



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

March 30, 2010

Mr. Charles Miller (*Sent via E-mail to: chuck.miller@danskinvestments.com*)
Moller Investment Group
6951 Collins Drive, Suite E-11
Moorpark, CA 93021

Drake Builders
1616 Tremont Street
Galveston, TX 77550

Mr. Ken Phares (*Sent via E-mail to: kphares@ix.netcom.com*)
MacArthur Boulevard Associates
10700 MacArthur Boulevard, Suite 200
Oakland, CA 94605

Subject: Fuel Leak Case No. RO0000232 and Geotracker Global ID T0600101808, USA Petroleum,
10700 MacArthur Boulevard, Oakland, CA 94605 – Corrective Action Plan Comments

Dear Mr. Miller, Mr. Phares, and Drake Builders:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the recently submitted document entitled, "*Corrective Action Plan*," dated February 25, 2010 (CAP). The CAP, which was prepared on behalf of Moller Investment Group by Stratus Environmental, Inc., proposes soil excavation and disposal to mitigate the petroleum hydrocarbons remaining in soil and groundwater beneath the site. The excavation would extend to a depth of approximately 13 feet bgs. Redevelopment plans call for surface grade in this area of the site to be lowered roughly 5 feet to accommodate building construction.

We have several technical comments included below regarding the remedial action proposed in the CAP. Therefore, we request that you address the technical comments below and prepare a Revised Corrective action Plan that incorporates the requested changes by May 13, 2010. Additional changes to the CAP may be requested based upon public comment as discussed in the next paragraph.

Public participation is a requirement for the Corrective Action Plan (CAP) process. Therefore, ACEH will notify potentially affected members of the public who live or own property in the surrounding area of the proposed remedial action described in the February 25, 2010 CAP. A copy of the Fact Sheet is attached to this correspondence. Public comments on the proposed remedial action will be accepted for a 30-day period which extends to May 5, 2010. After the public comments have been reviewed and addressed, ACEH may request responses to the public comments with revisions to be incorporated into the Revised CAP that is to be submitted by May 13, 2010.

TECHNICAL COMMENTS

- 1. Expansion of Excavation.** Expansion of the proposed area of excavation is required to address areas where residual hydrocarbons potentially pose a threat of vapor intrusion for future structures. Based on previous sampling results and known conditions, we request that the area of excavation be expanded to the east to include the area of soil vapor sampling locations SV-13 and SV-14 as shown on the attached figure entitled, "Expanded Excavation." We also request that the proposed excavation be expanded to the west outside the previous extent of extent of excavation to include the area of SV-7. The need for further expansion of the excavation is to be based upon observations during excavation and the results of confirmation soil sampling. The excavations are to be extended as necessary in any areas where visual inspection or field screening indicates contamination remains in place or the analytical results from confirmation soil samples exceed the proposed screening level of 180 milligrams per kilogram of Total Petroleum Hydrocarbons as gasoline (TPHg). As proposed in the CAP, sidewall confirmation soil samples are to be collected every 15 linear feet. Confirmation soil samples from the base of the excavation are to be collected in a grid pattern with a spacing of approximately 20 feet. Additional confirmation soil samples to those proposed in the CAP may be required if requested during field inspection by ACEH. Please provide 5-days advance notification to ACEH (e-mail preferred to jerry.wickham@acgov.org) prior to the start of excavation activities in order to schedule site inspection.
- 2. Area of Soil Vapor Sampling Location SV-19.** TPHg and benzene were detected in the soil vapor sample collected at a depth of 4 feet bgs from location SV-19A at concentrations of 27,000 and 360 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$), respectively. TPHg and benzene were detected in the soil vapor sample collected at a depth of 9 feet bgs from location SV-19B at concentrations of 30,000 and 27 $\mu\text{g}/\text{m}^3$, respectively. Soil vapor sampling location SV-19 is approximately 32 feet south of the former tank pit. The concentrations of TPHg and benzene detected in soil vapor from sampling location SV-17, which is less than 5 feet south of the former tank pit, were significantly less than the concentrations detected in SV-19. The cause or source of the elevated concentrations of petroleum hydrocarbons in soil vapor at SV-19 is not clear. During excavation, we request that you include one or more exploratory trenches extending from the proposed excavation to the area of SV-19 to assess whether significant contamination extends from the former tank pit south to the area of SV-19. Soil in the exploratory trench is to be screened during excavation and the excavation expanded as necessary to remove the contamination. Sidewall soil samples are to be collected on both sides of the trench every 15 linear feet and bottom samples collected every 20 linear feet during trench excavation. Please include plans in the Revised CAP requested below to conduct the trenching, screening, and confirmation soil sampling.
- 3. Confirmation Soil Vapor Sampling.** We concur that soil vapor sampling will be required to evaluate the effectiveness of the proposed excavation. Soil vapor sampling is to be conducted at depths of 5 and 10 feet bgs outside the final excavation area. Specific locations and the scope of soil vapor sampling are to be proposed once confirmation sampling is complete and the final extent of excavation is known.

