## ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY



REBECCA GEBHART, Acting Director

ENVIRONMENTAL HEALTH SERVICES ENVIRONMENTAL PROTECTION 1131 Harbor Bay Parkway, Suite 250 Alameda, CA 94502-657

July 19, 2016

Ms. Jillian Holloway
Chevron Environmental Management Company
6101 Bollinger Canyon Road
San Ramon, CA 94583
(Sent via E-mail to: JillianHolloway@chevron.com)

Mr. Ed Ralston - Program Manager Phillips 66 Company 76 Broadway

Sacramento, CA 95818

Sent via e-mail to: Ed.C.Ralston@p66.com

Ms. Hong Gardner 632 Via Rialto Road Oakland, CA 94619

(Sent via E-mail to: <a href="mailto:honggardner@gmail.com">honggardner@gmail.com</a>)

Subject: Technical Report Request for Fuel Leak Case RO0003087 and GeoTracker Global ID

T10000003434, Hong Gardner Property, 7600 MacArthur Boulevard, Oakland, CA 94605-

2944

#### Ladies and Gentlemen:

Alameda County Department Environmental Health's (ACDEH) has reviewed the case file in addition to the *Site Investigation Report and Closure Request* (Report) dated December 1, 2014 and the *Geophysical Survey, Sanborn Map Review, and Addendum to Work Plan for Site Investigation* (Work Plan) dated April 29, 2014. The reports were prepared and submitted on your behalf by Conestoga-Rovers & Associates, now renamed GHD, in reference to the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case Closure Policy (LTCP). Based on ACDEH staff review, we have determined that the site does not meet the LTCP General Criteria f (Secondary Source Removal), Media-Specific Criteria for Groundwater, or Media-Specific Criteria for Vapor Intrusion to Indoor Air.

ACDEH requests preparation of a Data Gap Work Plan that is supported by an updated Site Conceptual Model (SCM) to address the following data gaps.

#### **TECHNICAL COMMENTS**

1. General Criteria f – Secondary Source Has Been Removed to the Extent Practicable – "Secondary source" is defined as petroleum-impacted soil or groundwater located at or immediately beneath the point of release from the primary source. Unless site attributes prevent secondary source removal (e.g. physical or infrastructural constraints exist whose removal or relocation would be technically or economically infeasible), petroleum-release sites are required to undergo secondary source removal to the extent practicable as described in the policy. "To the extent practicable" means implementing a cost-effective corrective action which removes or destroys-in-place the most readily recoverable fraction of source-area mass. It is expected that most secondary mass removal efforts will be completed in one year or less. Following removal or destruction of the secondary source, additional removal or active remedial actions shall not be required by regulatory agencies unless (1) necessary to abate a demonstrated threat to human health or (2) the groundwater plume does not meet the definition of low threat as described in this policy.

ACDEH's review of the case files indicates that insufficient data and analysis has been presented to assess compliance with General Criteria f. The Geophysical Report included as Attachment C in the Work Plan describes finding six "High Strength Conductive Pulse Anomalies with Magnetic Gradiometer signature response" including "two relatively large projection anomalies along the back or northeast of the former building area that are found end to end in symmetry". One of the Work Plan's goals was to identify the buried conductive anomalies by hand augering borings in the areas of the anomalies to approximately 5-6 feet below ground surface. The Report, however, does not include the boring logs of the seven hand augered soil borings, discuss the findings of the seven hand augered soil borings, or resolve the origin of the buried anomalies. Consequently, it has not been determined if secondary source remains at the site. Please present a strategy in the Updated Site Conceptual Model (SCM) and Data Gap Work Plan (described in Technical Comment 4 below) to address these Technical Comments and in an appendix include the boring logs of the seven hand augered soil borings. Alternatively, please provide justification of why the site satisfies this general criterion in the focused SCM described in Technical Comment 4 below.

2. LTCP Media Specific Criteria for Groundwater – To satisfy the media-specific criteria for groundwater, the contaminant plume that exceeds water quality objectives must be stable or decreasing in areal extent, and meet all of the additional characteristics of one of the five classes of sites listed in the policy.

