ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

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

June 2, 2006

Mr. Paul Supple
BP West Coast Product LLC
PO Box 6549
Moraga, CA 94570

Ms. Liz Sewell
ConocoPhillips
76 Broadway
Sacramento, CA 95818

Mr. Jim Givens
One Eastmont Town Center
Oakland, CA 94605-1907

Ms. Diane Clark
Eastmont Town Center CX LLC
7200 Bancroft Avenue
Oakland, CA 94605-2403

Subject: Fuel Leak Case No. RO0000356, BP #11117, 7210 Bancroft Avenue, Oakland, California.

Dear Messrs. Supple and Givens, Mses. Sewell and Clark

Alameda County Environmental Health (ACEH) has reviewed the case file and the recently submitted reports "Soil and Groundwater Investigation (SWI)", dated November 30, 2005 and "First Quarter 2006 Groundwater Monitoring Report" and submitted on your behalf by URS Corporation, Inc. The recent SWI conducted in September 2006 suggest that dissolved phase petroleum hydrocarbons are present in groundwater onsite in maximum concentrations of 510,000 µg/L TPHg, 25,000 µg/L benzene and 39,000 µg/L MtBE. In addition, groundwater samples collected below 35 feet bgs tested 120,000 µg/L TPHg, 11,000 µg/L benzene and 39,000 µg/L MtBE. Suggesting that vertical extent of contamination has not been defined in the southern portion of the site. Furthermore, analytical results from the February 2006 monitoring event tested at maximum concentrations of 970,000 µg/L TPHg, 60,000 µg/L benzene and 38,000 µg/L MtBE.

The level of contamination onsite far exceeds the Environmental Screening Levels for sites with contaminated soil and groundwater as defined by the Regional Water Quality Control Board. Therefore, ACEH requests that you complete the preparation of a Corrective Action Plan (CAP) to address the soil and groundwater contamination issues and remediation goals for the site in accordance with California Code of Regulations 23 CCR, Section 2720 – 2728; State Water Resources Control Board Resolution 92-49, "Policies and Procedures for Investigation, Cleanup and Abatement of Discharges Under Water Code Section 13304"; and with the Regional Water Quality Control Board (Regional Board) Water Quality Control Plan for the basin. Additionally, ACEH requests that a Site Conceptual Model be prepared to help guide the site investigation process. Please include data and information from the most recent SWI when compiling the SCM. Please see the technical comments below regarding the proposed soil and groundwater investigation, SCM and CAP implementation.

We request that you address the following technical comments and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to steven.plunkett@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Phase One – Onsite Source Area Characterization.** URS installed five soil boring onsite to define the lateral and vertical extent on petroleum hydrocarbon contamination in the source area. Proposed soil boring A6 was not completed due to the proximity of underground utilities. Results of the onsite investigation determined that dissolved phase petroleum hydrocarbons are a serious concern on site. In particular, the concentrations of 120,000 µg/L TPHg, 11,000 µg/L benzene and 39,000 µg/L MtBE in grab groundwater samples collected at 35 feet bgs from soil boring A-4, and concentrations of 510,000 TPHg µg/L in soil boring A-2 The SWI completed in September 2005 revealed the need for continued investigation in the south-southeastern portion of the site. Please present a proposal to further define the extent of hydrocarbon contamination in this area in the report requested below.

2. **Phase Two – Offsite Plume Delineation.** URS installed four soil borings offsite to help define the extent of groundwater contamination downgradient of the site. The results of the offsite investigation established that downgradient of the site, toward the northeast, the lateral and vertical extent of contamination apprears to be limited. Indicating that offsite hydrocarbon migration may not currently be a concern. However, contamination plume monitoring should be implemented and discussed during quarterly monitoring for the site. Please see comments below for quarterly groundwater monitoring and reporting.

