



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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July 17, 2013

Ms. Carryl MacLeod (*Sent via E-mail to: cmacleod@chevron.com*)
Chevron Environmental Management Company
6101 Bollinger Canyon Road
San Ramon, CA 94583

Mr. Eric Uranga (*Sent via E-mail to: ejuranga@ci.livermore.ca.us*)
City of Livermore Economic Development
1052 S. Livermore Ave.
Livermore, CA 94550

Subject: Case File Review for Fuel Leak Case No. RO0002908 and GeoTracker Global ID T0600196622, Miller Square Park, 2259 First Street, Livermore, CA 94550

Dear Ms. MacLeod and Mr. Uranga:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above referenced site including the documents entitled, "*Work Plan for Near-Surface Soil Removal and Surface Mitigation*," dated May 20, 2013 (Work Plan), "*Soil and Groundwater Management Plan*," dated May 20, 2013 (Management Plan), and "*Groundwater Monitoring and Sampling Report*," dated April 29, 2013 (Monitoring Report). All three reports were prepared on behalf of Chevron Environmental Management Company by Conestoga Rovers & Associates (CRA).

The Work Plan presents plans to remove shallow soil from a portion of the park. Based on our review of the case file and Work Plan, we request additional data collection prior to implementation of shallow soil removal as discussed in the technical comments below. Please submit a Work Plan to collect the additional data requested in technical comment 1 **no later than September 17, 2013**. ACEH also requests that groundwater monitoring be continued as discussed in technical comment 3.

TECHNICAL COMMENTS

- 1. Shallow Soil Removal.** The Work Plan proposes removal of soil to a depth of one foot below finished grade in areas that can be excavated without removal of existing structures, walkways, or established vegetation. No confirmation sampling is proposed since the Work Plan indicates that the areas of shallow soil lead impact have been defined. However, a review of site data indicates that no soil samples have been collected at depths less than 1.5 feet below ground surface (bgs) and most soil samples were collected at depths greater than 3 feet bgs. Therefore, no soil samples have been collected from the material that is proposed for removal or from the shallow soils outside the area of the proposed removal. Therefore the existing data does not adequately define the extent of lead in shallow soil such that confirmation soil samples would not be required. We request that you submit a Work Plan to conduct shallow soil sampling prior to implementation of soil removal.
- 2. Park Renovations.** The Work Plan indicates that the City of Livermore is in the planning stage for park renovations and that the shallow soil removal would be completed in conjunction with the park renovation. Clean fill is to be placed in the excavated area and re-landscaped per the City's

renovation plan. ACEH has no objection to completing the shallow soil removal in conjunction with the park renovations. However, prior to approval of the shallow soil excavation, we will require further information regarding how the excavated area will be landscaped and the planned uses of the excavated areas.

3. **Soil and Groundwater Management Plan.** The scope of the Soil and Groundwater Management Plan must be expanded beyond the limited topics currently discussed. The Management Plan is to include but not be limited to the following:
- Site background.
 - Summary of remedial actions and current environmental conditions. This section is to include site figures that clearly illustrate the expected concentrations of residual contamination left in place at various depths below planned ground surface. The locations of the remedial excavations, former USTs, and sampling results are to be overlain on the base maps for each figure
 - Summary of Human Health Risks.
 - Description of the Surface Cap.
 - Institutional Controls.
 - Requirement for ACEH notification and approval of proposed activities that will disturb the cap or subsurface.
 - Requirements for a health and safety plan for all subsurface work.
 - Protocols for Excavation or Grading and Management of Excavated Materials (to include odor and dust control). This section should also describe common procedures for repairing buried utilities that require trenching below the base of the cap.
 - Inspection and Maintenance of the Cap.
 - Contingency Plan for Discovery of Unknown Features of Environmental Concern.

ACEH is not requesting submittal of a revised Management Plan at this time. A revised Management Plan will be requested following completion of the shallow soil removal.