Our review of the case files indicate that the three groundwater monitoring wells, MW-1 through MW-3, were installed in September and October 2014 and according to the Work Plan, were to be sampled on a quarterly basis for the first year. Grab groundwater samples were obtained from each well during installation, but the wells were not developed or sampled. Therefore, insufficient data and analysis has been presented to support the requisite characteristics of groundwater gradient direction, plume stability, and length. Please present a strategy in the Updated SCM and Data Gap Work Plan discussed in Technical Comment 4 to determine groundwater plume stability and length.

- a. Monitoring Well Development and Quarterly Sampling and Rose Diagram: Please develop the three wells and sample for a minimum of four quarters to establish groundwater gradient direction, existence of a plume, plume stability, and length; Please prepare a rose diagram using data from each sampling event to confirm the groundwater gradient consistency and please provide an updated rose diagram with every quarterly sampling event;
- **b. Groundwater Concentration and Elevation Graphs**: Please provide graphs indicating groundwater concentrations and groundwater elevations together with each sampling event;
- c. Baseline Analytical: To establish a baseline, on a one-time basis and in the future, on an as needed basis, please analyze all groundwater samples for the full suite of Volatile Organic Compounds (VOCs) and please ensure detection limits are below proposed cleanup levels;
- d. LTCP Plume Lengths: To present another line of evidence supporting plume lengths, please prepare a figure indicating the average, 90<sup>th</sup> percentile, and maximum plume lengths for TPHg, benzene, and MTBE by referencing Table 1: Plume Characteristics, in the LTCP's Technical Justification for Groundwater Media-Specific Criteria. As shown in Attachment 2, Sample Figures of Adjacent Buildings with Basements, LTCP Plume Lengths, and Well Survey, please include the locations of the six water production wells identified in the one mile well survey included in the Report.
- e. Investigation-Derived Waste: Please submit the disposal documentation for the soil cuttings, rinsate water, and forth-coming well development and quarterly sampling events to ACDEH and to Geotracker, as described below.

3. LTCP Media Specific Criteria for Vapor Intrusion to Indoor Air – The LTCP describes conditions, including bioattenuation (unsaturated) zones, which if met will assure that exposure to petroleum vapors in indoor air will not pose unacceptable health risks to human occupants of existing or future site buildings, and adjacent parcels. Appendices 1 through 4 of the LTCP criteria illustrate four potential exposure scenarios and describe characteristics and criteria associated with each scenario.

Our review of the case files indicates that the risk of vapor intrusion cannot be assessed due to the uncertainty that the secondary source(s) were removed. Therefore, ACDEH requests an evaluation of the media-specific criteria in the updated SCM and Data Gap Work Plan. Please assess potential vapor intrusion to indoor air to the adjacent residences.

If soil vapor wells are proposed, please ensure that your sampling strategy is consistent with the field sampling protocols described in the Department of Toxic Substances Control's Final Vapor Intrusion Guidance (October 2011) and the updated February 22, 2016 San Francisco Bay Regional Water Quality Control Board Environmental Screening Levels Version 3. Consistent with the guidance, ACDEH requires installation of permanent vapor wells to assess temporal and seasonal variations in soil gas concentrations. Please include the soil vapor investigation with the Updated SCM and Data Gap Work Plan requested below.

4. Data Gap Investigation Work Plan and Site Conceptual Model – Please prepare a Data Gap Investigation Work Plan to address the technical comments listed above. Please support the scope of work in the Data Gap Investigation Work Plan with a focused SCM and Data Quality Objectives (DQOs) that relate the data collection to each LTCP criteria.

As a part of updating the SCM, please include a rose diagram and locations of houses and buildings that have basements in the immediate downgradient direction of the site similar to the example provided in Attachment 2, Sample Figures of Adjacent Buildings with Basements, LTCP Plume Lengths, and Well Survey.

- 5. Request for information The ACDEH case file for the subject site contains only the electronic files listed on our web site at <a href="http://www.acgov.org/ACDEH/lop/ust.htm">http://www.acgov.org/ACDEH/lop/ust.htm</a>. You are requested to submit electronic copies of all other reports including Phase I Reports, data, correspondence, etc. related to environmental investigations for this property not currently contained in our case file by the date specified in the Technical Report Request Section below. ACDEH requests e-mail notification of, and a list of the documents uploaded to Geotracker by the date listed below.
- 6. Electronic Submittal of Information (ESI) Compliance Site data and documents are maintained in two separate electronic databases ACDEH's ftp site and the SWRCB's GeoTracker database. Both databases act as repositories for regulatory directives and reports; however, only GeoTracker has the functionality to store electronic compliance data including analytical laboratory data for soil, vapor and water samples, monitoring well depth-to-water measurements, and surveyed location and elevation data for permanent sampling locations. Although the SWRCB is responsible for the overall operation and maintenance of the GeoTracker System, ACDEH, as lead regulatory agency, is responsible to ensure the GeoTracker database is complete and accurate for sites regulated under ACDEH's Environmental Cleanup Oversight Programs (SWRCB March 2011 document entitled Electronic Reporting Roles and Responsibilities).

