst@hotmail.com)

Mr. Buyandalai Itgel
787 Marlesta Road
Pinole, CA 94564
(sent via electronic mail

Subject: Request for Meeting; Fuel Leak Case No. RO00002438; Chevron #9-2029 (Global ID #T0600173887), 890 MacArthur Blvd, Oakland, CA 94608

Dear Ms. MacLeod, WestMac LLC, and Mr. Itgel:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the Second Quarter 2015 Semi-Annual Groundwater Monitoring Report, dated June 25, 2015, and the *Site Investigation Report*, dated September 4, 2015. The reports were prepared and submitted on your behalf by generated by Stantec Consulting Services, Inc (Stantec). Thank you for submitting them.

The subject site investigation report documents the installation of soil bores SB-11 to SB-21, the collection of soil and grab groundwater samples, an updated sensitive receptor survey, including an updated water well, surface water body, conduit, sensitive population, and neighborhood basement and sump survey. The report states that the site meets all General Criteria of the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case Closure Policy (LTCP), and meets the Groundwater and Direct Contact and Outdoor Air Media Specific Criterias, but does not meet the Vapor Intrusion to Indoor Air Criteria.

Based on the additional data contained in the referenced investigation report, ACEH is in concurrence that the site now additionally meets the Media-Specific Criteria for Groundwater, but does not meet the Media-Specific Criteria for Vapor Intrusion to Indoor Air (see Geotracker for a copy of the LTCP checklist). The vapor intrusion concern is based on a review of existing residential redevelopment plans (dated March 2007) and planned changes in surface grade elevation that removes a portion of the separation distance from residual petroleum contamination and associated vapors, and otherwise decreases the level of protection of human occupants of the future site buildings from vapor intrusion.

TECHNICAL COMMENTS

- 1. Request for Meeting to Discuss the LTCP Criteria for Vapor Intrusion to Indoor Air** – In conjunction with vapor barriers, the referenced report recommends that the residential redevelopment design plans be re-evaluated due to insufficient air flow for the proposed number of cars, when planned car stackers are incorporated into air flow calculations. In particular the report states that air flow calculations for the proposed below grade parking garage should use sufficient air flow for 39 cars rather than the previous 33 cars planned.

ACEH is in general agreement that increased air flow, and vapor barriers can be a part of the solution at the subject site; however, ACEH is not certain that these mitigation measures alone are sufficient or are sufficiently supported to allow the determination that the measures adequately mitigate the risk of vapor intrusion into a below grade residential structure that appears to include at least one elevator to residential areas above the garage level. Additionally, in conformance with Department of Toxic

Substance Control (DTSC) guidance, ACEH does not recognize mitigation as a stand-alone solution, but recognizes vapor mitigation as a part of a solution.

There appears to be a number of paths forward at this juncture, and because there are multiple parties with interests in the site, and with potentially differing viewpoints, it appears appropriate to invite you all to a meeting to discuss an efficient strategy to progress the site towards closure and redevelopment as residential property. Possible paths can include redevelopment plan updating, soil vapor sampling, remedial excavations, a Site Management Plan to manage excavations at the time of redevelopment, and mitigation measure support documentation. The timing of redevelopment is also expected to be a part of this decision process.

ACEH requests notification of suitable dates and times for the meeting. Based on the results of the meeting, ACEH will request the completion of an appropriate scope of work.

- 2. Groundwater Monitoring** – Please continue to conduct semi-annual groundwater monitoring at the subject site and submit report on the schedule listed below.

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 Attachment 1 and the following specified file naming convention and schedule:

- **November 30, 2015** – Potential Meeting Notification Dates
Email to Case Worker
- **January 15, 2016** – Semi-Annual Groundwater Monitoring Report
File to be named: RO2438_GWM_R_YYYY-mm-dd
- **July 15, 2016** – Semi-Annual Groundwater Monitoring Report
File to be named: RO2438_WP_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.

Thank you for your cooperation. 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,

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

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

cc: Travis Flora, Stantec Consulting Services, Inc, 15575 Los Gatos Blvd, Bldg C, Los Gatos, CA 95032 (sent via electronic mail to: Travis.Flora@Stantec.com)

Dan McGue, Paragon Real Estate Group, 1400 Van Ness Avenue, San Francisco, CA 94109
(sent via electronic mail to: DanMcGue@paragon.re.com)

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

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.