

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
07-05-06

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

July 3, 2006

Mr. Satya Sinha
Chevron Environmental Management Company
6001 Bollinger Canyon Rd., K2256
San Ramon, CA 94583-2324

Ms. Chris Davidson
City of Livermore Economic Development
1052 S. Livermore Ave.
Livermore, CA 94550

Subject: Fuel Leak Case No. RO0002908, Miller Square Park, 2259 First Street, Livermore, CA 94550 – Work Plan Approval

Dear Mr. Sinha and Ms. Davidson:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above referenced site including the document entitled, "Site Investigation Workplan," dated June 26, 2006, prepared on behalf of Chevron by Cambria Environmental Technology, Inc. The work plan proposes the collection of soil samples at approximately 5-foot intervals, the groundwater interface, and all depths where hydrocarbon impact is observed, from four soil borings. We generally concur with the proposed scope of work provided that the additional investigation tasks discussed in the technical comments below are incorporated into the field investigation.

We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

TECHNICAL COMMENTS

1. **Geophysical Survey.** Prior to advancing the soil borings, we request that you conduct a geophysical survey that covers the former service station property to look for additional underground storage tanks (USTs) or product lines that were left in place. If additional potential features are identified during the geophysical survey, please submit a Work Plan Addendum that proposes additional investigation of the features.
2. **Soil Borings.** Based on the information submitted, the proposed locations of the four soil borings are acceptable. In addition to the laboratory analyses proposed for soils, please include analyses for cadmium, chromium, lead, nickel, and zinc for all soil samples.
3. **Groundwater Samples.** A grab groundwater sample is to be collected from first-encountered groundwater in each of the soil borings. The groundwater samples are to be collected by the placement of an appropriately screened sampling device that is capable of collecting a depth-discrete groundwater sample. If contamination is observed in first-

encountered groundwater, the borings are to be extended to collect additional depth-discrete groundwater samples below the contamination. The groundwater samples are to be analyzed for total petroleum hydrocarbons as gasoline (TPHg), TPH as diesel, TPH as motor oil, benzene, toluene, ethylbenzene, xylenes, fuel oxygenates, 1,2-dichloroethane, ethylene dibromide, and chlorinated volatile organic compounds. These results are to be presented in the Site Investigation Report requested below.

4. **Tank Backfill.** Please confirm whether the stockpiled soils were placed back in the tank pit excavation. If the soils were disposed off-site, please identify the disposal locations and provide the manifests for the soil disposal. This information is to be presented in the Site Investigation Report requested below.
5. **Site Development Plans.** Please provide information on the proposed development of the site, including the proposed locations of buildings or other structures in the Site Investigation Report requested below.

TECHNICAL REPORT REQUEST

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

- **October 20, 2006** – Site Investigation Report

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

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. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

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. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for 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 monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was

Mr. Satya Sinha
Ms. Chris Davidson
July 3, 2006
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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

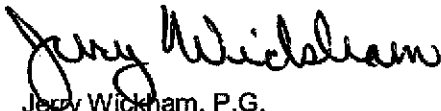
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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.

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham, P.G.
Hazardous Materials Specialist

Mr. Satya Sinha
Ms. Chris Davidson
July 3, 2006
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Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Matt Katen, QIC 80201
Zone 7 Water Agency
100 North Canyons Parkway
Livermore, CA 94551

Danielle Stefani
Livermore-Pleasanton Fire Department
3560 Nevada Street
Pleasanton, CA 9456

Laura Genin
Cambria Environmental Technology, Inc.
5900 Hollis Street, Suite A
Emeryville, CA 94608

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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04-27-06

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

April 26, 2006

Mr. J. Mark Inglis
Chevron Environmental Management Company
6001 Bollinger Canyon Rd., K2256
P.O. Box 6012
San Ramon, CA 94583-2324

Ms. Chris Davidson
City of Livermore Economic Development
1052 S. Livermore Ave.
Livermore, CA 94550

Subject: Fuel Leak Case No. RO0002908, Miller Square Park, 2259 First Street, Livermore, CA 94550 – Request for Work Plan

