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9:00 am, Nov 08, 2010

Alameda County
Environmental Health

November 5, 2010

Ms. Barbara Jakub
Alameda County Health Agency
1131 Harbor Bay Parkway
Alameda, California 94502

Re: **Amendment to Work Plan for Additional Assessment**
76 Station no. 3538
411 W. MacArthur Blvd.
Oakland, CA

Dear Ms. Jakub,

I declare under penalty of perjury that to the best of my knowledge the information and/or recommendations contained in the attached report is/are true and correct.

If you have any questions or need additional information, please contact me at (916) 558-7612.

Sincerely,

A handwritten signature in black ink that reads 'Bill Borgh'. The signature is written in a cursive, slightly slanted style.

Bill Borgh
Site Manager – Risk Management and Remediation

Attachment

November 5, 2010

Ms. Barbara Jakub
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway
Alameda, California 94502-6577

**Subject: Amendment to Work Plan for Additional
Assessment
76 Service Station No. 3538
411 West MacArthur Boulevard
Oakland, California
Alameda County LOP Case No. R0251
Delta Project No. C103538051**



Dear Ms. Jakub:

Delta Consultants (Delta) has prepared this *Amendment to Work Plan for Additional Assessment* to respond to technical comments noted in Alameda County Health Care Services Agency (ACHCSA) letter to ConocoPhillips dated October 5, 2010. This letter was regarding 76 Service Station Number 3538, located at 411 West MacArthur Boulevard in Oakland, CA (the Site). A site location map is included as Figure 1. A copy of this letter is presented as Attachment A.

This amendment outlines additional assessment requested in ACHCSA's October 5, 2010 letter. With the exception of the additional proposed assessment activities noted below, remaining proposed work will be as noted in Delta's May 27, 2009 *Work Plan for Additional Assessment*.

ADDITIONAL PROPOSED ASSESSMENT ACTIVITIES

Delta proposes to advance three additional borings (SB-8 through SB-10) to perform additional assessment in the vicinity of MW-3 and SB-3 and provide vertical assessment of groundwater downgradient from the source area. The source area appears to be in the vicinity of the former underground storage tanks. The locations of these borings are shown on Figure 2, revised to identify the proposed additional borings.

Groundwater flow at the Site has varied from southwest to south to east based on historical groundwater gauging results. A groundwater flow diagram is presented as Attachment B.

The details of each boring is as follows:

Borings SB-8 and SB-9 will be used to evaluate potential residual benzene concentrations in the vicinity of MW-3 and SB-3. SB-8 will be advanced to approximately 20 feet below ground surface (bgs) with soil samples collected for screening at 5-foot intervals.

As Boring SB-9 will also be used to vertically assess groundwater east of the source area, this boring will be advanced to approximately 30 feet bgs with groundwater samples collected at first encountered groundwater as well as an a discrete depth groundwater sample collected at approximately 30 feet bgs.

Boring SB-10 is to be advanced similar to boring SB-9 as it will provide vertical groundwater assessment southwest of the source area.

Original proposed boring SB-6 will be modified to be advanced similar to borings SB-9 and SB-10 as it will provide additional vertical groundwater assessment south of the source area.

Remaining details of the advancement of these borings, permitting, borehole clearance, drilling method, etc. will remain as noted in Delta's May 27, 2009 *Work Plan for Additional Assessment*.

SCHEDULE

Delta is still in the process of attempting to obtain access to the property south of the Site for boring SB-6. Additionally Delta will obtain all necessary access agreements and permits following submittal of this amended work plan and will commence field activities within 30 days of receipt of work plan approval by the ACHCSA. If access to the property where proposed boring SB-6 is located is not granted in a timely manner, assessment on that property may be delayed until that access is secured.

REPORTING

Upon completion of the fieldwork, Delta will prepare a report describing field activities, methods, and analytical results. Delta will include recommendations for additional assessment work at the Site, as appropriate.

