



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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October 9, 2009

Mr. Aaron Costa
6111 Bollinger Canyon Road RM 3360
PO Box 6012
San Ramon, CA 94583-2324
(sent via electronic mail to acosta@chevron.com)

Subject: Soil & Water Investigation Report Required; Fuel Leak Case No. RO0000383 (Global ID # T0600100315), Chevron #9-0260, 21995 Foothill Boulevard, Hayward, CA 94541

Dear Mr. Costa:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site and the documents entitled *Third Quarter 2008 Groundwater Monitoring and Sampling Report* prepared by Conestoga Rovers Associates (CRA), and dated November 14, 2008, the *Additional Subsurface Investigation Work Plan*, and a Work Plan *Email Addendum*, dated May 27 2004 and November 8, 2005, respectively, and prepared by Cambria Environmental Technology, Inc. (Cambria). Groundwater analytical data collected in November 2008 indicate that significantly elevated levels of dissolved phase petroleum hydrocarbon contamination were detected at concentrations of up to 60,000 micrograms per liter (µg/L) TPH as Gasoline, and 3,200 µg/L benzene. In directive letters dated July 22, 2004, and November 14, 2005, ACEH concurred with the work plan and modifications; however, no report has been submitted to our office documenting the results of the investigation. The July 22, 2004, ACEH letter set the deadline for submittal of an additional subsurface investigation at 60 days after completion of the activities, and required a revised Site Conceptual Model (SCM), revised cross-sections and isopachs, any additional work plans for tasks necessary to refine the SCM. CPT bores are reported to have been installed in 2005, and the lithology has been used in cross-sections presented in the Work Plan *Email Addition*; however, a report on the installation of the bores or other associated work has not been submitted to ACEH. This site is not in compliance with ACEH directives.

Based on ACEH staff review of the case file, we request that you address the following technical comments and send us the reports described below.

TECHNICAL COMMENTS

- 1) **Proposed Soil and Groundwater Sampling Results.** In May 2004, Chevron submitted a work plan to install up to 14 CPT borings to define the lateral and vertical extent of contamination both onsite and offsite. In a directive letter dated July 22, 2004 ACEH approved the work plan. It appears that 14 CPT borings were installed; however, ACEH has not received a report documenting the results of the investigation. We request that you submit the results from the previously approved soil and groundwater investigation work plan in a Soil and Groundwater & Interim Remediation Report according to the schedule below. This is not an extension of the due date for the submission of the results from the previously approved work plan, reports for your site are late and you are out of compliance with directives from this agency.
- 2) **Proposed Soil Vapor Sampling.** In May 2004, Chevron proposed the installation of six soil vapor sample points co-located with six the CPT points to evaluate the potential risk associated with the soil vapor to indoor

air migration pathway for offsite residences; ACEH approved the installation of the soil vapor point in a directive letter dated July 22, 2004. To date, we have not received a report documenting the installation of the soil vapor points or the results from the soil vapor sampling. We request that you submit the results from the soil vapor sampling in the Soil and Groundwater & Interim Remediation Report according to the schedule below. This is not an extension of the due date for the submission of the results from the previously approved soil vapor sampling, reports for your site are late and you are out of compliance with directives from this agency.

- 3) **Well Survey, Public Notification, and Sensitive Receptor Survey.** In May 2004 Chevron proposed to conduct a community door-to-door well survey within the neighborhood; ACEH approved the draft neighborhood notification in a directive letter dated July 22, 2004. To date we have not received a report documenting the results of this community survey. Email correspondence dated June 13, 2005, between Hugh Murphy and ACEH indicated that Chevron was considering decommissioning vicinity residential wells as a good will gesture to the residents. ACEH is requesting an update on current status relative to this potential work be included in the Soil and Groundwater & Interim Remediation Report requested below. This is not an extension of the due date for the submission of the results from the previously approved soil vapor sampling, reports for your site are late and you are out of compliance with directives from this agency.
- 4) **Vapor Intrusion Pathways.** Advances in vapor intrusion since the May 2004 proposal to collect soil vapor samples indicate that the inclusion of, at a minimum, the presence of basements in the survey area to be appropriate, in particular due to the relative age of the building stock. This could easily be expanded to building foundation type for surveyed structures to preclude additional inquiries. Plots of residential wells, basements, and any other structure of import, in addition to pertinent soil and groundwater plume details, on an aerial photographic base map would allow rapid assessment of potential affects to the local community; please include these. We request you submit, in addition to the results from the community survey, the results of an inquiry into the presence of basement structures and foundation type on an aerial photographic base map in the Soil and Groundwater & Interim Remediation Report, according to the schedule below.
- 5) **Remedial Action Verification Sampling.** In May 2004 Chevron proposed the installation of six soil borings to evaluate the efficacy of previous interim remedial activities onsite (soil vapor extraction from 1997 to 2002). In a directive letter dated July 22, 2004 ACEH concurred with the proposal to collect onsite interim remediation verification soil and groundwater samples; however, we have been unable confirm that verification soil and groundwater samples have been collected. We request that you submit the results of verification sampling in the Soil and Groundwater & Interim Remediation Report requested below. This is not an extension of the due date for the submission of the results from the previously approved confirmation soil sampling, reports for your site are late and you are out of compliance with directives from this agency.
- 6) **Proposed Monitoring Well and DPE Well Installation.** In November 2005, Chevron proposed the installation of seven groundwater monitoring wells (both onsite and offsite) to evaluate petroleum hydrocarbon impacts to the deep water bearing zone at 30 feet to 40 feet below ground surface. In a directive letter dated November 14, 2005, ACEH concurred with the installation of seven monitoring wells to confirm the presence of contamination detected during the installation of the CPT borings. It appears that one monitoring well was installed onsite (MW-19) to evaluate the deeper water bearing zone; however, no explanation or discussion was presented to justify changing the previously approved scope of work, which called for the installation of seven monitoring wells. We request that you submit the results of verification sampling in the Soil and Groundwater & Interim Remediation Report requested below.
- 7) **Additional Interim Remediation.** In November 2005 Chevron also proposed the installation of six new DPE wells onsite to enhance the existing extraction well network. Well DVE-18 was proposed to be used, but has since been documented to have been destroyed in the November 17, 2006 *Monitoring Well Installation, Modification and Destruction Report* generated by Cambria. ACEH has either not received a report documenting the results from the monitoring well installation or the DPE well installation, or the change to justify destruction of DVE-18.