A review of the case file and the State's GeoTracker database indicates that the site is not in compliance with California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1, stating that beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the UST or LUST program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all

Ladies and Gentlemen RO0003087 July 19, 2016, Page 4

groundwater cleanup programs, including the Site Cleanup Program (SCP) cases. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites was required in GeoTracker. At present missing data and documents include, but may not be limited to, EDF submittals, depth to groundwater data (GEO\_WELL files), well data (GEO\_XY, and GEO\_Z files), work plans, and older reports (GEO\_REPORT files). Please upload requisite documents and data to GeoTracker. See Attachment 1 and the State's GeoTracker website for further details.

#### **TECHNICAL REPORT REQUEST**

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

- September 20, 2016 3<sup>rd</sup> Quarterly Groundwater Monitoring and Sampling Report, Well Development, and Waste Disposal File to be named: RO3087\_GWM\_R\_yyyy-mm-dd
- **September 20, 2016** Updated Site Conceptual Model and Data Gap Work Plan File to be named: RO3087\_SCM\_WP\_yyyy-mm-dd
- January 20, 2017 4<sup>th</sup> Quarterly Monitoring and Sampling Report and Waste Disposal File to be named: RO3087\_GWM\_R\_yyyy-mm-dd
- May 20, 2017 1<sup>st</sup> Quarterly Monitoring and Sampling Report and Waste Disposal File to be named: RO3087\_GWM\_R\_yyyy-mm-dd
- **September 20, 2017** –2<sup>nd</sup> Quarterly Monitoring and Sampling Report and Waste Disposal File to be named: RO3087\_GWM\_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.

Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, please send me an e-mail message at <a href="mailto:karel.detterman@acgov.org">karel.detterman@acgov.org</a> or call me at (510) 567-6708.

Sincerely,

Karel Detterman, PG Hazardous Materials Specialist

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

Report Upload (ftp) Instructions

Attachment 2, Sample Figures of Adjacent Buildings with Basements, LTCP Plume Lengths, and Well Survey

Ladies and Gentlemen RO0003087 July 19, 2016, Page 5

cc: Matthew Davis, LG, 732 Broadway Suite 301, Tacoma, WA 98402 (Sent via E-mail to: matthew.davis@ghd.com)

Donald Schwartz, Esq., 7960-B Soquel Drive, No. 291, Aptos, CA 95003 (Sent via E-mail to: <a href="mailto:donald@lawofficedonaldschwartz.com">donald@lawofficedonaldschwartz.com</a>)

Dilan Roe, ACDEH (Sent via E-mail to: dilan.roe@acgov.org)

Karel Detterman, ACDEH (Sent via E-mail to: <a href="mailto:karel.detterman@acgov.org">karel.detterman@acgov.org</a>)

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 **SWRCB** visit the 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**

