

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
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October 7, 2008

Ms. Jennifer Sedlachek
Exxon Mobil
4096 Piedmont, #194
Oakland, CA 94611

Mr. John Jay
C/o Jay Phares Corporation
10700 MacArthur Boulevard, Suite #200
Oakland, CA 94605

Subject: Fuel Leak Case No. RO0002635 and Geotracker Global ID T0600120383, Exxon #7-4121, 10605 Foothill Boulevard, Oakland, CA 94605

Dear Ms. Sedlachek and Mr. Jay:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site, including the recently submitted document entitled, "Vapor Sampling Work Plan," dated August 22, 2008. The "Vapor Sampling Work Plan," which was prepared by ETIC Engineering, Inc., presents plans for sampling five existing soil vapor probes that were installed at the site in January 2007. One of the existing probes is in the central portion of the site and the remaining four probes are located along the western property boundary. In our June 20, 2008 correspondence, we requested that you propose additional soil vapor sampling to evaluate potential vapor intrusion on site for future site occupants, particularly in the tank pit area outside the area of proposed excavation to help assess whether the proposed excavation will be effective in mitigating potential vapor intrusion concerns. Since no additional soil vapor sampling is proposed in the area outside the proposed excavation, the scope of work in the August 22, 2008 Work Plan does not fully address our technical comments. Therefore, we request that you revise the Work Plan to include additional soil vapor sampling locations outside the area of the proposed excavation to evaluate whether the proposed excavation will address potential vapor intrusion risks for future site occupants.

TECHNICAL COMMENTS

1. **Tier 1 Screening of Potential Health Risks.** The "Well Installation and Additional Risk Assessment Report," includes a Tier 1 screening of potential human health risks. In the Tier 1 screening, soil vapor data from two soil vapor probes sampled in January 2007 are compared to Environmental Screening Levels ([ESLs] San Francisco Bay Regional Water Quality Control Board November 2007). Concentrations of VOCs in the two soil vapor samples were less than both commercial and residential ESLs for the vapor intrusion pathway. However, the Tier 1 screening did not include results from soil vapor sampling conducted in May 2006. During May 2006, soil vapor samples were collected from six soil vapor probes. The concentration of benzene in soil vapor exceeded the residential ESL (84

$\mu\text{g}/\text{m}^3$) in four of the six temporary borings and exceeded the commercial ESL in one of the six borings. Further evaluation of the elevated concentrations of benzene detected in the May 2006 soil vapor samples is required. Therefore, we request that you revise the Work Plan to include additional soil vapor sampling locations outside the area of the proposed excavation to evaluate whether the proposed excavation will address potential vapor intrusion risks for future site occupants. Please include plans that include additional soil vapor sampling locations in the Revised Soil Vapor Sampling Work Plan requested below.

2. **Quarterly Groundwater Monitoring.** Please continue quarterly groundwater monitoring and present the results in the Quarterly Reports requested below.

TECHNICAL REPORT REQUEST

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

- **November 11, 2008** – Quarterly Groundwater Monitoring Report (Third Quarter 2008)
- **December 5, 2008** – Revised Soil Vapor Sampling Work Plan
- **February 11, 2009** – Quarterly Groundwater Monitoring Report (Fourth Quarter 2008)
- **May 11, 2009** – Quarterly Groundwater Monitoring Report (First 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/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.

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.

Jennifer Sedlachek
John Jay
RO0002635
October 7, 2008
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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

K. Erik Appel, ETIC Engineering, Inc., 2285 Morello Avenue, Pleasant Hill, CA 94523

Peter McIntyre, AEI Consultants, 2500 Camino Diablo, Suite 100, Walnut Creek CA 94597

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: December 16, 2005
	PREVIOUS REVISIONS: October 31, 2005
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

Effective **January 31, 2006**, 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 Alicia Lam-Finneke.
 - 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 at 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)