

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

COLLEEN CHAWLA, Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP)
For Hazardous Materials Releases
1131 HARBOR BAY PARKWAY
ALAMEDA, CA 94502
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April 26, 2018

Ms. Carryl MacLeod
Chevron Environmental Management Co.
6001 Bollinger Canyon Road
San Ramon, CA 94583
(Sent via electronic mail to:
CMacleod@chevron.com)

Mr. Rene Boisvert
800 Center LLC
c/o Boulevard Equity Group
484 Lake Park Ave #246
Oakland, CA 94610-2730

Mr. Terrilla Sadler
618 Brooklyn Avenue
Oakland, CA 94606

Subject: Interim Remedial Action Plan (IRAP) Request, Fuel Leak Case RO0003272 (Global ID # T10000011146), Chevron #20-6145 / Signal SS (Non-Petroleum), 800 Center Street, Oakland CA 94607

Ms. MacLeod, and Messrs. Boisvert and Sadler:

Thank you for attending a meeting on January 10, 2018 with Alameda County Department of Environmental Health (ACDEH) staff. The meeting was requested in an effort to further the path to closure for the petroleum hydrocarbon contamination at the site under RO0000454 (Global ID # T0600102230), and to discuss this environmental case for the non-petroleum hydrocarbon contamination (lead and potentially Polychlorinated Biphenyls or PCBs) found in shallow soil at the site under a Site Cleanup Program (SCP) Voluntary Remedial Action Program (VRAP) agreement.

Based on existing data, shallow soil at the site is contaminated with lead and potentially PCB, at concentrations in excess of commercial Environmental Screening Levels (ESLs) as promulgated by the San Francisco Bay Regional Water Quality Control Board (RWQCB). Lead is documented to be present at concentrations up to 5,670 milligrams per kilogram (mg/kg) and has an ESL of 80 mg/kg at residential properties, and 320 mg/kg at commercial properties. PCBs are documented to be present in at least one location at a concentration of 0.48 mg/kg. The respective ESL for PCBs are 0.25 mg/kg or 1.0 mg/kg, for residential or commercial properties. ACDEH understands the site is classified as a commercial property; however, its current use (see below) may indicate a more sensitive, residential use.

It is the understanding of ACDEH that the subject parcels have been, or are currently being, used as a community garden space. While it is understood that planting soil has been imported to the site to fill raised planter boxes, ACDEH is concerned that dust from at-grade soil with elevated lead concentrations may be generated with foot traffic, wind, and potential tilling by the community. It is also understood that chickens have access to the entire site, including the at-grade soil, and that this may affect the lead concentration in eggs produced by the chickens.

Thus, as discussed in the meeting, in order to be consistent with the Low Threat Closure Policy (LTCP), ACDEH has split non-petroleum hydrocarbon contamination into a separate environmental case, in order to preserve Local Oversight Program (LOP) funds for petroleum only contamination. As cited above, this case is named "Chevron #20-6145 / Signal SS (Non-Petroleum)" and has the following case numbers RO0003272 and Global Id. No. T10000011146.

Based on the discussion in the meeting ACDEH requests that you address the following technical comments and send us the documents requested below.

TECHNICAL COMMENTS

- 1. Interim Remedial Action Plan (IRAP)** – Due to the potential of public exposure to the lead and PCB contamination in shallow soil, ACDEH requests the preparation of an IRAP that includes at a minimum the following information:

- Proposed cleanup goals and the basis for cleanup goals.
 - Summary of site characterization data.
 - Receptor information including likely future land use scenarios, adjacent land use and sensitive receptors, and potential groundwater receptors.
 - Evaluation of a minimum of three active remedial alternatives including discussion of feasibility, cost effectiveness, estimated time to reach cleanup goals, and limitations for each remedial alternative.
 - Detailed description of proposed remediation including confirmation sampling and monitoring during implementation.
 - Schedule for implementation of cleanup.
2. **Public Participation Fact Sheet** – As discussed in the meeting, due to high public visibility of the site, public participation is a requirement for this process. Thus we request that you submit a Draft Public Participation Fact Sheet for ACDEH review. Upon ACDEH approval of the IRAP, ACDEH will notify potentially affected members of the public who live or own property in the surrounding area of the proposed remediation described in the IRAP. Public comments on the proposed remediation will be accepted for a 30-day period. Example Fact Sheets can be forwarded under separate cover.
3. **Short-Term Construction Site Management Plan (SMP)** – As a part of the IRAP, a Short-Term Construction SMP is requested to manage the potential for worker as well as community exposure to wind or construction generated dust that contains the potential to be contaminated. This is expected to include perimeter dust monitoring and site stabilization during and after remedial actions, among other concerns. An example SMP can be forwarded under separate cover.