4. **Groundwater Monitoring.** We concur with continued quarterly groundwater monitoring through fourth quarter 2013 to evaluate the effectiveness of gypsum land applications. Please present a summary report of the sulfate land applications with the fourth quarter 2013 monitoring results as requested below.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACEH ftp site (Attention: Jerry Wickham), and to the State Water Resources Control Board's GeoTracker website according to the following schedule and file-naming convention:

- **July 30, 2013** – Quarterly Groundwater Monitoring Report – Second Quarter 2013
File to be named: GWM_R_YYYY-mm-dd RO2908
- **September 17, 2013** – Work Plan for Shallow Soil Sampling

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File to be named: WP_R_YYYY-mm-dd RO2908

- **October 30, 2013** – Quarterly Groundwater Monitoring Report – Third Quarter 2013
File to be named: GWM_R_YYYY-mm-dd RO2908
- **January 30, 2014** – Quarterly Groundwater Monitoring Report and Summary of Sulfate Application – Fourth Quarter 2013
File to be named: GWM_IRR_R_YYYY-mm-dd RO2908

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.

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

Attachments: Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Colleen Winey, QIC 80201, Zone 7 Water Agency, 100 North Canyons Parkway
Livermore, CA 94551 (Sent via E-mail to: cwiney@zone7water.com)

Danielle Stefani, Livermore-Pleasanton Fire Department, 3560 Nevada Street
Pleasanton, CA 94566 (Sent via E-mail to: DStefani@lpfire.org)

John Rigter, Livermore-Pleasanton Fire Department, 3560 Nevada Street
Pleasanton, CA 94566 (Sent via E-mail to: jrigter@lpfire.org)

Brandon Wilken, Conestoga-Rovers & Associates, 5900 Hollis Street, Suite A
Emeryville, CA 94608 (Sent via E-mail to: BWilken@croworld.com)

Tina Hariu, Conestoga-Rovers & Associates, 5900 Hollis Street, Suite A, Emeryville, CA 94608 (Sent via E-mail to: thariu@croworld.com)

Donna Drogos, ACEH (Sent via E-mail to: donna.drogos@acgov.org)
Jerry Wickham, ACEH (Sent via E-mail to: jerry.wickham@acgov.org)
GeoTracker, eFile

Attachment 1

Responsible Party(ies) Legal Requirements/Obligations

REPORT/DATA REQUESTS

These reports/data are being requested pursuant to Division 7 of the California Water Code (Water Quality), Chapter 6.7 of Division 20 of the California Health and Safety Code (Underground Storage of Hazardous Substances), and Chapter 16 of Division 3 of Title 23 of the California Code of Regulations (Underground Storage Tank Regulations).

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (Local Oversight Program [LOP] for unauthorized releases from petroleum Underground Storage Tanks [USTs], and Site Cleanup Program [SCP] for unauthorized releases of non-petroleum hazardous substances) require submission of reports in electronic format pursuant to Chapter 3 of Division 7, Sections 13195 and 13197.5 of the California Water Code, and Chapter 30, Articles 1 and 2, Sections 3890 to 3895 of Division 3 of Title 23 of the California Code of Regulations (23 CCR). Instructions for submission of electronic documents to the ACEH FTP site are provided on the attached "Electronic Report Upload Instructions."

Submission of reports to the ACEH FTP site is in addition to requirements for electronic submittal of information (ESI) to the State Water Resources Control Board's (SWRCB) Geotracker website. In April 2001, the SWRCB adopted 23 CCR, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1 (Electronic Submission of Laboratory Data for UST Reports). Article 12 required electronic submittal of analytical laboratory data submitted in a report to a regulatory agency (effective September 1, 2001), and surveyed locations (latitude, longitude and elevation) of groundwater monitoring wells (effective January 1, 2002) in Electronic Deliverable Format (EDF) to Geotracker. Article 12 was subsequently repealed in 2004 and replaced with Article 30 (Electronic Submittal of Information) which expanded the ESI requirements to include electronic submittal of any report or data required by a regulatory agency from a cleanup site. The expanded ESI submittal requirements for petroleum UST sites subject to the requirements of 23 CCR, Division, 3, Chapter 16, Article 11, became effective December 16, 2004. All other electronic submittals required pursuant to Chapter 30 became effective January 1, 2005. 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, 7835, 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, late 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 SCP)	REVISION DATE: July 25, 2012
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (petroleum UST and SCP) 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 .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 <://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 .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.