



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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April 9, 2014

Perry Pineda
Shell Oil Products US
20945 S. Wilmington Ave.
Carson, CA 90810-1039

Jim Graham
Montrose Investment
242 Rivera Circle Greenbriar Marina
Larkspur, CA 94939

Russel J. Bruzzone, Inc.
899 Hope Lane
Lafayette, CA 94549
Attn: Joan E. Bruzzone, President

Mike Ahmadi
Petromart Retail Group Inc.
587 Ygnacio Valley Road
Walnut Creek, CA 94596

Subject: Work Plan Review for Fuel Leak Case No. RO0003123 and GeoTracker Global ID T10000005056, College Avenue Shell, 6039 College Avenue, Oakland, CA 94618

Dear Responsible Parties:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site. A former fuel leak case for this site (ACEH case RO0000469) was closed on May 4, 2011. Based on the evidence of a potential new release observed during the removal of three underground storage tanks (USTs) from this site on January 29, 2013, ACEH requested that you conduct a site investigation to assess the extent of contamination from the potential new release. In response to the ACEH request, the document entitled, "*Subsurface Investigation Work Plan*," dated November 19, 2013 (Work Plan) was submitted. The Work Plan, which was prepared on behalf of Shell Oil Products by Conestoga-Rovers & Associates, proposes soil and groundwater sampling from three soil borings in the area of the three former underground storage tanks (USTs).

Subsequent to the submittal of the November 19, 2013 Work Plan on behalf of Shell Oil Products, ACEH received verbal comments from Mansour Sepehr of SOMA Environmental, who was working on behalf of the current land owners. Mr. Sepehr indicated that an additional scope of work to that proposed in the November 19, 2013 Work Plan, was being discussed with Shell Oil Products. ACEH deferred review of the November 19, 2013 Work Plan pending the outcome of discussions between Shell Oil Products and the current land owners. On April 2, 2014, ACEH met with Mansour Sepehr of SOMA Environmental and property owner representatives Rick Bruzzone and Linda Steidle. During the meeting, it was indicated that there was no agreement with Shell Oil products regarding an expanded scope of work.

Based on our review of the case file and Work Plan, we have several technical comments regarding the scope of work necessary to investigate the site. We request that you submit a Revised Work Plan **no later than May 28, 2014** that addresses the technical comments below.

TECHNICAL COMMENTS

1. **Vertical Extent of Contamination.** The November 23, 2013 Work Plan proposes advancing soil borings to first encountered groundwater, which may be as shallow as 11 to 14 feet bgs. Recommendations provided by SOMA Environmental included six CPT/MIP borings along with direct push technology borings for soil and groundwater sampling to depths of 50 to 60 feet to define the vertical extent of contamination. ACEH has reviewed boring logs and soil sample analytical results from previous investigations at the site to evaluate whether the vertical extent of residual contamination was sufficiently defined and whether additional investigation of the vertical extent of contamination is warranted for this investigation of a potential new release. During our review of boring logs from previous investigations, we found only one boring (MW-3) in which observations of petroleum hydrocarbons extended to the bottom of the boring without showing signs of decreasing concentrations with depth. The boring log for MW-3 indicated strong petroleum hydrocarbon odor and elevated PID readings at the bottom of the boring, which was a depth of 26.5 feet. A boring log for well MW-4 indicated that petroleum hydrocarbons likely extend to the total depth of the boring at 26.5 feet bgs but odors and PID readings decreased significantly below a depth of 22 feet bgs. The remaining boring logs for the site indicated that observations of strong odors and elevated PID readings generally did not extend below a depth of approximately 23 feet bgs. Soil sample analytical data generally exhibited a similar pattern.

Based on these results, it appears that some investigation of the vertical extent of contamination is warranted in the area of the former USTs. However, a CPT/MIP investigation to depths of 50 to 60 feet bgs throughout the site does not appear to be warranted at this time. Therefore, we request that all soil borings be extended to minimum depths of 35 feet bgs to define the vertical extent of contamination. If contamination is observed below a depth of 35 feet bgs, the borings are to be extended beyond the lowest extent of contamination. We request that soil samples be collected continuously from the borings for logging and screening purposes. Field screening is to be conducted using visual observations, odor, and measurements using a field photoionization detector (PID) fitted with an appropriate lamp and calibrated for the chemicals of concern. Please see technical comment 2 regarding shallow soil sampling within the upper five feet. Below a depth of five feet, we request that soil samples be collected for chemical analysis from any zones where visible staining, odor, or elevated PID readings are observed. If no visible staining, odor, or elevated PID readings are observed, the collection of soil samples at a fixed interval of 5 feet is acceptable. The collection of grab groundwater samples from first encountered groundwater is acceptable. However, if the vertical extent of contamination is deeper than expected, depth-discrete groundwater sampling may be required during a later phase of investigation. We also request that one additional soil boring (SB-12) be advanced adjacent to the location of former well MW-4. Please present these modifications in the Revised Work Plan requested below.

2. **Shallow Soil Sampling.** In order to evaluate the site using the criteria in the Low-threat Closure Policy (LTCP), collection of data within the upper 10 feet is necessary. In order to assess whether a bioattenuation zone is present and to evaluate direct contract criteria under the LTCP, we request that two soil samples be collected from each boring within the upper five feet. The soil samples are to be analyzed for Total Petroleum Hydrocarbons as gasoline (TPHg) and TPH as diesel using EPA Method 8015M; BTEX, MTBE, naphthalene, and lead scavengers using EPA Method 8260B; and total

lead using EPA Method 6010B. Please present these modifications in the Revised Work Plan requested below.

