



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

November 21, 2011

Mr. Jose Rios  
7-Eleven, Inc.  
One Arts Plaza  
1722 Routh Street, Suite 1000  
Dallas, TX 75201  
(Sent via E-mail to: [jose.rios@7-11.com](mailto:jose.rios@7-11.com))

Mr. Michael Blau  
Michael H. Blau Trust  
PO Box 2768  
Danville, CA 94526

Subject: Work Plan Review for Fuel Leak Case No. RO0002999 and GeoTracker Global ID T10000001067, 7 Eleven #32266, 1339 Vasco Road, Livermore, CA 94551

Dear Mr. Hilliard and Mr. Blau:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above referenced site including the most recent documents entitled, "*Work Plan for Additional Site Assessment*," dated October 26, 2011 (Work Plan) and "*Quarterly Groundwater Monitoring Report – Third Quarter 2011*," dated October 3, 2011 (Monitoring Report). In correspondence dated August 29, 2011, ACEH requested that you submit a Work Plan to delineate the plume and to assess whether groundwater contamination from the site potentially could affect water supply wells in the area. The Work Plan, which was prepared by Stantec Consulting Corporation on behalf of 7-Eleven, Inc., presents plans to install one groundwater monitoring well in the downgradient direction.

The proposed scope of work is not sufficient to delineate the plume or to assess whether groundwater contamination from the site potentially could affect water supply wells in the area. We request that you submit a revised Work Plan that addresses the technical comments below.

### **TECHNICAL COMMENTS**

- 1. Definition of Lateral and Vertical Extent of Contamination.** During the most recent groundwater sampling event on August 9, 2011, MTBE was detected in groundwater from well MW-3 at a concentration of 1,700 µg/L. The Work Plan proposes the installation of one additional groundwater monitoring well in the median strip of Vasco Road, approximately 60 to 85 feet west southwest of MW-3. The installation of one groundwater monitoring well in the downgradient direction will not adequately define plume extent, particularly for an MTBE plume. MTBE plumes can be long, narrow, and erratic (meandering). Movement of MTBE as with other dissolved contamination, is primarily controlled by groundwater flow lines. These flow lines can be dramatically affected by discontinuities and can drop vertically in certain areas such as recharge zones and near pumping wells. Thus, monitoring wells can miss the core of the plume and not represent the extent of the plume. Therefore, we recommend that your investigation incorporate expedited site assessment techniques to collect soil and groundwater samples along a transect oriented perpendicular to the plume. Expedited site assessment tools and methods are a scientifically valid and cost-effective approach to fully define the three-dimensional extent of groundwater contamination. Technical protocol for expedited site assessments are provided in the U.S. Environmental Protection Agency's "Expedited Site Assessment tools for Underground Storage Tanks: A Guide for Regulators," (EPA 510-B-97-

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001), dated March 1997. We recommend that you utilize direct push technology to collect soil samples and depth-discrete groundwater samples prior to the installation of additional groundwater monitoring wells in the plume. Sampling locations should be located to assess the extent of the plume and should intercept contamination that potentially could affect a water supply well. Other options for additional investigation may be appropriate to define contamination at your site

2. **Locations of Water Supply Wells.** Figure 3 of the September 29, 2010, "*Work Plan for Additional Site Assessment and Detailed Well Survey*," shows two water supply wells located approximately 300 feet west of the site. We recommend that you inspect these locations and conduct a door to door well survey to assess the accuracy of these water supply well locations and to determine whether these water supply wells remain active or may have been destroyed. This information will be useful to achieve one of the objectives of the proposed investigation, which is to assess whether the plume could impact water supply wells. Please include this information in the Revised Work Plan requested below.

### **TECHNICAL REPORT REQUEST**

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

- **January 15, 2012** – Quarterly Groundwater Monitoring Report – Fourth Quarter 2011
- **March 8, 2012** – Revised Work Plan

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org). Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>. As your email address does not appear on the cover page of this notification ACEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297  
Senior Hazardous Materials Specialist

Attachment: Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

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

Colleen Winey (QIC 8021), Zone 7 Water Agency, 100 North Canyons Pkwy, Livermore, CA 94551  
(Sent via E-mail to: [cwiney@zone7water.com](mailto:cwiney@zone7water.com))

Damon Brown, Stantec Consulting Corporation, 3017 Kilgore Road, Suite 100, Rancho Cordova,  
CA 95670 (Sent via E-mail to: [damon.brown@stantec.com](mailto:damon.brown@stantec.com))

Donna Drogos, ACEH (Sent via E-mail to: [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))

Jerry Wickham, ACEH (Sent via E-mail to: [jerry.wickham@acgov.org](mailto: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/](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> July 20, 2010
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 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.