



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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May 16, 2016

Ms. Jennifer Sedlachek
ExxonMobil
4096 Piedmont Ave., #194
Oakland, CA 94611
(Sent via E-mail to:
jennifer.c.sedlachek@exxonmobil.com)

Ms. Muriel Blank
Blank Family Trust
1164 Solano Ave., #406
Albany, CA 94706

Subject: Request for Interim Vapor Intrusion Evaluation; Fuel Leak Case No. RO0002974 and GeoTracker Global ID T0619716673, Exxon, 990 San Pablo Ave., Albany, CA 94706

Dear Ms. Sedlachek and Ms. Blank:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file for the above referenced site including the *Response to Request for Work Plan and Remedial Progress Report*, dated March 24, 2016. The response was prepared and submitted on your behalf by Cardno. Thank you for submitting the reasoning and thoughts. They are appreciated, and help to move the site forward towards a common understanding of how to the site forward.

Based on a review and analysis of the correspondence and site data, ACDEH has modified its previous request, but also communicates reasoning behind previous requests. As with the previous letter, the order of the topics follows the previous letter. ACDEH requests that you address the following technical comments and send us the documents requested below.

TECHNICAL COMMENTS

- 1. Secondary Source Has Been Removed to the Extent Practicable** – ACDEH is in general agreement that the proposed corrective actions will reduce the currently undefined magnitude of secondary source contaminate concentrations in the former underground storage tank (UST) hold, and that documenting the satisfactory removal of that secondary source can await completion of corrective actions.
- 2. LTCP Media Specific Criteria for Groundwater** – ACDEH is in agreement that it is premature to initiate additional plume delineation to the west (wells MW8 and MW9), and is also in agreement that the subject site is not the source of Halogenated Volatile Organic Compounds (HVOCs) documented at the former Firestone facility at 969 San Pablo Avenue (RO0000119 and T0600101674), nor does it appear that Firestone is the source of HVOCs at the subject site. The HVOCs at each location appear to be sufficiently different, and can be distinguished as different, thereby indicating the likelihood of separate sources.

Please be aware that ACDEH remains sufficiently concerned in regards to the undefined southern extent of HVOCs. ACDEH acknowledges that it appears that the City of Albany Fire Department and Police Station have imposed restrictive limitations on the ability to determine the extent of contamination towards the south of the subject site and the presence of an adequate level of protection to occupants of those buildings. This was not previously known or understood. ACDEH appreciates the appropriateness and cost-effectiveness of the offer to reanalyze groundwater laboratory analytical data from soil bores B8, B10 through B13, and B15 for tetrachloroethene (PCE) and trichloroethene (TCE) as a first step towards resolving the concern. Please be cognizant that if reanalysis is inconclusive, it may be appropriate to request and schedule a meeting of all parties in order to determine solutions and appropriate next steps.

- 3. Vapor Intrusion** – First, thank you for clarifying that the grade difference between the subject site and the neighboring downgradient offsite residential house is de minimus and not several feet as it appears on the Google Earth Street View. ACDEH also appreciates the appropriate use of a pathway endorsed by the Department of Substances Control (DTSC; essentially proceeding to corrective actions); however, is concerned with potential exposures to undetermined receptors during the interim period between discovery of the potential concern and implementation or completion of the corrective actions. The moderately extended time period proposed for remediation (differing from the Low Threat Closure Policy expectation that the removal of the secondary (residual) mass will be completed in one year or less) also factors into this concern.

A consequence of the proposed corrective action time period is the request for an interim evaluation of the site commercial building and the adjacent residential house for the potential of vapor intrusion. This includes the nature of the construction and layout of the building and house, identification of occupants, ages, and other critical risk factors, potential indoor air or sub-slab vapor sampling, and the determination of any appropriate and applicable short-term mitigation measures. Therefore, ACDEH requests a preliminary evaluation of the site building and adjacent house, and occupants, and the submittal of a vapor intrusion work plan, as necessary, by the date identified below.

- 4. HIT System Reporting and BAAQMD Site Specific Permit** – To accommodate the anticipated extended BAAQMD permit application process, ACDEH has extended the submittal timelines listed below. Should additional extensions be required, please notify the undersigned with the reason for the extension in order for the site to remain in compliance with state regulations.
- 5. Groundwater Monitoring and Analytical Data** – Thank you for including additional analytes in the data tables. The time invested is anticipated to expedite the review and understanding of the site and submittals.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACDEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with the specified file naming convention below, according to the following schedule:

- **July 15, 2016** – Second Quarter 2016 Semi-Annual Groundwater Monitoring;
File to be named: RO2974_GWM_REM_R_yyyy-mm-dd
- **July 29, 2016** – Vapor Intrusion Evaluation; Work Plan
File to be named: RO2974_WP_R_yyyy-mm-dd
- **September 23, 2016** – Remedial Progress Report
File to be named: RO2974_REM_R_yyyy-mm-dd
- **60 Days After Work Plan Approval** – Site Investigation Report
File to be named: RO2974_SWI_R_yyyy-mm-dd

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.

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>. If your email address is not listed on the first page of this letter, or in the list of cc's listed below, ACDEH is requesting your email address to help expedite communications and to help lower overall costs.

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ACDEH appreciates work progress at the site and your cooperation. Should you have additional questions, please contact me at (510) 567--6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,

Mark E. Detterman, PG, CEG
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations and
Electronic Report Upload (ftp) Instructions

cc: Scott Perkins, Cardno, 601 North McDowell Blvd., Petaluma, CA 94954
(Sent via E-mail to: scott.perkins@cardno.com)

David Daniels, Cardno, 601 North McDowell Blvd., Petaluma, CA 94954
(Sent via E-mail to: david.daniels@cardno.com)

Mrs. Marcia B. Kelly, 641 SW Morningside Rd., Topeka, KS 66615
(Sent via E-mail to: marciabkelly@earthlink.net)

Rev. Deborah Blank, 1563 Solano Ave. #344, Berkeley, CA 94707
(Sent via E-mail to: miracoli@earthlink.net)

Dilan Roe, ACDEH, (sent via electronic mail to dilan.roe@acgov.org)
Mark Detterman, ACDEH, (sent via electronic mail to mark.detterman@acgov.org)
Electronic File, GeoTracker

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.