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4. **Vapor Barrier.** Please indicate whether the planned structure for the site will include a vapor barrier. Given that the proposed lowering of surface grade by roughly 5 feet may bring the foundation of the building into contact with contaminated soil, including a vapor barrier would appear to be a practical mitigation method. Soil excavation is expected to remove a large contaminant mass and is expected to adequately address potential vapor intrusion within the area of excavation and to reduce the potential for vapor intrusion in areas outside the excavation. However, accurately predicting potential vapor intrusion to indoor air outside the excavation area is difficult given the number of parameters that affect the potential for vapor intrusion. The use of a vapor barrier may be an effective secondary mitigation method to address potential uncertainties in the vapor intrusion analysis and potential impacts from lowering the ground surface.
5. **Decommissioning of Groundwater Monitoring Wells.** The CAP proposes the destruction of six groundwater monitoring/remediation wells: AS-1, AS-2, EX-1, EX-2, EX-4, and S-2. The proposed destruction of the six groundwater monitoring wells is acceptable. Well destruction permits are to be obtained from the Alameda County Public Works Agency. Given the long history of groundwater monitoring data available for the site and in order to facilitate expansion of the excavation as necessary, you may consider decommissioning all groundwater monitoring wells at the site. Please review and modify the Revised CAP as appropriate.

TECHNICAL REPORT REQUEST

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

- **May 13, 2010** –Revised 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

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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/cleanup/electronic_reporting).

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) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Attachments: Expanded Excavation Figure
Fact Sheet dated March 30, 2010

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (Sent via E-mail to: lgriffin@oaklandnet.com)

John Jay, MacArthur Boulevard Associates, 10700 MacArthur Boulevard, Suite 200, Oakland, CA 94605 (Sent via E-mail to: johnjay@jayphares.com)

Aubrey Rose, City of Oakland Planning & Zoning Division, 250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612 (Sent via E-mail to: arose@oaklandnet.com)

Scott Bittinger, Stratus Environmental, 3330 Cameron Park Drive, Ste. 550, Cameron Park, CA 95682 (Sent via E-mail to: sbittinger@stratusinc.net)

