ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
ALEX BRISCOE, Agency Director

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

March 15, 2013

Mr. Eric Hetrick
Chevron Corporation
6101 Bollinger Canyon Road
San Ramon, CA 94583
(sent via electronic mail to:
ehetrick@chevron.com)

Kevin & Julia Hinkley
Kevin Hinkley Service
5269 Crow Canyon Road
Castro Valley, CA 94552

Subject: Request for Work Plan Addendum; Fuel Leak Case No. RO0000350 and GeoTracker Global ID T0600100344, Chevron #9-5607, 5269 Crow Canyon Road, Castro Valley, CA 94552

Dear Mr. Hetrick, and Mr. and Ms. Hinkley:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site including the *Site Conceptual Model and Work Plan,* dated August 28, 2012, and the *Second Semi-Annual 2012 Groundwater Monitoring and Sampling Report,* dated August 28, 2012. The reports were prepared and submitted on your behalf by Conestoga-Rovers & Associates (CRA). The Site Conceptual Model (SCM) report did not identify additional data gaps beyond one mentioned by ACEH in the previous June 2012 directive letter; that to define the lateral and vertical extent of contamination between wells C-9 and C-12 directly downgradient of two wells (C-3 and C-6) with significant residual contamination (up to 9,400 µg/l benzene in July 2012). While ACEH suggested a soil bore transect between these two wells, the installation of one well directly downgradient of wells C-3 and C-6 was proposed.

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

TECHNICAL COMMENTS

1) **Work Plan Modifications –** The referenced work plan proposes a series of actions with which ACEH is in general agreement of undertaking; however, ACEH requests several modifications to the approach. Please submit a work plan addendum by the date specified below. This is intended to be a brief document that will allow the site to progress after a quick review.

   a. **Request for Additional Well –** As noted above the installation of one well has been proposed in lieu of a soil bore transect between wells C-9 and C-12. ACEH is in general agreement with the installation of wells to infill this gap; however, it appears appropriate to install two wells in this coverage gap to help monitor changes in the dissolved groundwater plume downgradient of the proposed remediation activities. This also appears to be appropriate because of the significant spike in groundwater concentration in well C-9 during the January 2013 sampling event (<50 to 8,400 µg/l TPHg, <0.5 to 1,600 µg/l benzene, and <0.5 to 310 µg/l ethylbenzene), and due to potential subsurface complexities related to the apparent presence of unevenly eroded bedrock beneath the site. As a consequence ACEH requests the submittal of a revised Figure 2 to document the proposed well installation adjustments.

   b. **Collection and Analysis of Soil & Groundwater –** ACEH generally concurs with the proposed analytical suite outlined for soil and groundwater data; however, ACEH did not locate details for the minimum number of soil samples proposed to be submitted for analysis. To prevent miscommunication ACEH requests that soil samples be collected and submitted

for analysis, at signs of contamination (odor, discoloration, PID responses, etc.) at significant changes in lithology, and at the groundwater interface.

Additionally because the LTCP requires the evaluation soil analytical data in the 0 to 5 foot and the 5 to 10 foot interval, the collection of shallow soil samples in these depth intervals is appropriate at onsite locations in the vicinity of contaminant sources.

c. **Well Screen Intervals –** The work plan specified 20-foot wells, with 15-foot screen intervals based on the depth to water measurements in wells C-9 and C-12. Based on technical literature, ACEH requests shorter screen intervals in order to collect more representative groundwater samples, generally with no more than a 5 foot sand interval. ACEH also recognizes that fully screened water-bearing zones are appropriate in thinner permeable zones. Consequently, ACEH requests an effort to minimize the screen length at each well location to the extent possible, with well screens minimally longer than the water-bearing zone, including the capillary fringe. If it is appropriate to monitor a longer interval at a site as indicated, well clusters or CMT multilevel wells are appropriate. Please document intended changes in a brief work plan addendum by the date identified below.