Subsequently, Chevron implemented the interim remedial action that included the installation and operation of a dual phase soil vapor and groundwater extraction and treatment system. The DPE remediation system is currently in operation and preliminary results indicate that system is effectively removing vapor phase and dissolved phase contamination from beneath your site. We request that you utilize the geologic content of more recent bore logs to update cross sections for the site and downgradient vicinity to help justify the DPE system, and to help determine if all SCM data gaps have been filled. ACEH appreciates submittal of relevant information for the project; however, we request that you submit all results from monitoring and DPE well installation in the Soil and Groundwater & Interim Remediation Report, according to the schedule below. This is not an extension of the due date for the previously approved soil and groundwater investigation report, as such reports for your site are late and you are out of compliance with directives from this agency.

- 8) **Draft Corrective Action Plan (CAP).** In a directive letter from ACEH dated April 7, 2004 we requested that you prepare and submit a CAP upon completion of a soil and groundwater investigation. ACEH approved the work plan for the soil and groundwater investigation in a directive letter dated July 22, 2004. In the same directive letter, ACEH reiterated that a CAP was necessary to evaluate technically and economically feasible remedial alternatives which would protect human health and the environment and meet the water quality objectives and cleanup goals as established in the CAP.

At this time, it appears that a Draft CAP that meets the provisions of Section 2725 of the UST regulations (Title 23, California Code of Regulations, Chapter 16) is warranted. The Draft CAP must include a concise background of soil and groundwater investigations performed in connection with this case and an assessment of the residual impacts of the chemicals of concern (COCs) for the site and the surrounding area where the unauthorized release has migrated or may migrate. The Draft CAP should also include, but is not limited to, a detailed description of site lithology, including soil permeability, receptor information including likely future land use scenarios, adjacent land use and sensitive receptors, and potential groundwater receptors, and most importantly, contamination cleanup levels and cleanup goals, in accordance with the San Francisco Regional Water Quality Control Board (SFRWQCB) Basin Plan and appropriate ESL guidance for all COCs and for the appropriate groundwater designation. Please note that soil cleanup levels should ultimately (within a reasonable timeframe) achieve water quality objectives (cleanup goals) for groundwater in accordance with the SFRWQCB Basin Plan. Please specify appropriate cleanup levels and cleanup goals in accordance with 23 CCR Section 2725, 2726, and 2727 in the Draft CAP.

The Draft CAP must evaluate at least three viable alternatives for remedying or mitigating the actual or potential adverse affects of the unauthorized release(s) besides the 'no action' and 'monitored natural attenuation' remedial alternatives. Each alternative shall be evaluated not only for cost-effectiveness but also its timeframe to reach cleanup levels and cleanup goals, include a discussion of the feasibility and limitations for each remedial alternative, a detailed description of proposed remediation including confirmation sampling and monitoring during implementation, and post-remedial monitoring.

Please provide the future development plans for the site to help in evaluation of the receptor information and proposed cleanup goals. Public participation is a requirement for the CAP process. Therefore, we request that you submit a Draft CAP for ACEH review according to the following schedule. Upon ACEH approval of a Draft CAP, ACEH will notify potentially affected members of the public who live or own property in the surrounding area of the proposed remediation described in the Draft CAP. Public comments on the proposed remediation will be accepted for a 30-day period.

- 9) **Wellhead Survey Data.** An online review of Geotracker indicates that only two of 18 or more active wells have been surveyed to Geotracker standards. Geotracker well standards have existed and have been required since 2001; we require that a licensed professional surveyor survey all monitoring well locations to Geotracker horizontal and vertical standards.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Mr. Mark Detterman), according to the following schedule:

- **January 15, 2010** – Soil and Groundwater & Interim Remediation Report. We request you identify remaining data gaps in this report.
- **February 15, 2010** – Draft Corrective Action Plan.

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.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml).

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.

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

Sincerely,

Mark E. Detterman
Hazardous Materials Specialist, P.G., C.E.G.

cc: Charlotte Evans, Conestoga-Rovers & Associates, 5900 Hollis Street, Suite A, Emeryville, CA, 94608
(sent via electronic mail to cevans@craworld.com)
Donna Drogos (sent via electronic mail to donna.drogos@acgov.org)
Mark Detterman (sent via electronic mail to mark.detterman@acgov.org)
File

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: March 27, 2009
	PREVIOUS REVISIONS: December 16, 2005, October 31, 2005
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

- Entire report including cover letter must be submitted to the ftp site as **a single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- 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)

Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

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 dehloptoxic@acgov.org
Or
 - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of My Le Huynh.
 - 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 and Firefox browsers will not open the FTP site.
 - b) Click on File, then on Login As.
 - 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 dehloptoxic@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.