3. **Project Approach and Investigation Reporting – Site Conceptual Model**

   We anticipate that characterization and remediation work in addition to what is requested in this letter may be necessary at and downgradient from your site. Considerable cost savings can be realized if your consultant focuses on developing and refining a viable Site Conceptual Model (SCM) for the project. A SCM is a set of working hypotheses pertaining to all aspects of the contaminant release, including site geology, hydrogeology, release history, residual and dissolved contamination, attenuation mechanisms, pathways to nearby receptors, and likely magnitude of potential impacts to receptors. The SCM is used to identify data gaps that are subsequently filled as the investigation proceeds. As the data gaps are filled, the working hypotheses are modified, and the overall SCM is refined and strengthened. Subsurface investigations continue until the SCM no longer changes as new data are collected. At this point, the SCM is said to be "validated." The validated SCM then forms the foundation for developing the most cost-effective corrective action plan to protect existing and potential receptors.

   When performed properly, the process of developing, refining and ultimately validating the SCM effectively guides the scope of the entire site investigation. We have identified, based on our review of existing data, some initial key data gaps in this letter and have described several tasks that we believe will provide important new data to refine the SCM. **We request that your consultant develop a SCM for this site, identify data gaps, and propose specific supplemental tasks for future investigations.** There may need to be additional phases of investigations, each building on

the results of the prior work, to validate the SCM. Characterizing the site in this way will improve the efficiency of the work and limit its overall cost.

The SCM approach is endorsed by both industry and the regulatory community. Technical guidance for developing SCMs is presented in API's Publication No. 4699 and EPA's Publication No. EPA 510-B-97-001 both referenced above; and "Guidelines for Investigation and Cleanup of MTBE and Other Ether-Based Oxygenates, Appendix C," prepared by the State Water Resources Control Board, dated March 27, 2000.

The SCM for this project shall incorporate, but not be limited to, the following:

a) A concise narrative discussion of the regional geologic and hydrogeologic setting obtained from your background study. Include a list of technical references you reviewed, and copies (photocopies are sufficient) of regional geologic maps, groundwater contours, cross-sections, etc.

b) A concise discussion of the on-site and off-site geology, hydrogeology, release history, source zone, plume development and migration, attenuation mechanisms, preferential pathways, and potential threat to downgradient and above-ground receptors. Be sure to include the vapor pathway in your analysis. Maximize the use of large-scale graphics (e.g., maps, cross-sections, contour maps, etc.) and conceptual diagrams to illustrate key points. Include structural contour maps (top of unit) and isopach maps to describe the geology at your site. Geologic cross-sections, which include an interpretive drawing of the vertical extent of soil and groundwater contamination (i.e., an interpretive drawing—not a plot of laboratory results). The SCM report requested below is to include one cross section parallel and one cross section perpendicular to the contaminant plume axis. Each cross section should include, but not be restricted to, the following:

    1. Subsurface geologic features, depth to groundwater and man-made conduits.
    2. Surface topography. The cross sections should be extended off-site where necessary to show significant breaks in slope.
    3. Soil descriptions for all borings and wells along the line of section.
    4. Screen and filter pack intervals for each monitoring well.
    5. Sampling locations and results for soil and grab groundwater samples.
    6. Site features such as the tank pit, dispensers, etc. Where appropriate, monitoring well location and soil boring locations will be projected back to the strike of the cross section line.

c) Identification and listing of specific data gaps that require further investigation during subsequent phases of work.

d) Proposed activities to investigate and fill data gaps identified above.

e) The SCM shall include an analysis of the hydraulic flow system at and downgradient from the site. Include rose diagrams for groundwater gradients. The rose diagram shall be plotted on groundwater contour maps and updated in all future reports submitted for your site. Include an analysis of vertical hydraulic gradients. Note that these likely change due to seasonal precipitation and pumping.

f) Temporal changes in the plume location and concentrations are also a key element of the SCM. In addition to providing a measure of the magnitude of the problem, these data are often useful to confirm details of the flow system inferred from the hydraulic head measurements. Include plots of the contaminant plumes on your maps, cross-sections, and diagrams.

g) Several other contaminant release sites exist in the vicinity of your site. Hydrogeologic and contaminant data from those sites may prove helpful in testing certain hypotheses for your SCM. Include a summary of work and technical findings from nearby release sites and incorporate the findings from nearby site investigations into your SCM.

h) Plots of chemical concentrations vs. time and vs. distance from the source. Plots should be shown for each monitoring well, which has had detectable levels of contaminants

i) Summary tables of chemical concentrations in each historically sampled media (including soil, groundwater and soil vapor).

j) Boring and well logs (including construction/screening), and a summary table indicating construction specifications for each monitoring and extraction well.