2) **Request for Corrective Action Plan Addendum –** Recent email communications have indicated that wells C-3 and C-6 are proposed for reinstallation as DPE wells. ACEH is not in agreement with this as this will remove existing monitoring points from the site that would constitute a portion of a performance monitoring network. Additionally, it appears appropriate to install a DPE well in the vicinity of well C-1 and the northwest edge of the tank excavation, based on elevated residual soil contamination at the time of the UST removals at that location, and a potentially submerged well (C-1) that may not be providing representative groundwater samples. Finally, because several items normally associated with a CAP were not discussed in the existing Remedial Action Plan ACEH requests that you prepare a CAP Addendum that meets the provisions of section 2725 of the UST regulations (CCR, Title 23, Chapter 16, section 2600, et seq.) and includes the following minimum information:

- Detailed description of proposed remediation including confirmation sampling and monitoring during implementation (a performance monitoring network).
- Post-remediation monitoring.
- Schedule for implementation of cleanup.

Please be aware that public participation is a requirement for the Corrective Action Plan process. Therefore, we request that you submit a CAP Addendum for ACEH review and a Draft Public Notification Fact Sheet. Two examples are attached to this letter. Upon ACEH approval of the documents, ACEH will notify potentially affected members of the public who live or own property in the surrounding area of the proposed remediation described in the RAP and CAP Addendum. Public comments on the proposed remediation will be accepted for a 30-day period.

3) **LTCP Review –** ACEH has reviewed the site against the Low-Threat Closure Policy (LTCP) and finds that the site does not meet the policy for a number of reasons. ACEH attaches the GeoTracker LTCP review page and the ACEH Data Gap Identification Tool (DGIT) review to help communicate identified data gaps, with the expectation that data gaps will be addressed in future proposed work. The communication of these data gaps under the LTCP is intended to initiate a “Path to Closure” dialogue between ACEH and Responsible Parties. In order to continue this dialogue, ACEH requests that an updated SCM and a data gap work plan be submitted as a part of the soil and groundwater investigation report, as requested below, and in conjunction with the following item.

4) **Path to Closure Project Schedule -** The State Water Resources Control Board passed Resolution No. 2012-0062 on November 6, 2012 which requires development of a “Path to Closure Plan” by December 31, 2013 that addresses the impediments to closure for the site. The Path to Closure must have milestone dates to calendar quarter which will achieve site cleanup and case closure in a timely and efficient manner that minimizes the cost of corrective action. The Project Schedule should include, but not be limited to, the following key environmental elements and milestones as appropriate:

- Preferential Pathway Study
- Soil, Groundwater, and Soil Vapor Investigations
- Initial, Updated, and Final/Validated SCMs
- Interim Remedial Actions
- Feasibility Study/Corrective Action Plan
- Pilot Tests
- Remedial Actions
- Soil Vapor and Groundwater Monitoring Well Installation and Monitoring
- Public Participation Program (Fact Sheet Preparation/Distribution/Public Comment Period, Community Meetings, etc.)
- Case Closure Tasks (Request for closure documents, ACEH Case Closure Summary Preparation and Review, Site Management Plan, Institutional Controls, Public Participation, Landowner Notification, Well Decommissioning, Waste Removal, and Reporting.)

Please include time for regulatory and RP in house review, permitting, off-site access agreements, and utility connections, etc.

Please use a critical path methodology/tool to construct a schedule with sufficient detail to support a realistic and achievable Path to Closure Schedule. The schedule is to include at a minimum:

- Defined work breakdown structure including summary tasks required to accomplish the project objectives and required deliverables
- Summary task decomposition into smaller more manageable components that can be scheduled, monitored, and controlled
- Sequencing of activities to identify and document relationships among the project activities using logical relationships
- Identification of critical paths, linkages, predecessor and successor activities, leads and lags, and key milestones
- Identification of entity responsible for executing work
- Estimated activity durations (60-day ACEH review times are based on calendar days)

