

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**  
AGENCY

REBECCA GEBHART, Interim Director



DEPARTMENT OF ENVIRONMENTAL HEALTH  
LOCAL OVERSIGHT PROGRAM (LOP)  
For Hazardous Materials Releases  
1131 HARBOR BAY PARKWAY, SUITE 250  
ALAMEDA, CA 94502  
(510) 567-6700  
FAX (510) 337-9335

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June 30, 2017

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

Mr. Eric Uranga (*Sent via E-mail to: [ejuranga@cityoflivermore.net](mailto:ejuranga@cityoflivermore.net)*)  
City of Livermore Economic Development  
1052 S. Livermore Ave.  
Livermore, CA 94550

Subject: Fuel Leak Case No. RO0002908 and GeoTracker Global ID T0600196622, Chevron #30-7233/Mills Square Park, 2259 1st Street, Livermore, CA 94550

Dear Ms. MacLeod and Mr. Uranga:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the fuel leak case file for the above referenced site including the following documents prepared by GHD Services, Inc. (GHD) on behalf of Chevron Environmental Management Company (CEMC):

- *First Semi-Annual 2017 Groundwater Monitoring and Sampling Report, dated May 1, 2017;*
- *Second Semi-Annual 2016 Groundwater Monitoring and Sampling Report, dated January 25, 2017;*
- *First Semi-Annual 2016 Groundwater Monitoring and Sampling Report, dated April 25, 2016; and*
- *Revised Interim Remedial Action Plan (IRAP), dated January 14, 2016.*

The groundwater monitoring and sampling reports present current and historical groundwater monitoring and sampling data of the groundwater monitoring well network at the site. The IRAP presents remedial excavation to remove residual lead concentrations in soil during park renovations by the City of Livermore and concludes that upon completion of the remedial excavation that the site conditions will meet the general and media-specific criteria of a low-threat underground storage tank (UST) case established in the State Water Resources Control Board's Low Threat Closure Policy (LTCP) and requests site closure be granted once the remedial action is complete.

ACDEH has evaluated the data and recommendations presented in the above-mentioned reports as well as the case file. Based on our review, we have determined that in addition to the proposed remedial excavation of lead impacted soil at the site, additional work is required to evaluate groundwater and soil gas conditions prior to the case being considered for closure.

Therefore, at this juncture ACDEH requests that you address the Technical Comments provided below and submit the requested reports by the requisite due dates. Prior to submittal of the reports ACDEH requests a meeting with CEMC and the City of Livermore to discuss the schedule and coordination of remedial activities with the City's park renovation project.

