



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
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June 13, 2016

Mr. Paul Harper  
United Parcel Service  
55 Glenlake Parkway, NE  
Atlanta, GA 30328-3474  
(Sent via electronic mail to: [pharper@ups.com](mailto:pharper@ups.com))

Mr. Douglas Hermann  
Port of Oakland  
530 Water St.  
Oakland, CA 94607  
(Sent via electronic mail to: [dherman@portoakland.com](mailto:dherman@portoakland.com))

Subject: Meeting Request; Fuel Leak Case No. RO0000315 and Geotracker Global ID T0600100939, United Parcel Service, 8400 Pardee Dr., Oakland, CA 94621

Dear Mr. Harper and Mr. Herman:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the recently submitted documents entitled *Field Investigation and Second Semiannual Groundwater Monitoring Report (SWI)*, dated November 25, 2015, and *First Semiannual 2016 Groundwater Monitoring Report (GWM)* dated March 24, 2016. Both documents were prepared by Arcadis U.S., Inc. (Arcadis) for the subject site. ACEH's review was performed in conjunction with the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case Closure Policy (LTCP).

The SWI addresses further delineation of the free phase product (FP) plume beneath the site with the advancement of 19 soil bores, and the conversion of 13 selected bores to groundwater monitoring wells. Direct evidence of free phase product was observed in soil bores FPB-3 (converted to MW-16), FPB-10 (MW-21), FPB-11 (MW-22), FPB-13 (MW-23), FPB-14 (MW-24), and FPB-12. It should be noted that not all the bore logs were included in the SWI for review. All the soil bores were documented to contain concentrations of total petroleum hydrocarbons as diesel (TPHd) above secondary evidence levels for FP. Additionally, several existing groundwater monitoring wells were evaluated for the presence of FP, and on September 1, 2015, FP was observed in monitoring wells MW-12, MW-22, MW-24, observation well OW-1, and the injection wells IW-2 & IW-4.

Due to the presence of a pool of FP in the subsurface, ACEH requested that methane sampling be performed to evaluate potentially hazardous conditions posed by methanogenesis. The results of methane "punch bar" monitoring, methane concentrations greater than 10% of the LEL are present in the vicinity of the site warehouse at location MP-7. Arcadis states the Department of Toxic Substance Control (DTSC) guidance indicates 10% of the LEL is used as an action level above which mitigation measures are recommended at school sites.

Based on the findings of the SWI, Arcadis recommends conducting additional subsurface investigation east of borings FPB-16 and FPB-17 (MW-26 and MW-27), north of borings FPB-18 and FPB-19 (MW-28 and MW-29), and south of boring FPB-8 (MW-19).

The GWM presents the finding of the groundwater monitoring event conducted in February, 2016. Nine wells were reported to contain measurable FP up to 0.72 foot. No FP removal was performed for the reporting period.

ACEH has evaluated the data and recommendations presented in the above-mentioned reports, in conjunction with the case files, to determine if the site is eligible for closure as a low risk site under the LTCP. Based on ACEH staff review, we have determined that the site fails to meet the LTCP General Criteria d (Free Product), e (Site Conceptual Model), f (Secondary Source Removal) and the Media-Specific Criteria for Groundwater, the Media-Specific Criteria for Vapor Intrusion to Indoor Air, and the Media-Specific Criteria for Direct Contact (see Geotracker).

## **TECHNICAL COMMENTS**

- 1. LTCP General Criteria d (Free Product)** – The LTCP requires free product to be removed to the extent practicable at release sites where investigations indicate the presence of free product by removing in a manner that minimizes the spread of the unauthorized release into previously uncontaminated zones by using recovery and disposal techniques appropriate to the hydrogeologic conditions at the site, and that properly treats, discharges, or disposes of recovery byproducts in compliance with applicable laws. Additionally, the LTCP requires that abatement of free product migration be used as a minimum objective for the design of any free product removal system.

ACEH's review of the case files indicates that insufficient data and analysis has been presented to assess free product at the site. Specifically, the TPHd FP plume does not appear to be defined. Free phase product was periodically removed by bailing until a skimmer system was installed in June 2011. Free phase product removal has not been performed in the past half-year though measurable FP remains.

- 2. LTCP General Criteria e (Site Conceptual Model)** – According to the LTCP, the Site Conceptual Model (SCM) is a fundamental element of a comprehensive site investigation. The SCM establishes the source and attributes of the unauthorized release, describes all affected media (including soil, groundwater, and soil vapor as appropriate), describes local geology, hydrogeology and other physical site characteristics that affect contaminant environmental transport and fate, and identifies all confirmed and potential contaminant receptors (including water supply wells, surface water bodies, structures and their inhabitants). The SCM is relied upon by practitioners as a guide for investigative design and data collection. All relevant site characteristics identified by the SCM shall be assessed and supported by data so that the nature, extent and mobility of the release have been established to determine conformance with applicable criteria in this policy.

