



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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March 29, 2016

Jennifer Brady
E&B Natural Resources
3000 James Road
Bakersfield, CA 93308
(Sent via E-mail to: jbrady@ebresources.com)

Subject: Conditional Work Plan Approval for Voluntary Remedial Action Case No. RO0003181 and GeoTracker Global ID T10000007269, GIG Facility Soil Cleanup, 8477 Patterson Pass Road, Livermore, CA 94550

Dear Ms. Brady:

Alameda County Department of Environmental Health (ACDEH) has reviewed the case file for the above referenced site including the most recently submitted document entitled, "*Addendum to Work Plan for Soil Excavation and Groundwater Investigation*," dated February 19, 2016 (Work Plan Addendum). The Work Plan Addendum, which was prepared on your behalf by Robert A. Booher Consulting (Booher Consulting), was submitted in response to ACDEH's letter dated January 19, 2016 requesting additional delineation of residual contamination at the site.

In the Work Plan Addendum, E&B Natural Resources (E&B) proposes to continue excavation activities to accomplish both complete characterization and additional excavation of residual impacted soil in the western end of the excavation area, near and around the existing power pole and subpanel. E&B proposes to conduct the additional work in accordance with the protocols in the original work plan entitled "*Soil Excavation and Groundwater Investigation Work Plan*" (Work Plan), dated September 16, 2015, and the "*Addendum to Work Plan for Soil Excavation and Groundwater Investigation*," dated October 5, 2015.

The proposal to continue soil excavation is conditionally approved and may be implemented provided that technical comments 1 through 4 below are incorporated during implementation of the excavation, confirmation soil sampling, and backfill activities. Technical comment 5 requests additional information regarding reporting of the results of the investigation and remediation work done at the site.

TECHNICAL COMMENTS ON SOIL EXCAVATION

1. **Confirmation Soil Sampling Analytes.** In the Work Plan Addendum, E&B requests that additional confirmation soil samples be analyzed for Total Petroleum Hydrocarbons as Motor Oil only. ACDEH has reviewed the analytical data and does not concur that TPH-MO is the only constituent of concern in the crude oil release at the site. Therefore, all confirmation samples shall be analyzed for the full suite of constituents provided in the Work Plan and first addendum.

2. **Confirmation Soil Sampling Intervals.** Confirmation soil samples shall be collected for laboratory analysis from the excavation sidewalls at a horizontal distance not to exceed 20 feet and at the depth at which the maximum contaminant impact was observed in the excavation. Bottom samples are to be collected at a spacing of no greater than 20 feet representing an area within the bottom of the excavation that is no greater than 400 square feet in size. Additional confirmation soil samples or alternate depths of soil sampling may be required if requested during field inspection by ACDEH. Please provide a minimum of 48 hours advance notification to ACDEH prior to excavation or confirmation sampling (email to dilan.roe@acgov.org).
3. **Screening Criteria.** The use of San Francisco Bay Regional Water Quality Control Board Environmental Screening Levels (February, 2016) for residential land use (default), shallow soil (default), and a drinking water resources shall be used for screening of confirmation soil samples.
4. **Excavation Backfill and Soil Import.** Excavations shall not be backfilled until ACDEH concurs that the excavation has achieved its objectives or ACDEH concurs that further excavation is not feasible. Fill material proposed for import to the site shall be tested following the California Department of Toxic Substances Control Information Advisory, Clean Imported Fill Material (DTSC, 2001). Use of the DTSC 2001 Advisory to assess the suitability of imported fill is generally acceptable; however, ACDEH could potentially request additional information and/or analyses based upon the site history of the fill source. ACDEH request that you submit sufficient information to review the suitability of the imported fill including the following:
 - a. A description including maps and/or aerial photos showing the location(s) where the fill came from.
 - b. Background information and/or reports on the fill source
 - c. The volume of the fill and the volume that each sample represents.
 - d. The type of samples - composite or discrete
 - e. The type of fill and the heterogeneity.
 - f. Whether the fill contains any debris or construction material.
 - g. Whether any staining or odor was observed.
 - h. Locations and depths where the imported fill is to be placed on site.
 - i. Laboratory analytical results.

Analytical results may initially be screened against San Francisco Bay Regional Water Quality Control Board Environmental Screening Levels (ESLs); however, ACDEH will make the final determination on suitability of the fill or reuse of soil based on case-specific conditions and the proposed location for fill placement.

TECHNICAL COMMENTS ON REPORTING

5. **Soil Excavation, Confirmation Sampling, and Soil Backfill Comprehensive Report.** ACDEH requests that a comprehensive report be submitted documenting all soil excavation, confirmation sampling, and backfill activities related to the crude oil stock tank release. The report shall include the following:
- a. **Comprehensive Site Characterization and Confirmation Sampling Tables.** The report shall include comprehensive tables of all analytical data collected during site characterization and confirmation sampling activities. The tables shall delineate (via shading) samples that have been excavated and shall provide ESL values for each analyte. Non-detect values shall be designated as "<reporting limit" rather than as "ND" in order to verify that the laboratory reporting limits are less than the ESLs. The tables shall also provide clear and accurate notes in a font that is legible.
 - b. **Comprehensive Figures.** The report shall include comprehensive figures showing locations of all samples collected at the site in conjunction with the investigation and remediation of the stock tank release. The figures shall label the GIG facility infrastructure (both existing and removed) at the site including tanks (and contents), piping, electrical panels, wells, etc. The extent of the excavation activities shall be shown on one figure with interim excavation extents delineated by shading and all confirmation sample locations designated. Analytical data shall be shown on figures along with isoconcentration contours of the total petroleum hydrocarbon impacted soil.
 - c. **Boring Logs.** The report shall include all boring logs. The boring log for monitoring well MW-1 submitted with the Groundwater Monitoring Well Installation and Sampling Report dated February 2, 2016 shall be corrected to remove data collected from soil boring B-1.
 - d. **Summary Table of Soil Volumes Transported Offsite.** The report shall include a table summarizing the information on the waste manifests for soil disposed of off-site (dates, volume/tons, destination, etc).
 - e. **Summary Tables of Imported Fill Analytical Data.** The report shall include summary tables of analytical data for soil imported to the site. Non-detect values shall be designated as "<reporting limit" rather than as "ND" in order to verify that the laboratory reporting limits are less than the ESLs. The tables shall also provide clear and accurate notes in a font that is legible.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACEH 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:

- **May 27, 2016** – Soil Excavation and Backfill Report
File to be named: SWI_R_yyyy-mm-dd RO3181

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If you have any questions, please call me at (510) 567-6767 or send me an electronic mail message at dilan.roe@acgov.org. Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

Sincerely,

Dilan Roe

Dilan Roe, California PE 73703
Program Manager

Attachments: Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

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

Gary Richardson, E&B Natural Resources (Sent via E-mail to: grichardson@ebresources.com)

Phillip Marshall (Sent via E-mail to: phil@mbenterprises.com)

Robert Booher, Robert A. Booher Consulting (Sent via E-mail to: rbooher@raboohherconsulting.com)

Jeff Monroe, Robert A. Booher Consulting (Sent via E-mail to: jmonroe@raboohherconsulting.com)

Ronald Browder, ACDEH (Sent via E-mail to: ronald.browder@acgov.org)

Dilan Roe, ACDEH (Sent via E-mail to: 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/).

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.