REMARKS

The contents contained in this work plan represent Delta's professional opinions based upon the currently available information and are arrived at in accordance with currently acceptable professional standards. For any reports cited that were not generated by Delta, the data from those reports is used "as is" and is assumed to be accurate. Delta does not guarantee the accuracy of this data for the referenced work performed nor the inferences or conclusions stated in these reports. This work plan is based upon a specific scope of work requested by the client. The Contract between Delta and its client outlines the scope of work, and only those tasks specifically authorized by that contract or outlined in this Workplan will be conducted. This work plan is intended only for the use of Delta's Client and anyone else specifically listed on this work plan. Delta will not and cannot be liable for unauthorized reliance by any other third party. Other than as contained in this paragraph, Delta makes no express or implied warranty as to the contents of this work plan.

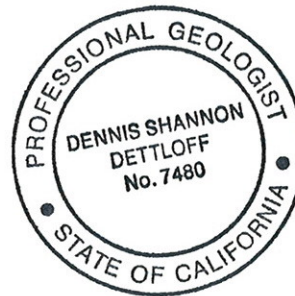
If you have any questions regarding this work plan or need and additional information about this Site, please do not hesitate to contact me at (916) 503-1275.

Sincerely,

DELTA CONSULTANTS


Jan Wagoner
Project Manager


Dennis S. Dettloff, P.G.
California Registered Professional Geologist No. 7480



Attachments:

Figure 1 Site Location Map
Figure 2 Site Plan (Revised)

Attachment A – ACHCSA letter dated October 5, 2010
Attachment B – Groundwater Flow Diagram

Cc: Mr. Bill Borgh, ConocoPhillips, Sacramento, California (electronic copy)

REFERENCES

Delta Consultants, *Work Plan for Additional Assessment*, Former 76 Service Station No. 3538, 411 W. MacArthur Boulevard, Oakland, California. May 27, 2009

FIGURES

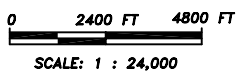
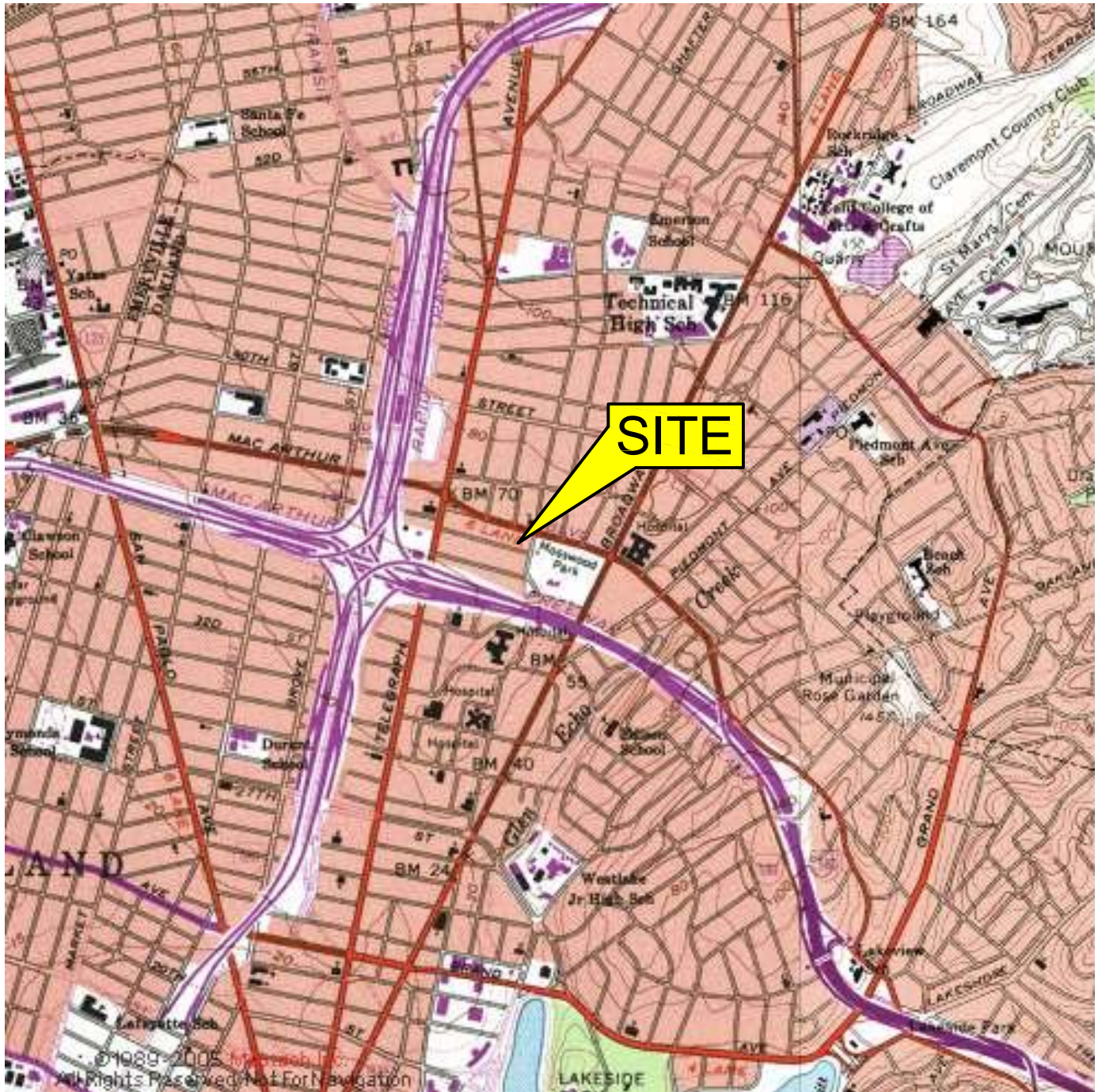