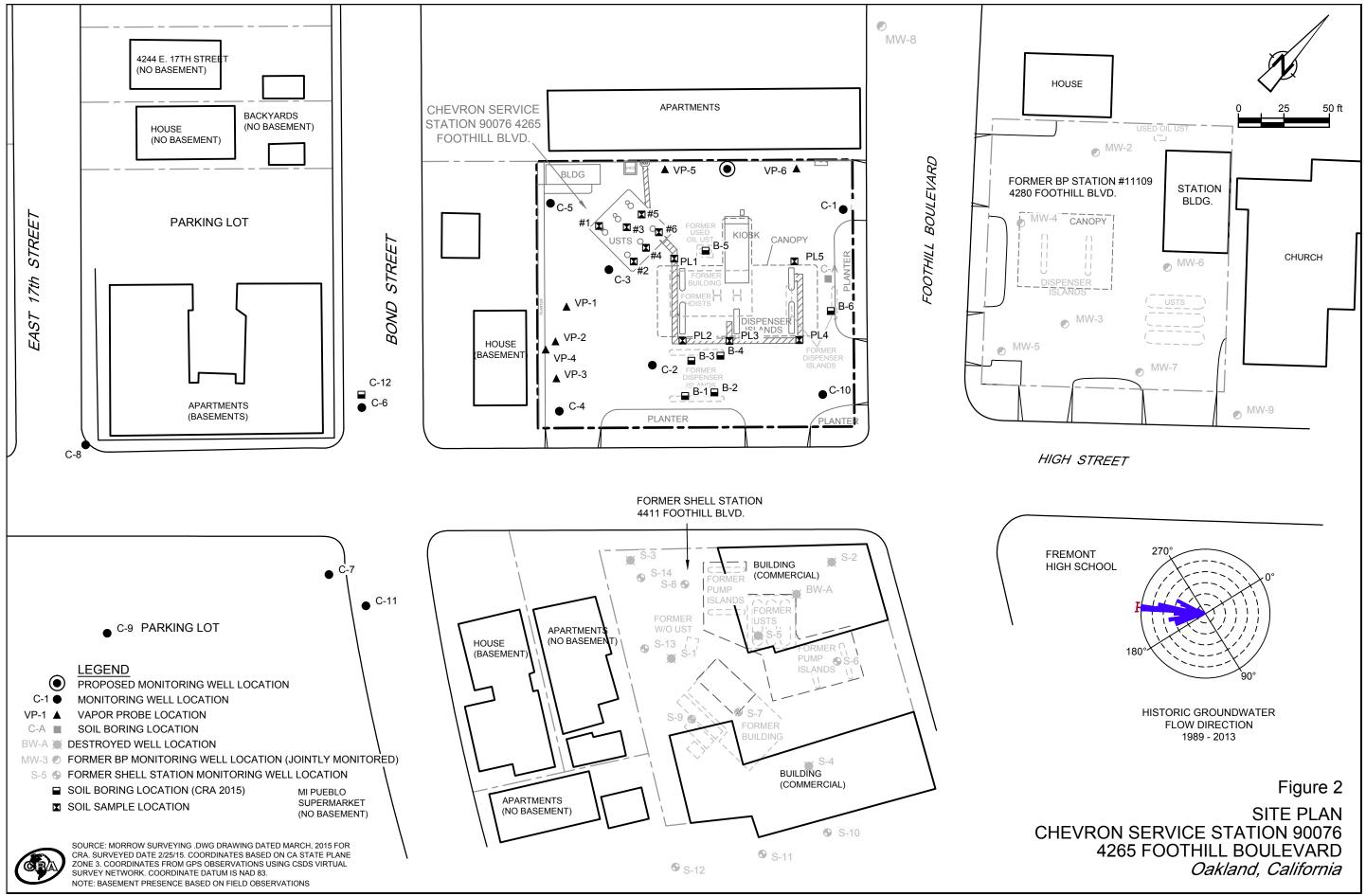
- Please do not submit reports as attachments to electronic mail.
- Entire report including cover letter must be submitted to the ftp site as a single portable document format (PDF) with no password protection.
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- Signature pages and perjury statements must be included and have either original or electronic signature.
- <u>Do not</u> 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. <u>Documents</u>
  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:

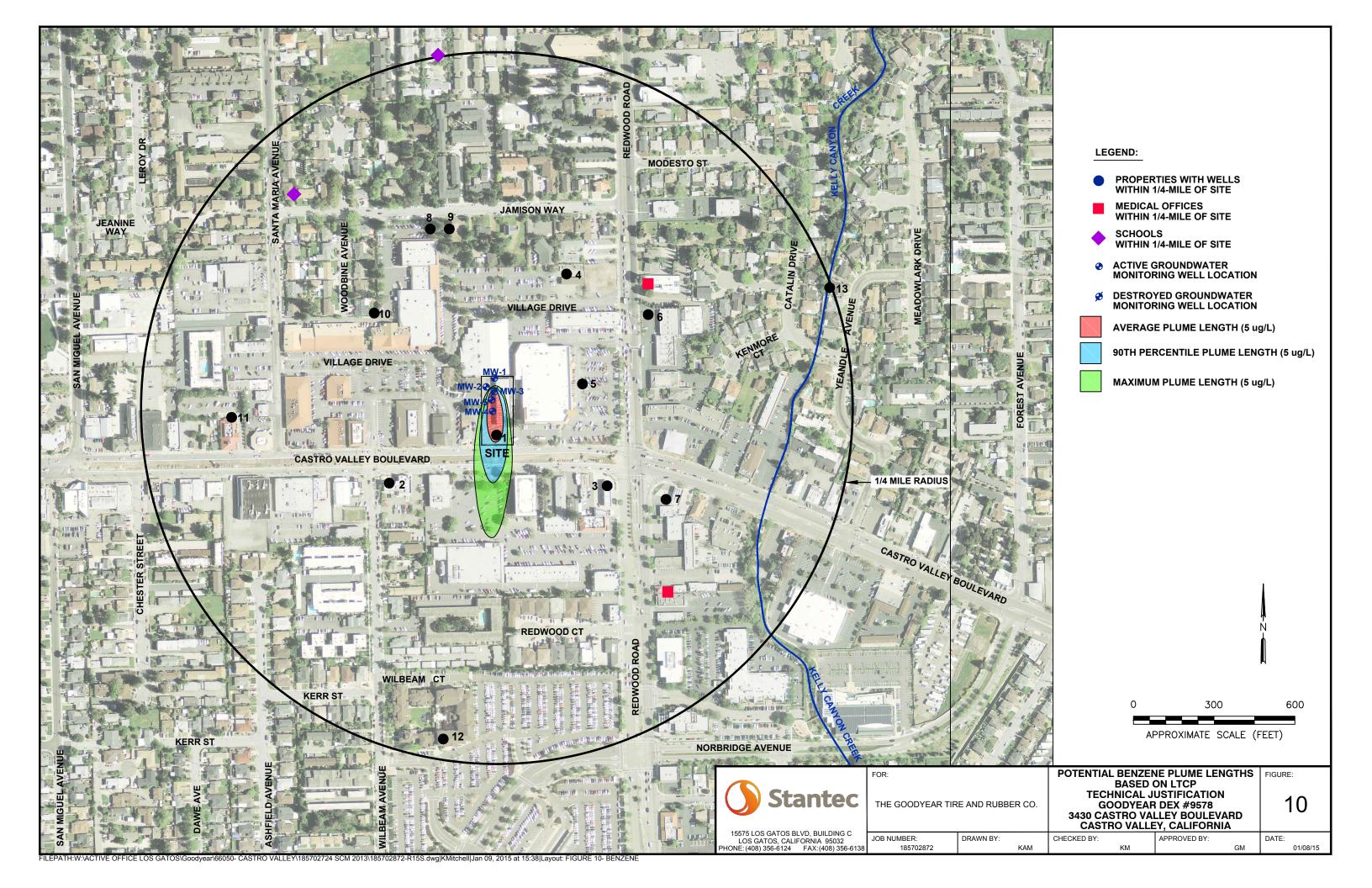
RO#\_Report Name\_Year-Month-Date (e.g., RO#5555\_WorkPlan\_2005-06-14)