Dear Mr. Inglis and Ms. Davidson:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above referenced site including the report entitled, "Environmental Sampling, Testing, and Evaluation of Soil," dated October 4, 2005, prepared on behalf of the City of Livermore by Consolidated Engineering Laboratories. The report summarizes the results from six soil samples collected on September 20, 2005 near a removed underground storage tank (UST). Odors observed during removal suggested that the former 1,000-gallon UST may have contained kerosene, stoddard solvent, or a petroleum compound. Total petroleum hydrocarbons (TPH) as gasoline were detected in the soil samples at concentrations up to 1,200 milligrams per kilogram (mg/kg) and TPH as diesel were detected at concentrations up to 4,100 mg/kg. (The October 4, 2005 report prepared on behalf of the City of Livermore by Consolidated Engineering reported the concentrations in different units than the laboratory analytical reports in the appendix of the report. The concentrations noted above correspond to the units used in the laboratory analytical reports in the appendix.)

Based on the concentrations of TPH detected in the soil, an investigation is required to assess the extent of soil contamination and determine if groundwater contamination is present beneath your site. We recommend that your investigation incorporate expedited site assessment techniques to collect soil samples and depth-discrete groundwater samples prior to the installation of groundwater monitoring wells. Other options for additional investigation or remediation may also be appropriate at your site.

Please submit a work plan detailing your proposal to define the extent of soil and groundwater contamination by **June 26, 2006**. This report is being requested pursuant to the Regional Water Quality Control Board's (Regional Board) authority under Section 13267 of the California Water Code.

Mr. J. Mark Inglis
Ms. Chris Davidson
April 26, 2006
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TECHNICAL REPORT REQUEST

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

- June 26, 2006 – Work Plan

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

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. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

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In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at jerry.wickham@acgov.org.

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.

LANDOWNER NOTIFICATION REQUIREMENTS

Pursuant to California Health & Safety Code Section 25297.15, the active or primary responsible party for a fuel leak case must inform all current property owners of the site of cleanup actions or requests for closure. Furthermore, ACEH may not consider any cleanup proposals or requests for case closure without assurance that this notification requirement has been met. Additionally, the active or primary responsible party is required to forward to ACEH a complete mailing list of all record fee title holders to the site. We have received your letter dated April 15, 2006, which meets this requirement.

In the future, for you to meet these requirements when submitting cleanup proposals or requests for case closure, ACEH requires that you:

1. Notify all current record owners of fee title to the site of any cleanup proposals or requests for case closure;
2. Submit a letter to ACEH which certifies that the notification requirement in 25297.15(a) of the Health and Safety Code has been met;
3. Forward to ACEH a copy of your complete mailing list of all record fee title holders to the site; and
4. Update your mailing list of all record fee title holders, and repeat the process outlined above prior to submittal of any additional *Corrective Action Plan* or your *Request for Case Closure*.

Your written certification to ACEH (Item 2 above) must state, at a minimum, the following:

A. *In accordance with Section 25297.15(a) of the Health & Safety Code, I, (name of primary responsible party), certify that I have notified all responsible landowners of the enclosed proposed action. (Check space for applicable proposed action(s)):*

cleanup proposal (Corrective Action Plan)

request for case closure

local agency intention to make a determination that no further action is required

local agency intention to issue a closure letter

- OR -

B. *In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (name of primary responsible party), certify that I am the sole landowner for the above site.*

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(Note: Complete item A if there are multiple site landowners. If you are the sole site landowner, skip item A and complete item B.)

UNDERGROUND STORAGE TANK CLEANUP FUND

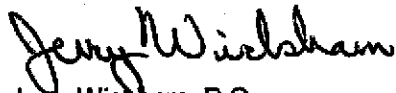
Please be aware that you may be eligible for reimbursement of the costs of investigation from the California Underground Storage Tank Cleanup Fund (Fund). In some cases, a deductible amount may apply. If you believe you meet the eligibility requirements, we strongly encourage you to call the Fund for an application.

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.

Sincerely,



Jerry Wickham, P.G.
Hazardous Materials Specialist

cc: Donna Drogos, ACEH
Jerry Wickham, ACEH
File