SUBMITTAL ACKNOWLEDGEMENT STATEMENT

Please note that ACDEH has updated Attachment 1 with regard to report submittals to ACDEH. ACDEH will now be requiring a Submittal Acknowledgement Statement, replacing the Perjury Statement, as a cover letter signed by the Responsible Party (RP). The language for the Submittal Acknowledgement Statement is as follows:

I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to ACDEH's FTP server and the SWRCB's Geotracker Website.

Please make this change to your submittals to ACDEH.

TECHNICAL REPORT REQUEST

Please submit the following technical reports and deliverables to the State Water Board's Geotracker website and notify your case worker by electronic mail (mark.detterman@acgov.org), in accordance with the following specified file naming convention and schedule, as provided below, and in the Responsible Party (ies) Legal Requirements/Obligations which is included as Attachment 1:

- **June 29, 2018** – IRAP and SMP
(File name: RO0000454_IRAP_R_YYYY-mm-dd and SMP_R_YYYY-mm-dd)

Should you have any questions, please contact me at (510) 567 - 6876 or send me an electronic mail message at mark.detterman@acgov.org.

Ms. MacLeod, and Messrs. Boisvert and Sadler:
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Sincerely,



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

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

cc: Katherine Szymanowski, ARCADIS, Inc, 2300 Clayton Road, Suite 400, Concord, CA 94520;
(Sent via electronic mail to: Katherine.Szymanowski@arcadis.com)

Dilan Roe, ACDEH, (Sent via electronic mail to: dilan.roe@acgov.org)
Paresh Khatri, ACDEH; (Sent via electronic mail to: paresh.khatri@acgov.org)
Mark Detterman, ACDEH, (Sent via electronic mail to: mark.detterman@acgov.org)
Electronic File; GeoTracker

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: December 14, 2017
	ISSUE DATE: July 25, 2012
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: Responsible Party(ies) Legal Requirements / Obligations

REPORT & DELIVERABLE REQUESTS

Alameda County Department of Environmental Health (ACDEH) Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) require submission of all reports in electronic form to the State Water Board's (SWB) GeoTracker website in accordance with California Code of Regulations, Chapter 30, Division 3, Title 23 and Division 3, Title 27.

Leaking Underground Fuel Tank (LUFT) Cases

Reports and deliverable requests are 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 (RP) in conjunction with an unauthorized release from a petroleum underground storage tank (UST) system.

Site Cleanup Program (SCP) Cases

For non-petroleum UST cases, reports and deliverables requests are pursuant to California Health and Safety Code Section 101480.

ELECTRONIC SUBMITTAL OF REPORTS

A complete report submittal includes the PDF report and all associated electronic data files, including but not limited to GEO_MAP, GEO_XY, GEO_Z, GEO_BORE, GEO_WELL, and laboratory analytical data in Electronic Deliverable Format™ (EDF). Additional information on these requirements is available on the State Water Board's website (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)

- Do not upload draft reports to GeoTracker
- Rotate each page in the PDF document in the direction that will make it easiest to read on a computer monitor.

GEOTRACKER UPLOAD CERTIFICATION

Each report submittal is to include a GeoTracker Upload Summary Table with GeoTracker valid values¹ as illustrated in the example below to facilitate ACDEH review and verify compliance with GeoTracker requirements.

GeoTracker Upload Table Example

Report Title	Sample Period	PDF Report	GEO_MAPS	Sample ID	Matrix	GEO_Z	GEO_XY	GEO_BORE	GEO_WELL	EDF
2016 Subsurface Investigation Report	2016 S1	✓	✓	Effluent	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
2012 Site Assessment Work Plan	2012	✓	✓			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2010 GW Investigation Report	2008 Q4	✓	✓	SB-10	W	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				SB-10-6	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				MW-1	WG	✓	✓	✓	✓	✓
				SW-1	W	✓	✓	✓	✓	✓

¹ GeoTracker Survey XYZ, Well Data, and Site Map Guidelines & Restrictions, CA State Water Resources Control Board, April 2005

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: NA
	ISSUE DATE: December 14, 2017
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: Responsible Party(ies) Legal Requirements / Obligations

ACKNOWLEDGEMENT STATEMENT

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to the State Water Board's GeoTracker website." This letter must be signed by the Responsible Party, or legally authorized representative of the Responsible Party.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6731, 6735, and 7835) 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 licensed or certified professional and include the professional registration stamp, signature, and statement of professional certification. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

UNDERGROUND STORAGE TANK CLEANUP FUND

For LUFT cases, RP's non-compliance with these regulations may result in ineligibility to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse the cost of cleanup. Additional information is available on the internet at: https://www.waterboards.ca.gov/water_issues/programs/ustcf/

AGENCY OVERSIGHT

Significant delays in conducting site assessment/cleanup or report submittals may result in referral of the case to the Regional Water 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.