## **TECHNICAL COMMENTS**

- 1. Groundwater Monitoring and Sampling Reports.** The primary constituents of concern in groundwater are Total Petroleum Hydrocarbons as diesel and gas (TPH-d and TPH-g) and benzene. According to the Draft Corrective Action Plan dated May 3, 2011 prepared by Connestoga-Rovers and Associates (CRA) on behalf of CEMC, soil encountered beneath the site consists of silty sand, silty gravel and sandy gravel from the surface to approximately 9 feet below ground surface (bgs), underlain by silts and clays between approximately 9 and 45 feet bgs and sands and gravels from approximately 45 feet bgs to the total depth explored of 62 feet bgs. A network of 12 groundwater monitoring wells has been installed at the site to monitor what has been characterized as a shallow perched water bearing zone (Zone A) from approximately 28 to 45 feet bgs and a deep confined groundwater bearing zone (Zone B) at approximately 55 feet bgs. Six wells (MW-1 through MW-6) have been installed to monitor Zone B and are screened from 54 to 59 feet bgs and six wells (MW-7 through MW-12) have been installed to monitor Zone A and are screened at varying 5 foot intervals between 27 feet bgs to 40 feet bgs. Semi-annual groundwater monitoring has been conducted since 2010 and prior to the groundwater monitoring event conducted in March 2017 the depth of shallow groundwater has ranged from approximately 25 to 37 feet bgs. However during the March 2017 event the depth to groundwater in the shallow wells was as high as 12.98 feet bgs. Similar increases are seen in the water level measurements in the deep wells. Based on the recent increases in groundwater levels observed in the site monitoring wells during the recent extremely wet weather season ACDEH requests an evaluation of the adequacy of the groundwater monitoring well network to monitor free product and dissolved phase hydrocarbons. Additionally, due to the high groundwater levels it appears appropriate to conduct soil vapor sampling to re-evaluate the potential human health risk from vapor intrusion to indoor air at the Peets Coffee building located adjacent to MW-7 where benzene and ethylbenzene concentrations were 610 micrograms per liter (ug/L) and 190 ug/L, respectively in March 2017.
- 2. IRAP.** The IRAP presents the extents of excavation and residual lead concentrations that will remain at the site after excavation is complete. Based on design plans provided to CMEC by the City the majority of the site will be hardscaped (concrete or pavers) during park renovation with the exception of a landscaped area in the western corner of the site. The IRAP proposes to remove approximately 1,500 cubic yards (approximately 2,250 tons) of lead impacted soil from the site to achieve sub-grade depth for the hardscaping, proposed depths for footings (for artwork and benches), removal of existing tree roots, and planning of new landscaping. The IRAP states that the proposed excavation extents will result in the removal of the lead impacted soil above the San Francisco Bay Regional Water Quality Control Board's February 2016 Environmental Screening Level (ESL) for residential direct exposure human health risk levels of 80 milligrams per kilogram (mg/kg) thereby eliminating the need for institutional controls and long-term cap maintenance.

Vertical excavation cuts are presented on the IRAP figures however no information is provided on the excavation methodology and whether shoring will be required. Additionally, the IRAP does not address removal of residual petroleum hydrocarbon impacted soil. ACDEH requests that the IRAP be revised to incorporate this data and present a plan that is constructible.

The IRAP also proposes that upon completion of the remedial excavation that the site conditions will meet the general and media-specific criteria of a low-threat UST case established LTCP and thus proposes to destroy both onsite and offsite wells prior to remedial excavation. Based on ACDEH's comments provided in Technical Comment 1 above with respect to groundwater monitoring and soil vapor sampling, ACDEH denies the request for closure until the requested work is completed and results support case closure.

## **TECHNICAL REPORT REQUEST**

Please upload technical reports to the ACDEH ftp site (attention: Dilan Roe), and to the State Water Resources Control Board's GeoTracker website according to the following schedule and file-naming convention:

- **August 31, 2017** – Revised IRAP  
File to be named: IRAP\_R\_yyyy-mm-dd RO2908
- **August 31, 2017** – Soil Vapor Investigation Work Plan and Groundwater Monitoring Well Network Evaluation  
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.

## **MEETING REQUEST**

As discussed above, ACDEH would like to schedule a stakeholder meeting and proposes the following potential dates and time frames for the meeting:

- Wednesday July 13, 2017, between 9 am and 11 pm
- Tuesday, July 18, 2017, between 10 am and 12 pm or 1 pm and 3 pm

ACDEH requests that both Responsible Parties let us know their day and time preference via email correspondence ([dilan.roe@acgov.org](mailto:dilan.roe@acgov.org)) **no later than July 7, 2017**.

If you have any questions, please call me at (510) 567-6767 or send me an electronic mail message at [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org).

Sincerely,

*Dilan Roe*

Dilan Roe, PE  
Chief – Land Water Division

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](mailto:cwiney@zone7water.com))

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

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

Cheri Sheets, City of Livermore, (Sent via E-mail to: [crsheets@cityoflivermore.net](mailto:crsheets@cityoflivermore.net))

Rosy Ehlert, City of Livermore, (Sent via E-mail to: [rmehlert@cityoflivermore.net](mailto:rmehlert@cityoflivermore.net))

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

Paresh Khatri, ACDEH (Sent via E-mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org))

Dilan Roe, ACDEH (Sent via E-mail to: [dilan.roe@acgov.org](mailto:dilan.roe@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/](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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>REVISION DATE:</b> May 15, 2014
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> 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](mailto: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](mailto: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.