Our review of the case files indicates that insufficient data collection and analysis has not been presented to assess the nature, extent, and mobility of the release and to support compliance with General Criteria d as discussed in Technical Comment 1 above and Media Specific Criteria for Groundwater, and Direct Contact and Outdoor Air Exposure as described in Technical Comments 3, 4 and 6 below, respectively.

- 3. LTCP General Criteria f – Secondary Source Has Been Removed to the Extent Practicable** – “Secondary source” is defined as petroleum-impacted soil or groundwater located at or immediately beneath the point of release from the primary source. Unless site attributes prevent secondary source removal (e.g. physical or infrastructural constraints exist whose removal or relocation would be technically or economically infeasible), petroleum-release sites are required to undergo secondary source removal to the extent practicable as described in the policy. “To the extent practicable” means implementing a cost-effective corrective action which removes or destroys-in-place the most readily recoverable fraction of source-area mass. It is expected that most secondary mass removal efforts will be completed in one year or less. Following removal or destruction of the secondary source, additional removal or active remedial actions shall not be required by regulatory agencies unless (1) necessary to abate a demonstrated threat to human health or (2) the groundwater plume does not meet the definition of low threat as described in this policy.

The fuel tank pit was excavated to a depth of 12- to 14 feet below the ground surface (bgs). It is unclear to ACEH if excavation base samples were collected from the fuel tank pit. Additionally, dispenser samples were reported to contain up to 850 milligrams per kilogram (mg/kg) TPHd. It is unclear to ACEH if the dispenser areas were over excavated and to what depth the dispenser samples were collected. Therefore, ACEH cannot make a determination that secondary source has been removed to the extent practicable.

- 4. LTCP Media Specific Criteria for Groundwater** – To satisfy the media-specific criteria for groundwater, the contaminant plume that exceeds water quality objectives must be stable or decreasing in areal extent, and meet all of the additional characteristics of one of the five classes of sites listed in the policy.

Our review of the case files indicates that insufficient data collection and analysis has been presented to support the requisite characteristics of plume stability or plume classification for scenarios 1, 2, 3 or 4 as follows:

Contaminant plume that exceeds water quality objectives exceeds 100 feet, free product is present, the nearest surface water body is less than 1,000 feet from the contaminant plume boundary.

5. **LTCP Media Specific Criteria for Vapor Intrusion to Indoor Air** – The LTCP describes conditions, including bioattenuation zones, which if met, will assure that exposure to petroleum vapors in indoor air will not pose unacceptable health risks to human occupants of existing or future site buildings, and adjacent parcels. Appendices 1 through 4 of the LTCP criteria illustrate four potential exposure scenarios and describe characteristics and criteria associated with each scenario.

Our review of the case files indicates that site data collection and analysis fail to support the requisite characteristics of one of the four scenarios. Specifically, it appears that the site does not have a bioattenuation zone, and the shallow depth to water precludes collection of soil gas samples from five feet beneath the foundations for site structures.

6. **LTCP Media Specific Criteria for Direct Contact and Outdoor Air Criteria** – The LTCP describes conditions where direct contact with contaminated soil or inhalation of contaminants volatilized to outdoor air poses a low threat to human health. According to the policy, release sites where human exposure may occur satisfy the media-specific criteria for direct contact and outdoor air exposure and shall be considered low-threat if the maximum concentrations of petroleum constituents in soil are less than or equal to those listed in Table 1 for the specified depth bgs. Alternatively, the policy allows for a site specific risk assessment that demonstrates that maximum concentrations of petroleum constituents in soil will have no significant risk of adversely affecting human health, or controlling exposure through the use of mitigation measures, or institutional or engineering controls.

Our review of the case files indicates that insufficient data collection and analysis has been presented to satisfy the media-specific criteria for direct contact and outdoor air exposure. Specifically, polycyclic aromatic hydrocarbon (PAH) concentrations exceed the Table 1 levels identified in the LTCP.

Therefore, ACEH would like to meet with you to discuss the path to closure in light of the case not meeting the aforementioned LTCP General and Media Specific criteria. Please provide ACEH several dates and times during which a meeting can be scheduled. ACEH staff will select dates and times from your list to arrange the meeting. ACEH requests you send the possible dates and times to ACEH via electronic mail, Attention: Keith Nowell.

Please provide the list of available dates and times by **June 30, 2016**.

Thank you for your cooperation. ACEH 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).

Regards,

Keith Nowell, PG, CHG  
Hazardous Materials Specialist

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

cc: Jennifer Halcomb-LeBeau, Arcadis U.S., Inc., 1000 Cobb Place Blvd., Bldg. 500-A, S Kennesaw, GA 30144 (*Sent via electronic mail to: [Jennifer.LeBeau@arcadis-us.com](mailto:Jennifer.LeBeau@arcadis-us.com)*)

Dilan Roe, ACEH (*Sent via electronic mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org)*)  
Keith Nowell, ACEH (*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

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.waterboards.ca.gov/water\\_issues/programs/ust/electronic\\_submittal/](http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)).

#### 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> May 15, 2014
	<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
<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 [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) 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 [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.