



ENVIRONMENTAL HEALTH DEPARTMENT  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

January 12, 2012

Ms. Roya Kambin  
Chevron Environmental Management Co.  
6101 Bollinger Canyon Road  
San Ramon, CA 94583  
(sent via electronic mail to:  
[RKLG@chevron.com](mailto:RKLG@chevron.com))

Mr. Bill Borgh  
ConocoPhillips  
76 Broadway  
Sacramento, CA 95818  
(sent via electronic mail to:  
[Bill.Borgh@conocophillips.com](mailto:Bill.Borgh@conocophillips.com))

Mr. Najmeddin Revan  
Emeryville Chevron  
1400 Powell Street  
Emeryville, CA 94608

Subject: Request for a Work Plan; Fuel Leak Case No. RO0000067 and Geotracker Global ID T0601745736, Tosco 76 #3737 / Chevron, 1400 Powell Street, Emeryville, CA 94608

Dear Ms. Kambin, and Messrs. Borgh and Revan:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site, including the *Soil and Groundwater Investigation Report*, dated February 22, 2011, and prepared by the Antea Group (Antea), and the *Third Quarter 2011 Groundwater Monitoring and Sampling Report*, dated October 14, 2011, prepared by Conestoga-Rovers & Associates (CRA). ACEH has also reviewed the *Soil and Groundwater Investigation Letter Report*, dated May 14, 2010, and the *Evaluation of Responsibility for Groundwater Characterization and Remediation*, dated August 23, 2011, submitted on behalf of the Wareham Property Group, by Treadwell & Rollo, Inc, for the adjacent Emeryville Industrial Court redevelopment site (RO0002621). Both the Tosco 76 / Chevron service station on the south and Emeryville Industrial Court redevelopment on the north currently occupy a formerly larger parcel that previously contained a Unocal bulk oil facility.

Based on the review of the case file ACEH requests that you address the following technical comments and send us the documents requested below.

#### **TECHNICAL COMMENTS**

- 1. Request for a Work Plan** – Wells MW-1A, MW-2A, MW-3A, MW-1B, MW-2B, and MW-3B were installed approximately one year ago. Since that time the flow directions in both water-bearing zones appear to have generally stabilized and three quarterly sampling events have been conducted and reported on, and have generally established that groundwater concentrations in the lower water-bearing zone are below RWQCB ESLs. Groundwater concentrations in the upper water-bearing zone appear to have roughly stabilized (MW-1A and MW-2A) or decreased slightly (MW-3A). Concentrations up to 1,600 µg/l TPHd, 3,100 µg/l TPHg, 860 µg/l benzene, 320 µg/l MTBE, and 2,500 µg/l TBA are present in groundwater collected in the upper water-bearing zone beneath the site. As a consequence of these observations ACEH requests a work plan, by the date identified below, to provide downgradient and lateral delineation of contamination in the upper water-bearing zone at the site and vicinity.
- 2. Request for a Preferential Pathway Survey** – As you are aware, the purpose of the preferential pathway study is to locate potential migration pathways and conduits and determine the probability of a groundwater plume encountering preferential pathways and conduits that could spread contamination. Specifically ACEH requests the inclusion of utility laterals, an often overlooked potential conduit. Consequently, we request that you perform a preferential pathway study that details the potential migration pathways and potential conduits (utilities, utility laterals, pipelines, foundational, and etc.) for vertical and lateral migration that may be present in the vicinity of the site.

Discuss your analysis and interpretation of the results of the preferential pathway study (including the well survey and utility survey requested below) and report your results in the work plan requested below. The

results of your study shall contain all information required by California Code of Regulations, Title 23, Division 3, Chapter 16, §2654(b).

- a. **Utility Survey** - An evaluation of all utility lines, utility laterals, and trenches (including sewers, storm drains, pipelines, trench backfill, foundation backfill, etc.) within and near the site and plume area(s) is required as part of your study. Please reduce, and synthesize available information and maps, and generate appropriate (vicinity and / or site specific) maps and cross-sections (if appropriate) illustrating the location and depth of all utility lines and trenches within and near the site and plume areas(s) as part of your study.
  - b. **Well Survey** - The preferential pathway study is requested to include a well survey of all wells (monitoring and production wells: active, inactive, standby, decommissioned (sealed with concrete), abandoned (improperly decommissioned or lost); and dewatering, drainage, and cathodic protection wells) within a ¼ mile radius of the subject site.
3. **Request for Email Addresses** – If your email address is not listed on the first page of this letter, or in the list of cc's listed below, ACEH requests your email address to help expedite communications and to help lower overall costs. Please provide that information in your next submittal.

### **TECHNICAL REPORT REQUEST**

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

- **March 16, 2012** – Work Plan (with Preferential Pathway Survey)
- **60 Days After ACEH Approval of Work Plan** – Soil & Groundwater Investigation Report

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.

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

Sincerely,

Mark E. Detterman, PG, CEG  
Hazardous Materials Specialist

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

cc: Jim Schneider, Conestoga-Rovers & Associates, 5900 Hollis Street, Suite A, Emeryville, CA 94608  
(sent via electronic mail to: [JSchneider@croworld.com](mailto:JSchneider@croworld.com))

Geoffrey Sears, Wareham Development Corp, 1120 Nye St. Suite #400, San Rafael, CA 94901  
(sent via electronic mail to: [GSears@warehamproperties.com](mailto:GSears@warehamproperties.com))

Phillip Smith, Treadwell & Rollo, Inc., 555 Montgomery Street, Suite 1300, San Francisco, CA 94111  
(sent via electronic mail to: [PGSmith@treadwellrollo.com](mailto:PGSmith@treadwellrollo.com))

Donna Drogos, (sent via electronic mail to [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))  
Mark Detterman (sent via electronic mail to [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org))  
Electronic File, GeoTracker

## 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.swrcb.ca.gov/ust/electronic\\_submittal/report\\_rqmts.shtml](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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>REVISION DATE:</b> July 20, 2010
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> 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 [dehloptoxic@acgov.org](mailto:dehloptoxic@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 [dehloptoxic@acgov.org](mailto: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.