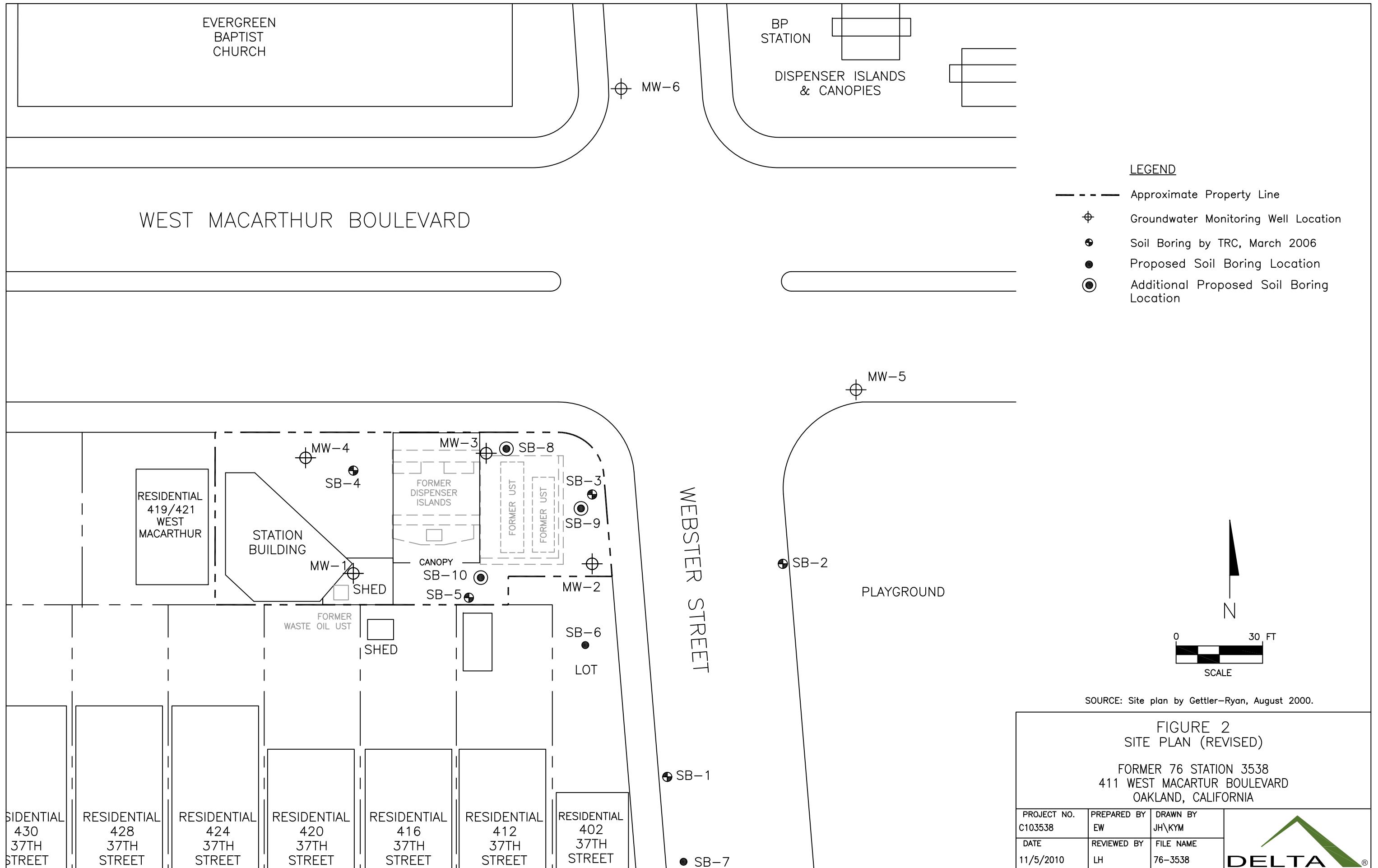
FIGURE 1
SITE LOCATION MAP

FORMER 76 STATION NO. 3538
411 WEST MACARTHUR BOULEVARD
OAKLAND, CALIFORNIA

PROJECT NO. C103538	DRAWN BY JH 11/14/08
FILE NO. 3538-Site Locator	PREPARED BY NP
REVISION NO.	REVIEWED BY DB

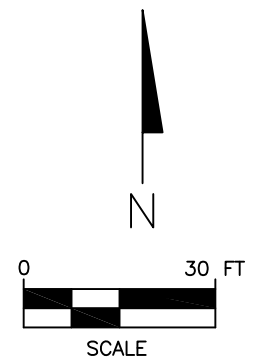


SOURCE: USGS 7.5 MINUTE TOPOGRAPHIC MAP, OAKLAND WEST QUADRANGLE (1993)



LEGEND

- Approximate Property Line
- ⊕ Groundwater Monitoring Well Location
- ⊕ Soil Boring by TRC, March 2006
- Proposed Soil Boring Location
- ⊙ Additional Proposed Soil Boring Location



SOURCE: Site plan by Gettler-Ryan, August 2000.

**FIGURE 2
SITE PLAN (REVISED)**

FORMER 76 STATION 3538
411 WEST MACARTHUR BOULEVARD
OAKLAND, CALIFORNIA

PROJECT NO. C103538	PREPARED BY EW	DRAWN BY JH\KYM
DATE 11/5/2010	REVIEWED BY LH	FILE NAME 76-3538



ATTACHMENT A

ACHCSA letter dated October 5, 2010



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

October 5, 2010

Mr. Bill Borgh
ConocoPhillips
76 Broadway
Sacramento, CA 95818

Messrs. Arthur Yu and Kevin Ma
411 W. MacArthur Blvd.
Oakland, CA 94609

Subject: Work Plan, Approval for Fuel Leak Case No. RO0000251 and Geotracker Global ID T0600101472, Unocal #3538, 411 W. MacArthur Blvd., Oakland, CA 94609

Dear Messrs. Borgh, Yu and Ma:

Thank you for the recently submitted documents entitled, *Site Conceptual Model* dated October 15, 2008, and Work Plan for Additional Assessment dated May 27, 2009 which were prepared by Delta Environmental for the subject site. Alameda County Environmental Health (ACEH) staff has reviewed the case file including the above-mentioned report/work plan for the above-referenced site. The SCM identifies additional work that is needed and the work plan presents work plan that addresses the identified data gaps.

The proposed scope of work may be implemented provided that the modifications requested in the technical comments below are addressed and incorporated during the field implementation. Submittal of a revised Work Plan is not required unless an alternate scope of work outside that described in the Work Plan and technical comments below is proposed. However, submittal of a map showing the locations of additional borings is required.

TECHNICAL COMMENTS

1. **Soil and Groundwater Characterization** – In addition to the proposed off-site sampling location, ACEH requests that you perform a boring downgradient of the source area to delineate the vertical extent of groundwater contamination and requests that you determine if the residual concentrations of benzene detected in soil in MW-3 and SB-3 are still present. If they are present please present a plan to assess the vapor pathway at the site in the report requested below.

NOTIFICATION OF FIELDWORK ACTIVITIES

Please schedule and perform the proposed work. Please provide ACEH with at least three (3) business days notification prior to conducting the fieldwork (e-mail preferred to barbara.jakub@acgov.org).