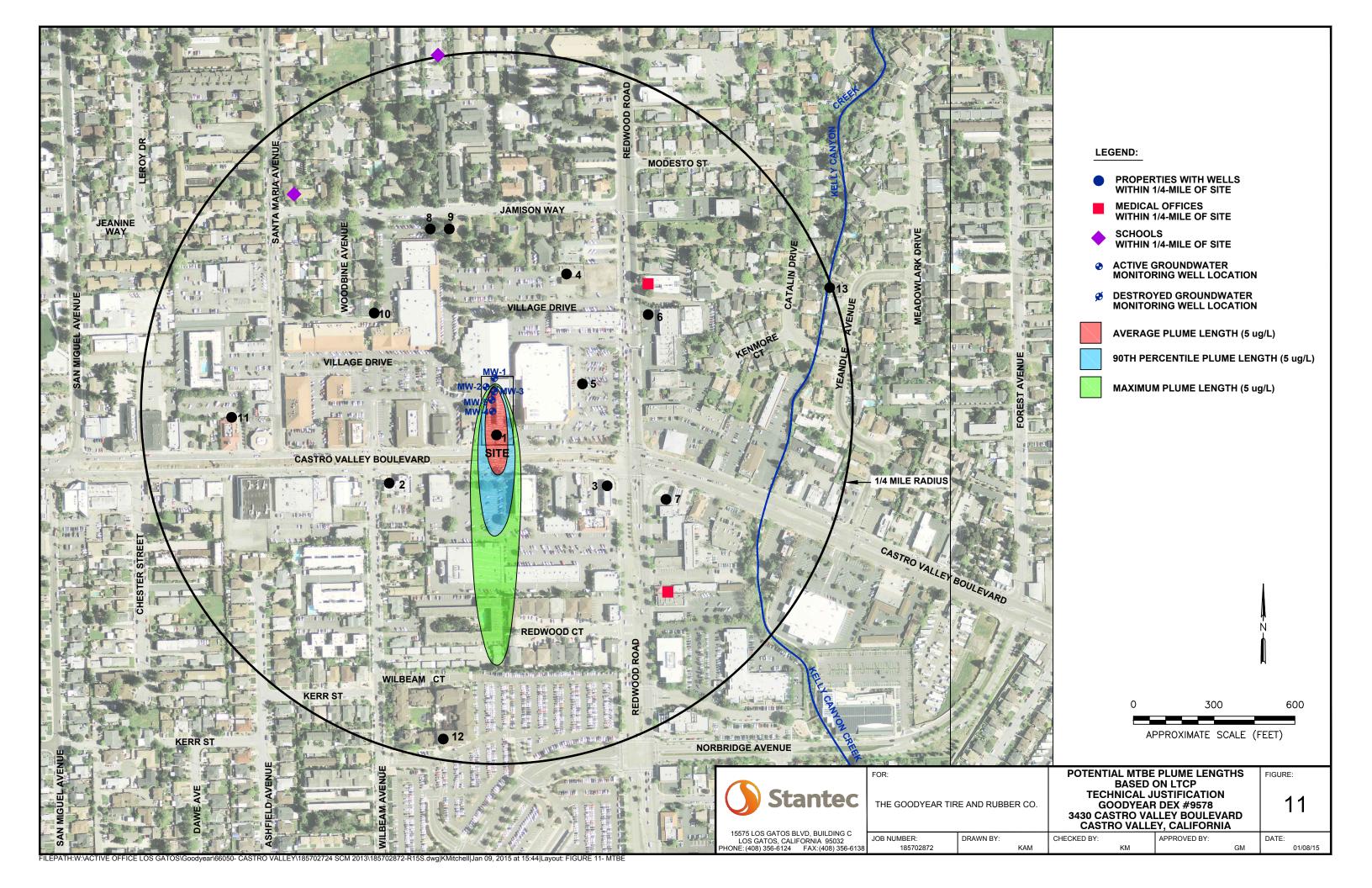
#### **Submission Instructions**

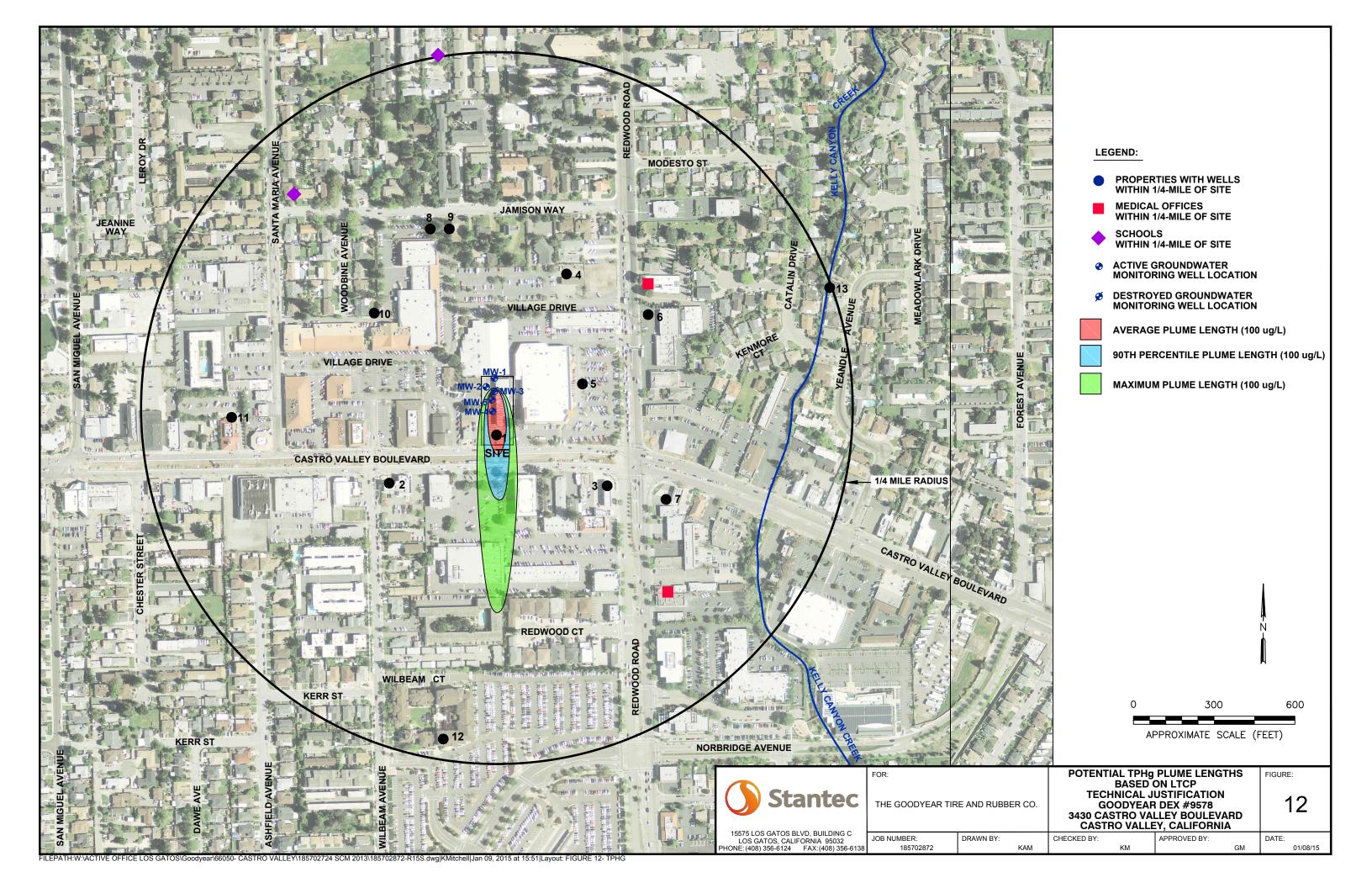
- 1) Obtain User Name and Password
  - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
    - i) Send an e-mail to deh.loptoxic@acgov.org
  - b) In the subject line of your request, be sure to include "ftp PASSWORD REQUEST" 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 <a href="ftp://alcoftp1.acgov.org">ftp://alcoftp1.acgov.org</a>
    - (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.
- 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.

