

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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January 30, 2007

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

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

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

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 recently submitted document entitled, "Subsurface Investigation Report," dated December 22, 2006, prepared on behalf of Chevron by Cambria Environmental Technology, Inc. The report presents the results of a geophysical investigation conducted throughout Miller Square Park and five soil borings advanced at various locations within the park. The geophysical investigation identified two suspected underground storage tanks (USTs) in the southern corner of the site. In the conclusions of the "Subsurface Investigation Report," Chevron recommended abandoning these suspected USTs in place until site redevelopment activities commence, possibly within the next five years. Due to the potential for ongoing releases from these USTs as well as other issues discussed in technical comment 1 below, we request that you do not delay removal of these USTs. The USTs are to be removed under the direction of the Livermore-Pleasanton Fire Department prior or during the next phase of site investigation activities. We request that you prepare an Underground Tank Removal Plan to be submitted to Livermore-Pleasanton Fire Department, obtain the necessary permits, and remove the suspected USTs within the schedule identified in the Technical Report Request below.

Four soil borings were advanced at various locations within the site to 40 feet bgs. Total petroleum hydrocarbons (TPH) as gasoline were detected in soil at concentrations up to 8,700 milligrams per kilogram (mg/kg). Benzene was detected in soil at concentrations up to 17 mg/kg, which significantly exceeds the San Francisco Bay Regional Water Quality Control Board Environmental Screening Levels for leaching from soil to groundwater and vapor intrusion to indoor air. Fuel hydrocarbons were detected in soil to the total depth of each of the four soil borings. Therefore, we request that you submit a Work Plan to conduct further investigation to define both the lateral and vertical extent of soil and groundwater contamination. Due to the location of the former and suspected USTs near the southern corner of the site, off-site investigation will be necessary. In order to minimize disruption to Miller Square Park and the surrounding area, you may propose conducting site investigation activities simultaneously with

tank removal. Alternately, you may delay submittal of a Work Plan until the suspected tanks and contaminated soil are removed in order to incorporate results from the tank and soil removal.

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

TECHNICAL COMMENTS

- 1. Suspected USTs.** As a result of the geophysical investigation, two suspected USTs were identified in the southern portion of the site. Boring SB-2 encountered a metallic object, which is believed to be a UST, at a depth of 3 feet bgs at the location of one of the suspected USTs. We do not concur with the recommendation in the Subsurface Investigation Report to abandon the USTs in place until site redevelopment occurs. The USTs may contain product that may be released to soil and groundwater on an ongoing basis. Product was observed in the former UST that was removed in 2005 and may be present in the suspected USTs. Benzene was detected at elevated concentrations in soil samples although the USTs were not in service after 1973. The presence of elevated concentrations of benzene in the area of the USTs could possibly be indicative of an ongoing release. The suspected USTs are located approximately 15 feet from the nearest building, which is significantly further from the building than the former UST removed in 2005. Removal of contaminated soil in the area of the suspected USTs during tank removal will also decrease the potential for leaching of fuel hydrocarbons from soil to groundwater. Therefore, we request that you obtain the necessary permits and prepare an Underground Tank Closure Plan to remove the suspected USTs under the direction of Livermore-Pleasanton Fire Department. Please refer to the Livermore-Pleasanton Fire Department's Guidelines for Permanent Closure of Underground Hazardous Materials Storage Tank Systems and Sumps. The tank removal is to be conducted prior to or during the next phase of site investigation. Please provide sufficient on-site notifications to the public regarding the duration and reason for closure of areas of the park during the tank removal and site investigation. In addition, please coordinate the closure and restoration of the park with the City of Livermore.
- 2. Hydrogeology of Site.** The Hydrology section of the Subsurface Investigation Report indicates that groundwater was not encountered during this investigation and references the observation that discontinuous perched groundwater zones were encountered during an investigation conducted approximately one mile from the site at 3884 First Street. Please note that the site at 3884 First Street is adjacent to an upland area outside the Recent alluvium boundary of the Livermore-Amador Groundwater Basin while Miller Square Park is more centrally located within the area of Recent alluvium of the Mocho II Subbasin. Observations of encountered groundwater conditions at 3884 First Street cannot be used to make assumptions regarding groundwater conditions at the site since the hydrogeology of the sites are significantly different.
- 3. Vertical Extent of Contamination.** TPH as gasoline, TPH as diesel, benzene, toluene, ethylbenzene, and xylenes were detected in soil samples to the maximum extent of the soil borings, which was approximately 40 feet bgs. Groundwater was not observed in the soil borings; therefore, no groundwater samples were collected. Chevron's Work Plan for this subsurface investigation, which was dated June 26, 2006, indicated that, "Borings will be

advanced to first encountered groundwater or to approximately 10 feet below the deepest identified indication of hydrocarbon impacts." Furthermore, in technical comments on the work plan dated July 3, 2006, ACEH requested that grab groundwater samples be collected from each soil boring and that if contamination was observed in first-encountered groundwater, the borings were to be extended to collect additional depth-discrete groundwater samples below the contamination. The scope of work identified in the Work Plan and requested by ACEH comments does not appear to have been followed. The lack of vertical definition of contamination and lack of groundwater data represents a significant data gap for the site. Please propose additional site investigation activities in the Work Plan for Site Investigation requested below to define the horizontal and vertical extent of soil and groundwater contamination at the site. Please consider the use of cone penetrometer borings oriented along transects for investigation of the extent of contamination.

4. **Tank Backfill.** The Subsurface Investigation Report indicates that the information regarding procedures for backfilling the excavation during tank removal in September 2005 are not available. The report references Mr. John Rigter of Livermore-Pleasanton Fire Department as authorizing reuse of the excavated soil. Based on our discussions with Mr. Rigter, we note that Mr. Rigter did not authorize reuse of the stockpile soil in the excavation. It appears that the stockpiled soil may have been placed back in the excavation to facilitate restoration of the park. One of the stockpile soil samples contained 3,300 mg/kg of TPH as gasoline. Removal and off-site disposal of contaminated soil that was placed back in the excavation for the former tank in the southern corner of the site will be required during removal of the suspected USTs. Please include plans to excavate contaminated soil in the area of the former tank in the Underground Tank Closure Plan requested below.
5. **Potential Indoor Vapor Intrusion.** Due to the elevated concentrations of benzene detected in soil in the area of the former and suspected USTs, we request that you conduct soil vapor sampling to assess potential indoor vapor intrusion. Soil vapor samples are to be collected adjacent to the building along the southern portion of the site. Soil vapor sampling may also be useful in the remainder of the site to identify other potential sources of fuel hydrocarbons. Soil vapor sampling adjacent to the building is to be conducted following removal of the suspected USTs and removal of contaminated soil in the area of the former UST in the southern corner of the property. Please present plans for soil vapor sampling in the Work Plan for Site Investigation requested below.

TECHNICAL REPORT REQUEST

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

- **March 7, 2007** – Underground Tank Closure Plan submitted to Livermore-Pleasanton Fire Department with copy to ACEH
- **March 7, 2007 for any site investigation activities to be conducted simultaneously with tank and soil removal** – Work Plan for Site Investigation
- **April 24, 2007** – Removal of Suspected USTs and Contaminated Soil

- **No later than 30 days following tank removal for any site investigation activities to be conducted following tank and soil removal – Work Plan for Site Investigation**

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

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 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

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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

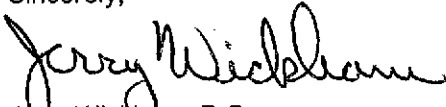
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

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

Danielle Stefani
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3560 Nevada Street
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Donna Drogos, ACEH
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