Report the information discussed above in your initial SCM and present it in the report requested below. Include updates to your SCM in the Soil and Water Investigation (Results of Expedited Site Assessment) Report requested below.

4. **Groundwater Flow Direction and Hydralic Gradient**. The calculated flow direction at the site and the nearby Chevron service station has historically been toward the north-northwest. However, hydraulic gradient is expected to be toward the southwest. Please discuss this apparent inconsistency of the local groundwater flow direction with the estimated regional hydraulic gradient as requested previously by this office in December 2004 and present the results of your research in the SCM requested below. In addition, review of historic groundwater elevation data indicates that monitoring well MW-10 has not been surveyed. Please complete the survey of monitoring well MW-10 and post the survey data to Geotracker as required for compliance.

5. **Quarterly Groundwater Monitoring and Sampling**. Quarterly groundwater monitoring is to be continued for the series of groundwater monitoring wells as recommended by URS. Groundwater samples are to be analyzed for total petroleum hydrocarbons, benzene, toluene, ethylbenzene, xylenes and MTBE,TBA and EtOH using EPA Method 8260B. Please maintain the current reporting schedule for groundwater monitoring at the site.

6. **Corrective Action Plan (CAP)**. As directed previously by ACEH, you are required to prepare a CAP 180 days after the completion of an investigation report. The purpose of the CAP is to use the information obtained during investigation activities to propose cost-effective **final cleanup objectives for the entire contaminant plume and remedial alternatives for soil and groundwater** that will adequately protect human health and safety, the environment, eliminate nuisance conditions, and protect water resources. A CAP for the final cleanup of contamination (MTBE, petroleum products, and associated blending compounds and additives) in soil and groundwater caused by an unauthorized release at your site will be requested upon completion of your Soil and Water

Investigation in accordance with the schedule specified below. The CAP shall detail at least three technically and economically feasible methods to restore and protect beneficial uses of water and to meet the cleanup objectives for each contaminant established in the CAP. The CAP must propose verification sampling and monitoring to confirm completion of corrective actions and evaluate CAP implementation effectiveness.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Mr. Steven Plunkett), according to the following schedule:

- **July 30, 2006** – Work Plan for Onsite Soil and Groundwater Investigation with Initial Site Conceptual Model

- **January 1, 2007** – 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

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. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

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. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for 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 monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was 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.

If you have any questions, please call me at (510) 383-1767.

Sincerely,

Steven Plunkett
Hazardous Materials Specialist

cc: Ms. Lynelle Onishi
URS Corporation Inc.
1333 Broadway, Ste. 800,
Oakland, CA 94612

Mr. Matt Herrick
Broadbent and Associates, Inc.
1324 Mangrove Ave., Suite 212

Chico, Ca 95926

Donna Drogos, Steven Plunkett, File

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

SENT 5-13-05

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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May 11, 2005

Kyle Christie
Atlantic Richfield Company
6 Centerpointe Drive, LPR6-161
La Palma, CA 90623-1066

Jim Givens
One Eastmont Mall
Oakland, CA 94605

Liz Sewell
ConocoPhillips
76 Broadway
Sacramento, CA 95818

Subject: Fuel Leak Case No. RO0000356, BP #11117, 7210 Bancroft Avenue, Oakland, California – Workplan Approval

Dear Mssrs. Christie and Givens, and Ms. Sewell:

Alameda County Environmental Health (ACEH) has reviewed your May 9, 2005, *Soil and Groundwater Investigation Workplan Addendum* prepared by URS Corporation, Inc., and the case file for the above-referenced site. We concur with your workplan provided the following conditions are met:

