

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**  
AGENCY

REBECCA GEBHART, Interim 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

February 16, 2017

Union Oil Company of California, a Chevron affiliate  
Dba Chevron Environmental Management Company  
6101 Bollinger Canyon Road  
San Ramon, CA 94583  
Attn.: James Kiernan  
(Sent via electronic mail to: [jkiernan@chevron.com](mailto:jkiernan@chevron.com))

Phillips 66  
76 Broadway  
Sacramento, CA 95818  
Attn.: Ed Ralston (Sent via electronic mail to:  
[Ed.C.Ralston@p66.com](mailto:Ed.C.Ralston@p66.com))

Broadway Union #0746  
Dba Broadway Union 76, Inc.  
3943 Broadway  
Oakland, CA 94611  
Attn.: Clement K. Leung  
(Sent via electronic mail to: [broadwayunion76@yahoo.com](mailto:broadwayunion76@yahoo.com))

CJS Leung, LLC  
C/o Clement Leung  
3943 Broadway  
Oakland, CA 94611

Clover Trust 1997-1  
C/o Circle R Co #U-0746  
Address Unknown

Suncor Holdings COP II LLC  
Address Unknown

Dear Responsible Parties:

Subject: Conditional Work Plan Approval, Fuel Leak Case No. RO0000203 and GeoTracker Global ID T0600101471, Unocal #0746, 3943 Broadway, Oakland, CA 94611

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file, including the recently submitted document entitled *Soil Vapor Investigation Work Plan* (Work Plan), dated January 13, 2017, prepared by Arcadis U.S., Inc. (Arcadis) for the subject site. The Work Plan was reviewed in conjunction with the California State Water Resources Control Board (SWRCB) Low Threat Underground Storage Tank Case Closure Policy (LTCP) and was prepared in response to our requests of August 12, 1998, June 22, 2015, July 1, 2016, and November 10, 2016.

As presented in the Work Plan, Arcadis proposes to advance three (3) soil bores for the installation and sampling of three dual-nested, multilevel soil vapor probes (identified as VP-1 through VP-3) set at approximately 5 feet below the ground surface (bgs) and 8 feet bgs. The proposed locations of the three soil vapor probes are depicted on Figure 2, with VP-1 and VP-2 located on-site and VP-3 shown at an off-site, down gradient location.

Arcadis proposes to recover up to three soil samples from each bore for laboratory analysis based on indications of petroleum hydrocarbon impacts as evidenced by odor, elevated photoionization detector (PID) readings, staining, or other evidence, with at least one soil sample collected in the interval from 0 to 5 feet bgs, at 5 feet bgs, and at 8 feet bgs.

In the Work Plan, Arcadis states the soil samples will be analyzed for total petroleum hydrocarbons (TPH) as gasoline (TPHg), benzene, toluene, ethylbenzene, and xylenes (collectively BTEX); naphthalene, the fuel oxygenates methyl tertiary butyl ether (MTBE), tertiary butyl alcohol (TBA), di-isopropyl ether (DIPE), ethyl

tertiary butyl ether (ETBE), tertiary amyl methyl ether (TAME), and ethanol; and 1,2-dichloroethane (1,2-DCA) and ethylene dibromide (EDB).

As indicated above, Arcadis proposes to install three dual-nested, multilevel soil vapor probes and that the installation of the soil vapor probes will be completed in accordance with the *Advisory - Active Soil Gas Investigations* guidance (Soil Gas Advisory; Department of Toxic Substances Control [DTSC] July 2015) (Advisory). The deepest sampling points will be approximately 8.25 feet bgs. Arcadis states the well head and entire sampling train (valves, tubing, fittings, gauges, and SUMMA canister) will be placed in a sampling shroud with helium used as a tracer compound for the leak detection. All soil vapor samples will be analyzed for the chemicals of concern (COCs) TPHg, BTEX, naphthalene, and TBA using Modified USEPA Method TO-15; and the fixed gases oxygen, methane, carbon dioxide and helium, using Modified ASTM Method D-1946.

Based on ACDEH staff review of the referenced document and of the case file, we generally concur with the recently proposed scope of work, provided that the modifications requested in the technical comments below are addressed and incorporated during the field implementation. While the comments below request an additional soil bore and additionally requested items, submittal of a revised Work Plan is limited to a amended Figure 2 unless an alternate scope of work outside that described in the Work Plan and technical comments below is proposed. We request that you address the following technical comments, submit the requested document, and upon ACDEH approval, perform the proposed work, and send us the technical reports requested below. Please provide 72-hour advance written notification to this office (electronic mail preferred to: [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org)) prior to the start of field activities.