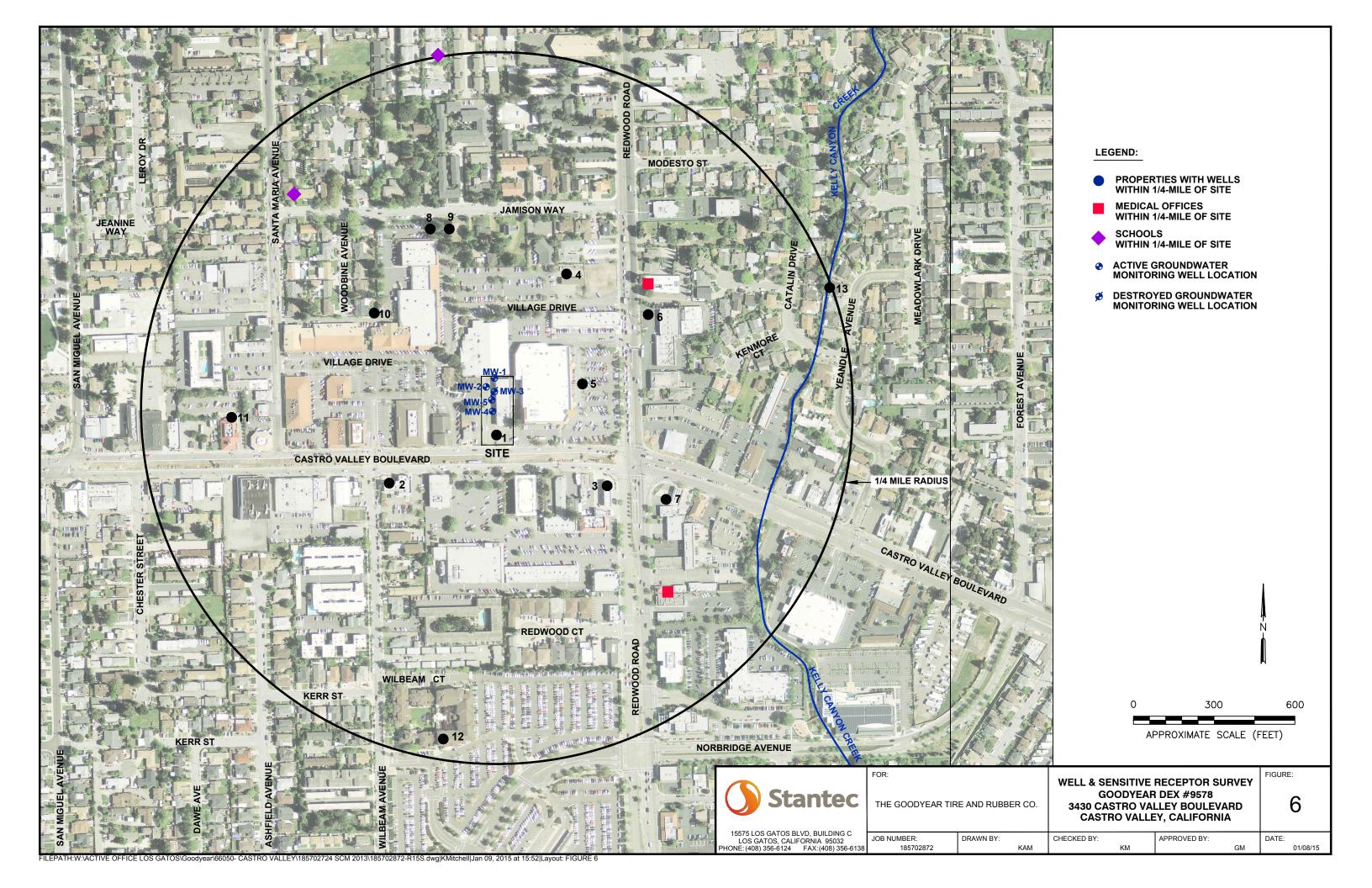
### ATTACHMENT 2











### APPENDIX C Wells Survey Results Former Goodyear Tire Store

3430 Castro Valley Boulevard Castro Valley, CA

	Owner/Site Name	Well Type	Drill Date	Total Depth	Address	Approximate Distance/Direction From Site
1	Merritt Tire Sale	Monitoring Wells	Sept 94, Dec 96, Aug 12	16-20	3430 Castro Valley Blvd.	0
2	CHEVRON #9-4930 / VALLEY CAR WASH	Monitoring Well	Oct-93	20	3369 Castro Valley Blvd.	460 SW
3	Ted Simas (XTRA OIL DBA SHELL STATION)	Monitoring Wells	Feb 90 & Aug 97	18-20	3495 Castro Valley Blvd.	510 SE
4	R. T. Nahas Company (UNOCAL)	Monitoring Wells	Dec 89	25-30	20405 Redwood Rd.	520 NE
5	R. T. Nahas Company	Monitoring Wells	Apr 92	29-37	20629 Redwood Rd	310 E
6	Exxon Oil	Unknown	?	?	20450 Redwood Rd.	650 NE
7	BP #11105 / SHELL 17-1445	Monitoring Well	Sept 92, July 95, Aug 09,	15-30	3519 Castro Valley Blvd.	700 SE
8	R. T. Nahas Company	Domestic/Destroyed	Dec 75	56	3559 JAMISON WAY	700 NNW
9	R. T. Nahas Company	Destroyed	?	20 & 25	3533 JAMISON WAY	725 NNW
10	Horseshoe Drilling	Destroyed	Apr 96	20	20342 Woodbine Ave	600 NW
11	Mitzi Stockel	BOR/MON	Apr-90	8-23	3234 Castro Valley Blvd	1000 W
12	BART	Monitoring Well	Feb 93	16	21000 Wilbeam Ave.	1225 SSW
13	Robert D Rousey	Irrigation	May-77	28	20283 Yeandle Ave.	1325 ENE