1. If deemed necessary by your geologist or engineer to fully define the vertical and lateral extent of contamination, additional soil or groundwater samples will be collected as part of the current investigation efforts. ACEH will be informed via telephone or email of any additions to the sampling and analysis plan. Any additional work will follow the workplan-specified procedures. Dynamic investigations are consistent with USEPA protocol for expedited site assessments, which are scientifically valid and offer a cost-effective approach to fully define a plume and to help progress a case toward closure.
2. The technical comments listed below will be addressed prior to conducting field work, and documentation will be provided in the report requested below.
3. 72-hr advance written notification (email preferred) will be provided to ACEH prior to field sampling activities.

Please implement the proposed investigation and submit technical reports following the schedule below. In addition, we request that you address the following technical comments in your report.

TECHNICAL COMMENTS

1. Contaminants of Concern

URS proposes sample analysis for TPHg, BTEX, MTBE, TBA, ETBE, TAME, DIPE, 1,2-DCA, EDB and ethanol. Based on our review of the recent groundwater data, contaminants of concern (COCs) at the site include: TPHg, BTEX, MTBE, and TBA, only (TBA is a COC due to its potential occurrence as a MTBE degradation product). Ongoing analysis for TAME, DIPE, ETBE, EDB and 1,2-DCA may not be necessary. Prior to conducting the proposed investigation, we request that you review all historical analytical data for the site in order to 1) confirm compliance with the minimum verification analyses listed in the Tri-Regional Guidelines, and 2)

confirm the COCs at the site. Please identify appropriate COCs for the site in the report requested below.

2. Corrective Action Plan

To reduce the overall project costs and the time period to case closure, we request that you present the investigation results in a single document together with your corrective action plan. In accordance with 23 CCR 2725, an assessment of the impacts, a feasibility study, and applicable cleanup levels need to be included in your CAP. We request that 1) your assessment summarize all subsurface investigation performed at the site, 2) your feasibility study evaluate at least three potentially feasible remedial technologies, and 3) your CAP propose cleanup goals and cleanup levels for the site. Your cleanup goals need to be consistent with water quality objectives for the basin. Soil and groundwater cleanup levels for the site need to be protective of human health and the environment. Prior to discontinuation of active remediation, the appropriate cleanup levels will need to be achieved. Please submit your CAP in the report requested below.

REPORT REQUEST

Please submit your *Soil and Water Investigation Report and Corrective Action Plan* by **September 1, 2005**. ACEH makes this request pursuant to California Health & Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2778 outline the responsibilities of a responsible party for an unauthorized release from an UST system, and require your compliance with this request.

Professional Certification and Conclusions/Recommendations

The California Business and Professions Code (Sections 6735 and 7835.1) requires that workplans 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.

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.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, late reports or enforcement actions by ACEH may result in you becoming ineligible to receive cleanup cost reimbursement from the state's Underground Storage Tank Cleanup Fund (senate Bill 2004).

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 County District Attorney or other appropriate agency, for enforcement. California Health and Safety Code, Section 25299.76 authorizes ACEH enforcement including administrative action or monetary penalties of up to $10,000 per day for each day of violation.

Please call me at (510) 567-6719 with any questions regarding this case.

Sincerely,

Robert W. Schultz, R.G.
Hazardous Materials Specialist

cc: Diane Clark, Eastmont Town Center, LLC, 7200 Bancroft Ave., Oakland, CA 94605-1907
Lynelle Onishi, URS Corporation, 1333 Broadway, Ste. 800, Oakland, CA 94612-1924
Donna Drogos, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

Sent 12-29-04

ENVIRONMENTAL HEALTH SERVICES
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December 29, 2004

Kyle Christie
Atlantic Richfield Company
6 Centerpointe Drive, LPR6-161
La Palma, CA 90623-1066

Jim Givens
One Eastmont Mall
Oakland, CA 94605

Liz Sewell
ConocoPhillips
76 Broadway
Sacramento, CA 95818

Subject: Fuel Leak Case No. RO0000356, BP #11117, 7210 Bancroft Avenue, Oakland, California – Workplan Approval

