

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, SUITE 250
ALAMEDA, CA 94502
(510) 567-6700
FAX (510) 337-9335

April 5, 2018

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100 Montgomery, Suite 300
San Francisco, CA 94104
(Sent via electronic mail to:
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Jim Smith
BP Contracts Manager
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Houston, TX 77079
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The Phillips 66 Company
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Sacramento, CA 95818
(Sent via electronic mail to:
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Emery Bay Petroleum, Inc.
c/o Shahram Azimi
1700 Powell Street
Emeryville, CA 94608

Mobil Oil Company
Address Unknown

Tosco Corp.
Address Unknown

Subject: Conditional Work Plan Approval; Fuel Leak Case No. RO0000066 (Global ID #T0600100208),
BP #11126; 1700 Powell Street, Emeryville, CA 94608

Dear Ladies and Gentlemen:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the *Soil Boring and Well Destruction Work Plan*, dated February 26, 2018 and the *Work Plan Addendum*, dated April 3, 2018. Both documents were prepared and submitted on your behalf by Arcadis. The work plan was submitted to document the proposed installation of two soil bores to collect soil and grab groundwater samples to define the northern extent of contamination from the site, as discussed in the February 2, 2018 meeting. At the request of ACDEH, the work plan addendum proposed the installation of an additional soil bore to the west-northwest of well MW-6 to define the extent of soil and groundwater contamination downgradient of MW-6. The work plan also responded to the request for completion of a Dilution Attenuation Factor (DAF) assessment to evaluate the concern identified by ACDEH of potential exposure of salt water aquatic species to contaminants intercepted by the storm drain beneath Powell Street immediately south of the site. The work plan additionally proposed the destruction of all site wells, except MW-6, by pressure grouting as also discussed in the referenced meeting. The proposed work will utilize Standard Operating Protocols (SOPs) as previously described, modified, and accepted in earlier directive letters.

Based on ACDEH staff review of the work plan, and these documents, the proposed scope of work is conditionally approved for implementation provided that the technical comments below are incorporated during the proposed work. Submittal of a revised work plan or a work plan addendum is not required unless an alternate scope of work outside that described in the work plan or these technical comments is proposed. We request that you address the following technical comments, perform the proposed work, and send us the report described below. Once field work is approved, please provide 72-hour advance written notification to this office (e-mail preferred to: mark.detterman@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Conditional Work Plan Approval** – The referenced work plan and addendum proposes actions with which ACDEH is generally in agreement of undertaking; however, ACDEH requests the modification of the proposed scope of work prior to conditionally approving the work. Please submit a site investigation report by the date identified in previous communications, and cited below.
 - a. **Monitoring Well Destruction** – Due to the potential that the proposed bores may indicate a potential concern, as well as the need to remobilize to destroy monitoring well MW-6 at a future date, ACDEH is not including approval of well destruction at the site with this letter. ACDEH understands that this is contrary to initial discussions in the referenced meeting.

- b. Flexibility in Plume Delineation** – In an effort to increase the probability of delineation of the soil and groundwater plume, ACDEH recognizes that additional bores may be required in a single mobilization. ACDEH requests that in the event that indications of petroleum contamination are encountered at the proposed bore locations, that additional step-out or lateral bores be installed in order to achieve this primary goal.
- c. Soil and Groundwater Analytical Suite for Petroleum Hydrocarbons** – To preclude potential miscommunications, ACDEH requests that soil and groundwater analysis include Total Petroleum Hydrocarbons as gasoline (TPHg), as diesel (TPHd), and as motor oil (TPHmo), benzene, toluene, ethylbenzene, total xylenes (BTEX), methyl tert butyl ether (MTBE), all other fuel oxygenates and lead scavengers, and naphthalene.
- d. Soil and Groundwater Analytical Suite for Chlorinated Volatile Organic Compounds (CVOCs)** – Because the investigation is partly to define the extent of soil and groundwater contamination associated with a former waste oil underground storage tank (UST), ACDEH requests that a full scan chlorinated volatile organic compounds (CVOCs) be conducted, unless data has already been collected in both soil and groundwater media collected proximal to the former waste oil UST(s).
- e. Soil Sample Selection** – ACDEH requests the collection and analysis of soil samples at elevated photoionization Detector (PID) readings, odor, discoloration, significant changes in lithology, at the water interface, and to vertically define suspected contamination. This may require multiple soil samples within a bore.

SUBMITTAL ACKNOWLEDGEMENT STATEMENT

Please note that ACDEH has updated Attachment 1 with regard to report submittals. 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 the State Water Board'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 15, 2018** – Site Investigation, DAF Analysis, Well Destruction, and Waste Disposal Documentation; File to be named: RO66_SWI_R_yyyy-mm-dd

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.

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

Responsible Parties
RO0000066
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Thank you for your cooperation. 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, PG, CEG
Senior Hazardous Materials Specialist

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

cc: 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.