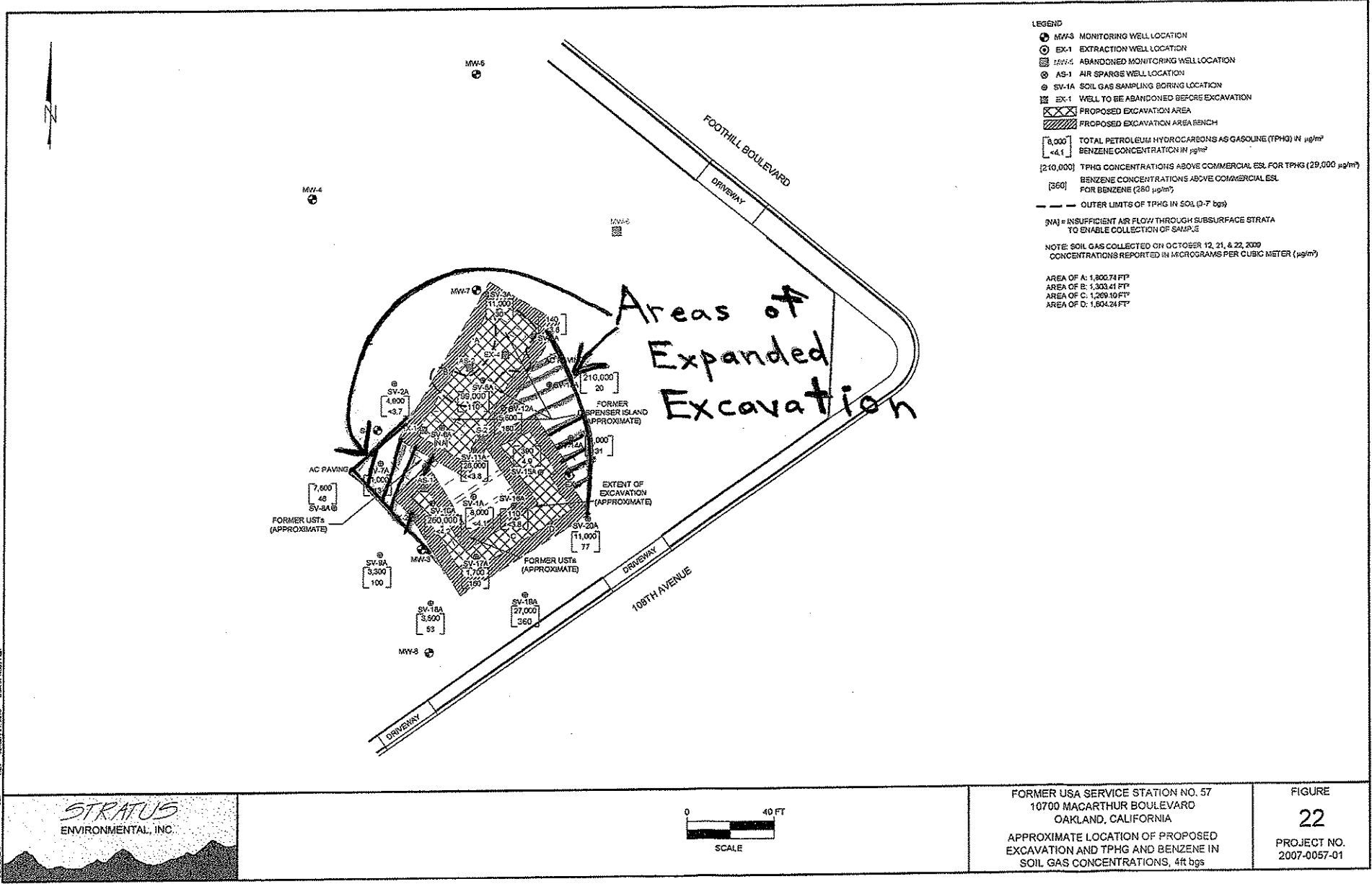
Gowri Kowtha, Stratus Environmental, 3330 Cameron Park Drive, Ste. 550, Cameron Park, CA 95682 (Sent via E-mail to: gkowtha@stratusinc.net)

Peter McIntyre, AEI Consultants, 2500 Camino Diablo, Suite 100, Walnut Creek CA 94597 (Sent via E-mail to: pmcintyre@aeiconsultants.com)

Donna Drogos, ACEH (Sent via E-mail to: donna.drogos@acgov.org)

Jerry Wickham, ACEH

Geotracker, File



Expanded Excavation



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

FACT SHEET
USA PETROLEUM FUEL LEAK CASE
March 30, 2010

Site Location: USA Petroleum, 10700 MacArthur Boulevard, Oakland, CA 94605
Fuel Leak Case #RO000232 and Geotracker Global ID #T0600101808