3. **Western Dispenser.** During a dispenser and piping upgrade in February 1998, a total of eight soil samples were collected from soil beneath the dispensers. The maximum concentrations of MTBE and benzene were detected in a soil sample collected at a depth of 2.0 feet bgs beneath Dispenser C. Total petroleum hydrocarbons as gasoline, MTBE, and benzene were detected in soil sample Disp-C-2.0' at concentrations of 1,900, 420, and 10 ppm, respectively. Soil samples collected beneath the other three dispensers contained significantly lower concentrations of petroleum hydrocarbons. The "*Dispenser Soil Sampling Report*," dated April 30, 1998 does not indicate that contaminated soil beneath the dispensers was removed. Soil samples collected beneath the dispensers on January 29, 2013 did not contain TPHg, MTBE, or benzene at concentrations above the reporting limit; however, it is not clear whether the 2013 soil samples were collected in the same location as the 1998 soil samples. The 2013 soil samples were apparently collected at a depth of approximately 4.5 feet bgs. In order to investigate whether elevated concentrations of petroleum hydrocarbons remain in shallow soil in the area of former Dispenser C, we request that one soil boring be advanced at the location of former Dispenser C. The soil boring is to be advanced to a minimum depth of 35 feet bgs and logged and sampled using similar protocols to those requested in technical comments 1 and 2. As noted in technical comment 5, we also request that one soil vapor sample be collected adjacent to former Dispenser C. Please include the additional soil boring and soil vapor sampling location in the Revised Work Plan requested below.
4. **Former Tank Pit.** All six soil samples collected during the removal of three USTs from the site in January 2013 had reportable concentrations of petroleum hydrocarbons at concentration up to 1,700 milligrams per kilogram (mg/kg) TPHg, 15 mg/kg ethylbenzene, and 17 mg/kg naphthalene. Although impacted soil was encountered during the tank removal, no soil was removed from the site. There is no description of how the tank pit was backfilled. It appears that impacted soil was placed back in the tank pit at an unknown depth. We note that proposed soil boring SB-9 is located in the center of the former tank pit. We request that you include one soil boring in addition to SB-9 (may require location of SB-9 to be adjusted) within the former tank pit to help define conditions within the backfilled area. The additional soil boring is to extend to a depth of 20 feet bgs using similar protocols to those requested in technical comments 1 and 2.
5. **Soil Vapor Sampling.** Soil vapor samples were previously collected at the site in 2010. Petroleum hydrocarbons were not detected at concentrations above reporting limits in the six soil vapor samples collected. In order to assess whether the potential new release has affected soil vapor, we request that soil vapor samples be collected from the former tank pit area and one soil vapor sample be collected from the area of former Dispenser C. Please include plans for soil vapor sampling 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:

- **May 28, 2014** – Revised Subsurface Investigation Work Plan
File to be named: WP_R_yyyy-mm-dd RO3123

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

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org. Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>. If 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

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (Sent via E-mail to: lgriffin@oaklandnet.com)

Rick Bruzzone, (Sent via E-mail to: rab@knoxricksen.com)

Linda Steidle, (Sent via E-mail to: montroseinc@comcast.net)

Peter Schaefer, Conestoga-Rovers & Associates, 5900 Hollis Street, Suite A, Emeryville, CA 94608
(Sent via E-mail to: pschaefer@croworld.com)

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

GeoTracker, File

Attachment 1

Responsible Party(ies) Legal Requirements/Obligations

REPORT/DATA REQUESTS

These reports/data are being requested pursuant to Division 7 of the California Water Code (Water Quality), Chapter 6.7 of Division 20 of the California Health and Safety Code (Underground Storage of Hazardous Substances), and Chapter 16 of Division 3 of Title 23 of the California Code of Regulations (Underground Storage Tank Regulations).

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (Local Oversight Program [LOP] for unauthorized releases from petroleum Underground Storage Tanks [USTs], and Site Cleanup Program [SCP] for unauthorized releases of non-petroleum hazardous substances) require submission of reports in electronic format pursuant to Chapter 3 of Division 7, Sections 13195 and 13197.5 of the California Water Code, and Chapter 30, Articles 1 and 2, Sections 3890 to 3895 of Division 3 of Title 23 of the California Code of Regulations (23 CCR). Instructions for submission of electronic documents to the ACEH FTP site are provided on the attached "Electronic Report Upload Instructions."

Submission of reports to the ACEH FTP site is in addition to requirements for electronic submittal of information (ESI) to the State Water Resources Control Board's (SWRCB) Geotracker website. In April 2001, the SWRCB adopted 23 CCR, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1 (Electronic Submission of Laboratory Data for UST Reports). Article 12 required electronic submittal of analytical laboratory data submitted in a report to a regulatory agency (effective September 1, 2001), and surveyed locations (latitude, longitude and elevation) of groundwater monitoring wells (effective January 1, 2002) in Electronic Deliverable Format (EDF) to Geotracker. Article 12 was subsequently repealed in 2004 and replaced with Article 30 (Electronic Submittal of Information) which expanded the ESI requirements to include electronic submittal of any report or data required by a regulatory agency from a cleanup site. The expanded ESI submittal requirements for petroleum UST sites subject to the requirements of 23 CCR, Division, 3, Chapter 16, Article 11, became effective December 16, 2004. All other electronic submittals required pursuant to Chapter 30 became effective January 1, 2005. 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, 7835, 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, late 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.

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| Alameda County Environmental Cleanup Oversight Programs (LOP and SCP) | REVISION DATE: July 25, 2012 |
| | ISSUE DATE: July 5, 2005 |
| | PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010 |
| SECTION: Miscellaneous Administrative Topics & Procedures | SUBJECT: Electronic Report Upload (ftp) Instructions |

The Alameda County Environmental Cleanup Oversight Programs (petroleum UST and SCP) 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 .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 <://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 .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.