



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
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April 9, 2015

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 document entitled, "*Final Plans for Park Grade and Proposed Soil Sampling Depths*," dated March 26, 2015 (Report). Although the March 26, 2015 Report is entitled, "*Final Plans for Park Grade and Proposed Soil Sampling Depths*," the Report does not include plans for soil sampling. Instead, the Report, which was prepared on behalf of Chevron Environmental Management Company by Conestoga Rovers & Associates (CRA), presents results from soil samples collected between October 2014 and January 2015. This work was conducted without submittal of a work plan or approval from ACEH. We have reviewed the March 26, 2015 Report and find that it does not address our request to delineate the extent of lead in soil that will be excavated or left in place during park redevelopment. Please see the technical comments below. Following review of these comments, please contact Jerry Wickham to arrange a meeting between ACEH, Chevron, and the City of Livermore to review the scope of work required to complete delineation prior to park development. Please schedule the meeting as soon as possible in order to complete a "*Work Plan for Lead Delineation in Soil*," no later than May 15, 2015.

TECHNICAL COMMENTS

1. **Soil Sample Locations.** As noted in the paragraph above, the soil sampling and analysis conducted between October 2014 and January 2015 was conducted without ACEH review or approval of a work plan. Four of the seven soil sample locations are immediately adjacent to existing sample locations and therefore, do not provide delineation. The purpose of collecting these samples for lead speciation near existing sampling locations is unclear and is not explained in the Report. Only sampling location HA-5 is within the area of proposed landscaping for the park.
2. **Depths of Soil Samples.** The depths at which soil samples were collected between October 2014 and January 2015 does not appear to correspond with the depths of site grading.

3. **Soil Sampling Methods.** There is no description of the soil sampling methods used and no boring logs in the March 25, 2015 Report.
4. **Analytical Results.** The Report indicates that the analytical results for total lead from HA-1, HA-6, and HA-7 are an order of magnitude lower than previous analytical results from nearby sampling locations. Spatial variability is cited in the Report as the source of these differences; however, it is not clear why the October 2014 and January 2015 results are consistently lower than previous results. If spatial variability was the cause for differences between data sets, the recent data would be expected to have both higher and lower results rather than just lower results.
5. **Site Management Plan.** The March 25, 2015 Report indicates that a soil management plan has been submitted to ACEH to address excavation and proper disposal of impacted soil. The document entitled, "Work Plan for Near-Surface Soil Removal and Surface Mitigation," dated May 20, 2013 was highly limited in scope and is not consistent with industry standards for similar documents. The May 20, 2013 Work Plan was not approved by ACEH for use at the site. An expanded Site Management Plan that addresses specific site conditions and includes all necessary tasks must be prepared following completion of lead delineation in soil. The Site 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.

Responsible Parties
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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:

- **May 8, 2015** – Groundwater Monitoring Report – First Quarter 2015
File to be named: GWM_R_YYYY-mm-dd RO2908
- **May 15, 2015** – Work Plan for Lead Delineation in Soil
File to be named: WP_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)

Brian Silva, Conestoga-Rovers & Associates, 10969 Trade Center Drive, Suite 107
Rancho Cordova, CA 95670 (Sent via E-mail to: bsilva@croworld.com)

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

Attachment 1

Responsible Party(ies) Legal Requirements / Obligations

REPORT REQUESTS

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.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, 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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	REVISION DATE: May 15, 2014
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

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

- **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 deh.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 <ftp://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 deh.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.