



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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August 21, 2009

Paul Supple (*Sent via e-mail to: paul.supple@bp.com*)
Atlantic Richfield Company
(A BP Affiliated Company)
P.O. Box 1257
San Ramon, CA 94583

Terry L. Grayson (*Sent via e-mail to: Terry.L.Grayson@contractor.conocophillips.com*)
Conoco Phillips
76 Broadway
Sacramento, CA 95818

Rajinder S & Sukhvinder Sull
2004 Hartnell Street
Union City, CA 94587

Subject: Fuel Leak Case No. RO0000014 and GeoTracker Global ID T0600100213, BP #11132,
3201 35th Avenue, Oakland, CA 94619

Dear Messrs. Supple, Grayson, & Sull:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the recently submitted document entitled, "Vapor Intrusion Assessment and Dual-Phase Extraction Pilot Test Report," dated August 7, 2009, which was prepared by Broadbent & Associates, Inc (BAI) for the subject site. Soil vapor sample analytical results detected benzene at a maximum concentration of 9.0 $\mu\text{g}/\text{m}^3$, below the Regional Water Quality Control Board's (RWQCB) Environmental Screening Level (ESL) for residential land use risk scenario of 84.0 $\mu\text{g}/\text{m}^3$. According to BAI, the results of the vapor intrusion assessment indicate that potential contaminant volatilization to indoor air does not appear to be a completed exposure pathway.

A dual-phase pilot test was also conducted at the site. According to BAI, approximately 8,570 gallons of groundwater was extracted as a result of the pilot test with "[a]pproximately 0.043 lbs of GRO, 0.0023 lbs of Benzene and 0.006 lbs of MTBE in ground water, and 18.2 lbs of GRO, 0.064 lbs of Benzene and 0.046 lbs of MTBE in soil vapor were removed from the subsurface during extraction activities." Based on the less than expected results of the DPE pilot test, BAI concludes that "DPE does not appear to be an optimal remedial technology for the Site." As a result, BAI recommends that "a pilot test utilizing enhanced biodegradation should be research and implemented for potential use at the site. BAI also recommends that "source area excavation should be retained as a potential remediation option involving the current property owner/station operator Conoco-Phillips."

ACEH generally concurs with the proposed scope of work and requests that you address the following technical comments and send us the technical reports described below.

TECHNICAL COMMENTS

1. **Remediation Technology Evaluation** – As mentioned in our October 16, 2008 correspondence, Conoco Phillips is co-responsible party who is also legally obligated to conduct site assessment and/or cleanup activities at the site. Therefore, it is encouraged that Conoco Phillips and Bp/ARCO collaborate with one another and select the most cost-effective remedial technology for remedying or mitigating the actual or potential adverse effects of the unauthorized release(s) at the site regardless of current ownership. Once again, ACEH urges that all responsible parties cooperate so that a cost-effective remediation technology can be selected to expeditiously cleanup the site, which ultimately leads towards case closure.

NOTIFICATION OF FIELDWORK ACTIVITIES

Please schedule and complete the fieldwork activities by the date specified below and provide ACEH with at least three (3) business days notification prior to conducting the fieldwork.

TECHNICAL REPORT REQUEST

Please submit technical reports to ACEH (Attention: Paresh Khatri), according to the following schedule:

- **October 19, 2009** – Enhanced Biodegradation Pilot Test Work Plan
- **October 5 or 30, 2009** – Semi-annual Monitoring Report (3rd Quarter 2009)
- **April 5 or 30, 2010** – Semi-annual Monitoring Report (1st Quarter 2010)

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.

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If you have any questions, please call me at (510) 777-2478 or send me an electronic mail message at paresh.khatri@acgov.org.

Sincerely,

Paresh C. Khatri
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Tom Venus, Broadbent & Associates, 1324 Mangrove Avenue, Suite 212, Chico, CA 95926
(Sent via e-mail to: tvenus@broadbentinc.com)
Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA
94612-2032 (Sent via e-mail to: lgriffin@oaklandnet.com)
Donna Drogos, ACEH (sent via electronic mail)
Paresh Khatri, ACEH (sent via electronic mail)
GeoTracker
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.