Summary – This fact sheet has been prepared to inform community members and other interested parties of the status of a soil and groundwater cleanup at a former service station site at 10700 MacArthur Boulevard in Oakland, California. The Moller Investment Group, the lead responsible party for the fuel leak case, is proposing excavation of gasoline-contaminated soil over a portion of the site that includes the former dispensers islands and an area surrounding the former tank pit. Excavation will extend to a depth of approximately 13 feet below ground surface. Gasoline-contaminated soil will be disposed at an off-site landfill. Soil samples will be collected from the sidewalls and bottom of the excavation and analyzed at a state-certified laboratory to assess whether the excavation needs to be expanded to achieve target cleanup levels. Gypsum will be placed in the bottom of the excavation to enhance long-term remediation of groundwater. Following excavation of gasoline-contaminated soil, the excavation will be backfilled with clean, imported fill. Soil vapor sampling will be conducted after excavation to assure that cleanup is complete.

Background – The fuel leak site is currently an open area without structures in the eastern corner of the Foothill Square Shopping Center near the intersection of Foothill Boulevard and 108th Avenue (see location map on back of this page). Four gasoline underground storage tanks were removed from the northern portion of site in 1994. Approximately 775 cubic yards of soil were excavated at the time of UST removal in 1994. Environmental investigations conducted to date have delineated an area of petroleum hydrocarbons in soil and groundwater encompassing the former USTs and former dispensers. Several remedial events that utilized vacuum extraction and air injection remedial technologies were applied at the site between 2003 and 2007. The seven remedial events removed petroleum hydrocarbons from the soil and groundwater but the total mass removed was not sufficient to complete cleanup of the site.

Next Step – Moller Investment Group is working with Alameda County Environmental Health (ACEH) to implement cleanup of the site. The proposed cleanup consisting of excavation and confirmation soil sampling is described in a report entitled, “*Corrective Action Plan for Former Gasoline Station No. 57, 10700 MacArthur Boulevard, Oakland, California,*” dated February 25, 2010. ACEH has requested some modifications to the Corrective Action Plan in correspondence dated March 30, 2010. The public is invited to review and comment on the cleanup action proposed in the Corrective Action Plan and the modifications requested by ACEH. The Corrective Action Plan can be viewed over the Internet on the ACEH website (<http://www.acgov.org/aceh/lop/ust.htm>) or the State Water Resources Control Board Geotracker website (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting). Please send written comments to Jerry Wickham at the address below; all comments will be forwarded to the responsible party. **Comments received by May 5, 2010** will be considered and responded to prior to a final determination on the proposed cleanup. If you have any questions or comments regarding the ongoing soil and groundwater cleanup at the site, please contact Jerry Wickham at the address below.