TECHNICAL REPORT REQUEST

Please submit technical reports to ACEH (Attention: Barbara Jakub), according to the following schedule:

- **November 5, 2010** – Map showing locations of requested borings.
- **January 5, 2010** – SWI with vapor pathway assessment work plan if needed.

Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, please call me at (510) 639-1287 or send me an electronic mail message at barbara.jakub@acgov.org.

Sincerely,

Barbara J. Jakub, P.G.
Hazardous Materials Specialist

Enclosure: Responsible Party(ies) Legal Requirements/Obligations
ACEH Electronic Report Upload (ftp) Instructions

cc: Jan Wagoner, Delta Environmental, 11050 White Rock Rd., Suite 110 Rancho Cordova, CA 95670 (Sent via E-mail to: jwagoner@deltaenv.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 E-mail to: donna.drogos@acgov.org)
Barbara Jakub, ACEH (Sent via E-mail to: barbara.jakub@acgov.org)
GeoTracker, e-file

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).

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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	REVISION DATE: July 20, 2010
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
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

- **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
 - 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.
 - 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 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.

ATTACHMENT B

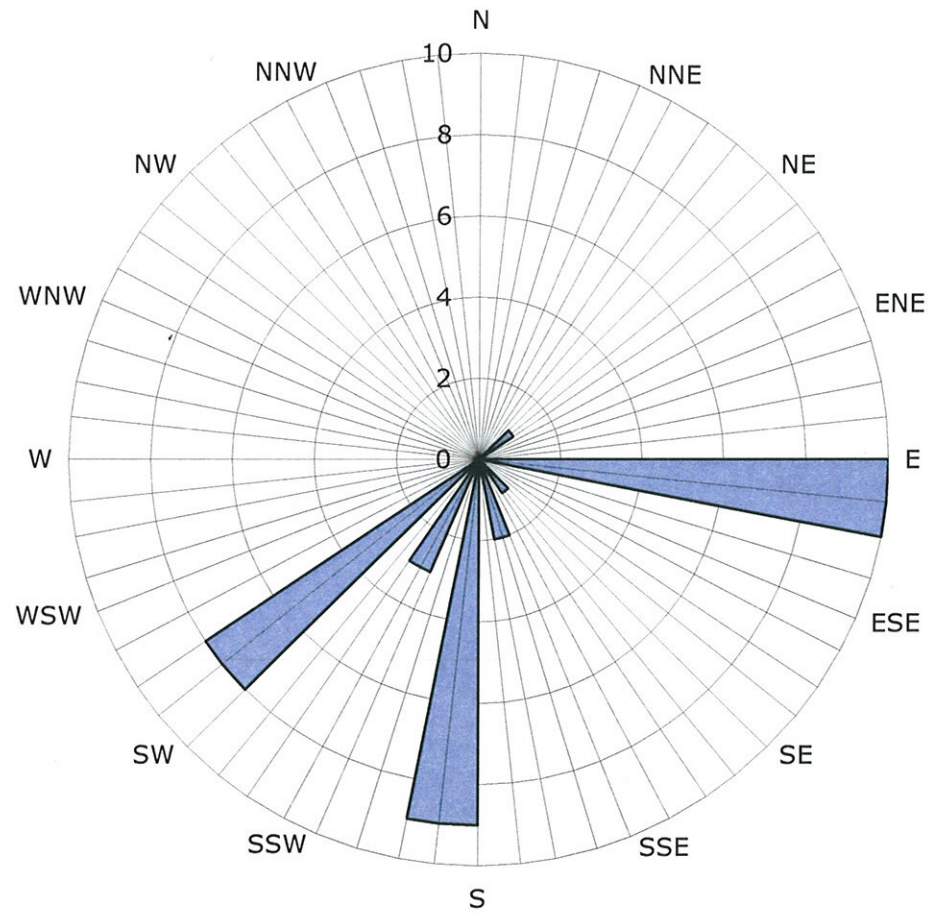
Groundwater Flow Diagram

Historic Groundwater Flow Directions

Site No. 3538

411 W. MacArthur Blvd

Oakland, California



Legend

Concentric circles represent quarterly monitoring events. First Quarter 1990 through Third Quarter 2010. 34 data points shown.

■ Groundwater Flow Direction