Please submit an electronic copy of the Path to Closure Schedule by the date listed below. ACEH will review the schedule to ensure that all key elements are included.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with the specified file naming convention below, according to the following schedule:

- **May 3, 2013** – Work Plan Addendum and CAP Addendum
  File to be named: RO350_WP_CAP_ ADEND_L_yyyy-mm-dd

- **60 Days After Work Plan Approval –** Soil and Groundwater Report (with Updated SCM, Data Gap Work Plan, and Path to Closure Schedule); File to be named: RO350_SWI_WP_R_yyyy-mm-dd

- **September 6, 2013** – Second Semiannual 2013 Groundwater Monitoring Report
  File to be named: RO350_GWM_R_yyyy-mm-dd

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.

If your email address is not listed on the first page of this letter, ACEH is requesting your email address to help expedite communications and to help lower overall costs. Please provide that information in the next submittal.

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,

Digitally signed by Mark Detterman
DN: cn=Mark Detterman, o, ou,
email=mark.detterman@acgov.org, c=US
Date: 2013.03.15 13:50:34 -07'00'

Mark E. Detterman, PG, CEG
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations
Electronic Report Upload (ftp) Instructions
GeoTracker LTCP Checklist
ACEH Data Gap Identification Tool (DGIT)
Example Draft Public Notification Fact Sheets

cc: Kiersten Hoey, Conestoga-Rovers & Assoc., 5900 Hollis Street, Suite A, Emeryville, CA 94608 (sent via electronic mail to khoey@craworld.com)

Judy Gilbert, Conestoga-Rovers & Assoc., 5900 Hollis Street, Suite A, Emeryville, CA 94608; (sent via electronic mail to: jgilbert@CRAworld.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, Electronic File

Attachment 1

Responsible Party(ies) Legal Requirements/Obligations

REPORT/DATA REQUESTS

These reports/data are being requested pursuant to Division 7 of the California Water Code (Water Quality), Chapter 6.7 of Division 20 of the California Health and Safety Code (Underground Storage of Hazardous Substances), and Chapter 16 of Division 3 of Title 23 of the California Code of Regulations (Underground Storage Tank Regulations).

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (Local Oversight Program [LOP] for unauthorized releases from petroleum Underground Storage Tanks [USTs], and Site Cleanup Program [SCP] for unauthorized releases of non-petroleum hazardous substances) require submission of reports in electronic format pursuant to Chapter 3 of Division 7, Sections 13195 and 13197.5 of the California Water Code, and Chapter 30, Articles 1 and 2, Sections 3890 to 3895 of Division 3 of Title 23 of the California Code of Regulations (23 CCR). Instructions for submission of electronic documents to the ACEH FTP site are provided on the attached "Electronic Report Upload Instructions."

Submission of reports to the ACEH FTP site is in addition to requirements for electronic submittal of information (ESI) to the State Water Resources Control Board's (SWRCB) Geotracker website. In April 2001, the SWRCB adopted 23 CCR, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1 (Electronic Submission of Laboratory Data for UST Reports). Article 12 required electronic submittal of analytical laboratory data submitted in a report to a regulatory agency (effective September 1, 2001), and surveyed locations (latitude, longitude and elevation) of groundwater monitoring wells (effective January 1, 2002) in Electronic Deliverable Format (EDF) to Geotracker. Article 12 was subsequently repealed in 2004 and replaced with Article 30 (Electronic Submittal of Information) which expanded the ESI requirements to include electronic submittal of any report or data required by a regulatory agency from a cleanup site. The expanded ESI submittal requirements for petroleum UST sites subject to the requirements of 23 CCR, Division, 3, Chapter 16, Article 11, became effective December 16, 2004. All other electronic submittals required pursuant to Chapter 30 became effective January 1, 2005. Please visit the SWRCB website for more information on these requirements: (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, 7835, 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, 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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	**REVISION DATE:** July 25, 2012
	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 (petroleum UST 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 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
   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 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.