

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



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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July 7, 2008

Paul Supple (Sent via Electronic Mail)
Atlantic Richfield Company
(A BP Affiliated Company)
P.O. Box 1257
San Ramon, CA 94583

Subject: Fuel Leak Case No. RO0002526 and Geotracker Global ID T06019734306, ARCO
#2107, 3310 Park Boulevard, Oakland, CA 94610

Dear Mr. Supple:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the recently submitted document entitled, "Offsite Soil & Groundwater Investigation Report," dated August 29, 2007, which was prepared by Broadbent & Associates, Inc. (BAI) for the subject site. Based on a review of the above-mentioned report, low concentrations of petroleum hydrocarbons were detected off-site to the north. However, it is not clear whether BAI proposes additional assessment or believes the site is adequately characterized. Although in the Table of Contents of the subject report, Section 6.0 reads "Conclusions and Recommendations," no recommendations could be found in the report.

At this time, it appears necessary to clarify this Department's role in conducting remedial oversight as well as the role of your consultant. This Department provides guidance by reviewing, approving or denying recommendations and conclusions provided by your consultant. We commonly request additional clarification and/or justification supporting your consultant's recommendations and conclusions. However, we do not dictate or direct the course of site characterization and/or remediation. You have retained BAI to provide their professional expertise for site characterization and remediation. It is BAI and their Registered Professional's responsibility to analyze the data and make professional recommendations and/or judgments regarding appropriate and cost effective site assessment and/or corrective action.

With that being said, BAI's recommendations and conclusions in the subject report did not include a discussion of whether the site is adequately characterized or if additional characterization is necessary. In all future reports, please provide a complete recommendations and conclusions section.

ACEH requests that you address the following technical comments and send us the technical reports requested below.

TECHNICAL COMMENTS

1. **Regional Geologic and Hydrogeologic Setting** – Depth to groundwater has ranged from approximately 5 to 9 feet below the ground surface (bgs). However, elevated concentrations of MtBE have been detected at depths of 20 to 30 feet bgs. For example, MtBE was detected at 1,200 micrograms per liter ($\mu\text{g/L}$) in sample HP-7-20 collected between 16 and 20 feet bgs and 3,700 $\mu\text{g/L}$ in sample HP-7-30 collected between 26 and 30 feet bgs. Based on the analytical results, it appears that the vertical extent of contamination appears undefined. According to BAI, the site has been leveled by cutting into the hillside on the south side of the property. BAI further states that URS reported water may be collecting in the UST cavity and running down-gradient and may be the cause of the shallow first encountered water at boring locations along the north side of the site. Further evaluation of hydrogeologic conditions, including an evaluation to determine whether vertical gradients exist at the site appears warranted as well as delineating the vertical extent of MtBE impact in groundwater. Please submit a scope of work to address the above-mentioned concerns and submit a work plan.

2. **Groundwater Contaminant Plume Monitoring** – Based on groundwater sample analytical results from borings installed at the site, permanent groundwater monitoring points appear necessary to evaluate groundwater contaminant plume stability. In addition, since contaminants have been detected at multiple depths at the site, it may be advantageous to install multi-level monitoring wells, monitoring well clusters, or systems capable of monitoring multiple depths. Please propose a scope of work to address the above-mentioned concerns and submit a work plan by the date specified below.

TECHNICAL REPORT REQUEST

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

- **September 2, 2008** – Soil and Water Investigation Work Plan
- **October 30, 2008** - Quarterly Monitoring Report (3rd Quarter 2008)
- **January 30, 2009** - Quarterly Monitoring Report (4th Quarter 2008)
- **April 30, 2009** - Quarterly Monitoring Report (1st Quarter 2009)
- **July 30, 2009** - Quarterly Monitoring Report (2nd Quarter 2009)

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.

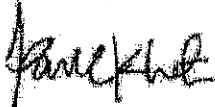
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AGENCY OVERSIGHT

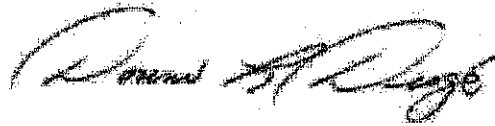
If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 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) 777-2478 or send me an electronic mail message at paresh.khatri@acgov.org.

Sincerely,



Paresh C. Khatri
Hazardous Materials Specialist



Donna L. Drogos, PE
Supervising Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Tom Venus, tvenus@broadbentinc.com (sent via electronic mail)
Leroy Griffin, via e-mail lgriffin@oaklandnet.com (sent via electronic mail)
Donna Drogos, ACEH (sent via electronic mail)
Paresh Khatri, ACEH (sent via electronic mail)
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