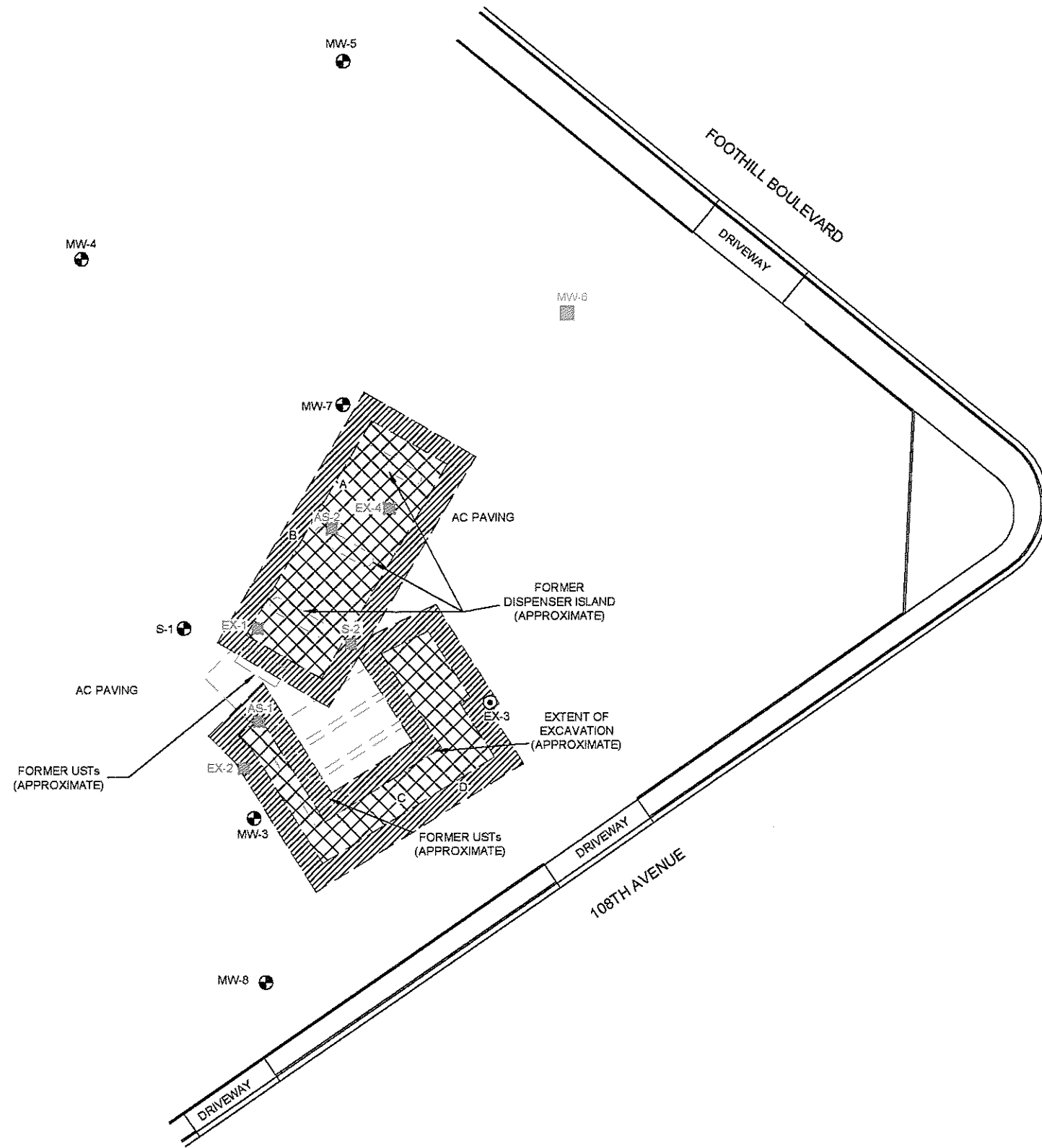
Additional information: Contact Jerry Wickham of the Alameda County Department of Environmental Health, 1131 Harbor Bay Parkway, Alameda, CA 94502 at 510-567-6791 or by email at jerry.wickham@acgov.org.



LEGEND

- MW-3 MONITORING WELL LOCATION
- ⊙ EX-1 EXTRACTION WELL LOCATION
- MW-6 ABANDONED MONITORING WELL LOCATION
- ⊗ AS-1 AIR SPARGE WELL LOCATION
- ⊕ SV-1A SOIL GAS SAMPLING BORING LOCATION
- EX-1 WELL TO BE ABANDONED BEFORE EXCAVATION
- ▨ PROPOSED EXCAVATION AREA
- ▨ PROPOSED EXCAVATION AREA BENCH

AREA OF A: 1,800.74 FT²
 AREA OF B: 1,303.41 FT²
 AREA OF C: 1,269.10 FT²
 AREA OF D: 1,804.24 FT²



USA575CAP REV January 21, 2010 USA 57 NSoil Plan JMP

STRATUS
ENVIRONMENTAL, INC.



FORMER USA SERVICE STATION NO. 57
 10700 MACARTHUR BOULEVARD
 OAKLAND, CALIFORNIA

SITE PLAN DEPICTING WELLS
 PROPOSED FOR DESTRUCTION

FIGURE
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PROJECT NO.
 2007-0057-01

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.