



September 27, 2010

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

Ms. Stacie H. Frerichs
Chevron Environmental Management
6001 Bollinger Canyon Rd K2256
PO Box 6012
San Ramon, CA 94583-2324
(sent via electronic mail to staciehf@chevron.com)

Mr. Kenneth and Carla Betts
175 Indian Road
Piedmont, CA 94610-1222

Subject: Request for Technical Analysis, Fuel Leak Case No. RO0000256 (Global ID # T0600100353), Chevron #9-1740, 6550 Moraga Avenue, Oakland, CA 94611

Dear Ms. Frerichs, and Mr. and Mrs. Betts:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site including the report entitled, *Site Conceptual Model and Case Closure Request*, dated August 13, 2008. The report was submitted on your behalf by Conestoga-Rovers & Associates (CRA). The referenced document reviewed the site with respect to the *Regional Board Supplemental Instructions to State Water Board December 8, 1996, Interim Guidance on Required Cleanup at Low-Risk Fuel Sites*.

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

TECHNICAL COMMENTS

1. **Contaminant Migration Along Preferential Pathways** – Data presented from the site suggests that contaminant migration downgradient of the site is utilizing preferential pathways (former creek beds, storm drain, sanitary sewer, or other utility lines) that have not been adequately investigated. This concern is based on eventual discharge to surface water via Sausel Creek at an approximate distance of 1,300 feet. This is based on multiple lines of evidence and include several of the low-risk closure evaluation comparison points:
 - a. **Ongoing Residual Sources (aka The Leak Has Stopped and Ongoing Sources, Including SPHs, Have Been Removed)** – ACEH is in agreement that primary sources appear to have been fully or largely removed at the site, but that secondary (residual soil) sources remain in the site vicinity. These sources include residual soil extending beneath sidewalks along both Mountain Boulevard and Moraga Avenue (and potentially beyond to existing conduits); around the perimeter of the last waste oil UST excavation including between the waste oil and fuel UST excavations and beneath the station building; and in the southern corner of the site (including under or beyond the sidewalk?) in the vicinity of well C-4. These residual sources appear to impact groundwater at well C-4 and downgradient. Residual groundwater impact at wells C-2 and C-3 are relatively minor.
 - b. **The Dissolved Hydrocarbon Plume is Stable, Decreasing, and Not Migrating** – The record of decreasing concentrations at the time of the submittal of the SCM is noted; however, since submittal of the referenced report, groundwater concentrations in well C-4 have in general been increasing. In the time period between September 2007 and March

2010 TPHg increased from 260 up to 2,700 µg/l (and has recently decreased to 2,100 µg/L), TPHd increased from 2,100 up to 7,500 µg/l (and has since decreased to 1,600 µg/l), and benzene increased from 18 up to 440 µg/l (and has recently decreased to 270 µg/l). Increasing concentrations imply residual concentrations continue to impact groundwater in the site vicinity, or new sources. Due to the lack of repeatable sampling points in the downgradient direction, the plume has not been demonstrated to be stationary (non-migrating).

- c. **No Water Wells, Deeper Drinking Water Aquifers, Surface Water, or Other Sensitive Receptors are Likely to be Impacted** – Although unevaluated at the site, the potential exploitation of the referenced preferential pathways, suggests deeper drinking water aquifers may not be at risk from the release. Based on the well survey, existing deeper water supply wells may not be at risk. Conversely, the potential for the referenced preferential pathways to impact surface water remains unevaluated.
- d. **The Site Presents No Significant Risk to Human Health or the Environment** – ACEH is in general agreement that contaminant concentrations that may or may not underflow the Warren Freeway are less likely to be a health risk to humans or the environment; however, because of the lack of evaluation of the effectiveness or efficiency of the referenced conduits in transmitting site contamination to a surface water environment, the level of concern remains unknown and unevaluated. Because the preferential pathways are within the zone of groundwater fluctuations documented by CRA, this can be of import to the site and the vicinity. Based on available bore logs, groundwater collected in bores GP-1 to GP-4 appears to have been encountered in more granular deposits of clayey gravel or clayey sand rather than the surrounding silty clay, and concentrations of TPHd increased in a downgradient direction (increasing consistently from 220 to 2,800 µg/l).

Based on multiple lines of evidence, ACEH requests a technical evaluation of the effectiveness or efficiency of the referenced conduits in transmitting the contaminant load to a surface water environment. This can include in part a technical analysis of the conduit environment to minimize or maximize this load. Such an evaluation must be based on site specific data. Such an evaluation can include conduit backfill and grab water sampling and a risk evaluation or assessment of associated concentrations. Please submit a work plan or other document by the date identified below.

TECHNICAL REPORT REQUEST

Please submit the following deliverables and technical reports to ACEH (Attention: Mark Detterman), according to the following schedule:

- **November 19, 2010** – Data Gap Evaluation or Work 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.

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Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at 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: James Kiernan, 10969 Trade Center Drive, Suite 106, Rancho Cordova, CA 95670
(sent via electronic mail to jkiernan@croworld.com)

Donna Drogos, ACEH, (sent via electronic mail to donna.drogos@acgov.org)
Mark Detterman, ACEH, (sent via electronic mail to mark.detterman@acgov.org)
Geotracker, e-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

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 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 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.