## **TECHNICAL COMMENTS**

- 1. Soil bore depth** – ACDEH noted that the Work Plan did not discuss the foundation type of the adjacent structure located at 3915 Broadway. The LTCP Media Specific criteria for Vapor Intrusion to Indoor Air is evaluated for soil vapor measurements based on depth below the bottom of the foundation.

Therefore, ACDEH requests a visual inspection of building at 3915 Broadway be performed for foundation type evaluation (evidence of basement, crawl space, etc.) and an adjustment to the soil vapor sample depths be adjusted accordingly to conform with the LTCP.

Groundwater beneath the site appears to be semiconfined. However, with depth to water (dtw) at the site reported as shallow as 3.61 feet bgs, ACDEH recommends determining the dtw in nearby wells as part of the probe installation and observations made of potential influx of water into the vapor probe bores prior to probe installation.

- 2. Vapor probe nesting** – It is the experience of ACDEH staff within the Local Oversight Program (LOP) that installation of nested wells is problematic, especially with the well seal. Therefore, ACDEH requests each soil vapor probe be discretely installed in its own soil bore. Due to the juxtaposed locations of the 5-foot and 8-foot bores for each of the pairs of probes, it is acceptable to ACDEH that soil samples only be recovered from one bore of each pair.
- 3. Soil bore location** – Based on our review of residual contamination reported in soil and groundwater, ACDEH is of the opinion that a more suitable location of the VP-2 bore may be closer to the MW-5 location and maintaining a close proximity to the property line. Please present a revised location on the amended Figure 2 requested below.

4. **Additional soil bore location** – Based on variability of groundwater flow, ACDEH requests an additional off-site soil bore be advanced approximately 35 feet northwest of the VP-3 location alongside the building located at 3915 Broadway. Please depict the location of the additional soil bore the amended Figure 2 requested below.
5. **Naphthalene analysis** – In accordance with the Advisory, ACDEH requests that two of the soil vapor samples be analyzed for naphthalene by EPA Test Method TO-17 in addition to the TO -15 analysis for confirmation of the naphthalene concentrations.

#### **NOTIFICATION OF FIELDWORK ACTIVITIES**

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

#### **TECHNICAL REPORT REQUEST**

Please upload technical reports to the ACDEH FTP site (Attention: Keith Nowell), and to the SWRCBs Geotracker website, in accordance with the following specified file naming convention and schedule:

- **March 17, 2017 – Revised Work Plan (Amended Figure 2)** (Provided to ACDEH, Attn.: Keith Nowell as an electronic mail attachment)
- **90 Days After Revised Work Plan Approval** –Soil Vapor Investigation Report (file to be named: RO0000203\_SWI\_R\_YYYY-mm-dd)

Thank you for your cooperation. ACDEH looks forward to working with you and your consultants to advance the case toward closure. Should you have any questions regarding this correspondence or your case, please call me at (510) 567-6764 or send an electronic mail message at [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org)

Sincerely,

Keith Nowell, PG, CHG  
Hazardous Materials Specialist

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

cc: Tamera Rogers, Arcadis U.S. Inc., 6296 San Ignacio Ave, Suite C & D, San Jose, CA, 95119 (*Sent via electronic mail to: [Tamera.Rogers@arcadis.com](mailto:Tamera.Rogers@arcadis.com)*)

Dilan Roe, ACDEH (*Sent via electronic mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org)*)  
Paresh Khatri, ACDEH (*Sent via electronic mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org)*)  
Keith Nowell, ACDEH, (*Sent via electronic mail to [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org)*)  
GeoTracker, file

## 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

Alameda County Department of Environmental Health's (ACDEH) Environmental Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) 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 File Transfer Protocol (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 SCP 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 ([http://www.waterboards.ca.gov/water\\_issues/programs/ust/electronic\\_submittal/](http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)) for more information on these requirements.

#### 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 ACDEH's FTP server and the SWRCB's GeoTracker website." 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 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. 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 case meet this requirement. 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

Please note that delays in investigation, late 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 SCP)</b>	<b>REVISION DATE:</b> December 1, 2016
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010; May 15, 2014, November 29, 2016
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> Electronic Report Upload (ftp) Instructions


The Alameda County Environmental Cleanup Oversight Programs (LOP and SCP) 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 acknowledgement 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 [deh.loptoxic@acgov.org](mailto:deh.loptoxic@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) Open File Explorer using the Windows  key + E keyboard shortcut.
    - i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
  - b) On the address bar, type in ftp://alcoftp1.acgov.org.
  - c) Enter your User Name and Password. (Note: Both are Case Sensitive)
  - d) Click Log On.
  - e) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
  - f) 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 [deh.loptoxic@acgov.org](mailto:deh.loptoxic@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.