Dear Mssrs. Christie and Givens, and Ms. Sewell:

Alameda County Environmental Health (ACEH) has reviewed your November 28, 2003, *Soil and Groundwater Investigation Workplan* prepared by URS Corporation, Inc., and the case file for the above-referenced site. We concur with your workplan provided the following conditions are met:

1. Source area borings will be advanced to define the vertical extent of contamination.
2. If deemed necessary by your geologist or engineer to fully define the vertical and lateral extent of contamination, additional soil or groundwater samples will be collected as part of the current investigation efforts. ACEH will be informed via telephone or email of any additions to the sampling and analysis plan. Any additional work will follow the workplan-specified procedures. Dynamic investigations are consistent with USEPA protocol for expedited site assessments, which are scientifically valid and offer a cost-effective approach to fully define a plume and to help progress a case toward closure.
3. Sufficient data will be collected in the field and/or from historical site investigation to evaluate the present, historical and likely future rates and efficacy of intrinsic bioremediation. If deemed necessary by your geologist or engineer, groundwater analysis conducted during the current investigation will include the bioparameters DO, ORP, alkalinity, nitrate, sulfate, ferrous iron, and methane.
4. 72-hr advance written notification (email preferred) will be provided to ACEH prior to field sampling activities.

Please implement the proposed investigation and submit technical reports following the schedule below. In addition, we request that you address the following technical comments in your report.

TECHNICAL COMMENTS

1. Corrective Action Plan

URS states that a CAP will be prepared for the site 180 days after completion of an investigation report. To reduce the overall project costs and the time period to case closure, we request that

you present the investigation results in a single document together with your corrective action plan. In accordance with 23 CCR 2725, an assessment of the impacts, a feasibility study, and applicable cleanup levels need to be included in your CAP. We request that 1) your assessment summarize all subsurface investigation performed at the site, 2) your feasibility study evaluate at least three potentially feasible remedial technologies, and 3) your CAP propose cleanup goals and cleanup levels for the site. Your cleanup goals need to be consistent with water quality objectives for the basin. Soil and groundwater cleanup levels for the site need to be protective of human health and the environment, including offsite groundwater use, and need to address potential nuisance conditions. Prior to discontinuation of active remediation, the appropriate cleanup levels will need to be achieved. Please submit your CAP in the report requested below.

2. Groundwater Flow Direction

The calculated groundwater flow direction at your site and at the nearby Chevron service station has historically been to the north-northeast. Regionally, groundwater is expected to flow toward the southwest. The well survey for the site identified two water supply wells within 1/2 mile of the site: an industrial well and an irrigation well, both located to the north. Please address the apparent inconsistency of the local groundwater flow direction with the anticipated regional flow regime in the report requested below.

REPORT REQUEST

Please submit your *Soil and Water Investigation Report and Corrective Action Plan* by **August 1, 2005**. ACEH makes this request pursuant to California Health & Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2778 outline the responsibilities of a responsible party for an unauthorized release from an UST system, and require your compliance with this request.

Professional Certification and Conclusions/Recommendations

The California Business and Professions Code (Sections 6735 and 7835.1) requires that workplans 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.

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.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, late reports or enforcement actions by ACEH may result in you becoming ineligible to receive cleanup cost reimbursement from the state's Underground Storage Tank Cleanup Fund (senate Bill 2004).

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 County District Attorney or other appropriate agency, for enforcement. California Health and Safety Code, Section 25299.76 authorizes ACEH enforcement including administrative action or monetary penalties of up to $10,000 per day for each day of violation.

Please call me at (510) 567-6719 with any questions regarding this case.

Sincerely,

Robert W. Schultz, R.G.
Hazardous Materials Specialist

cc: Diane Clark, Eastmont Town Center, LLC, 7200 Bancroft Ave., Oakland, CA 94605-1907
Leonard Niles, URS Corporation, 500 12th St., Ste. 200, Oakland, CA 94607-4014
Donna Drogos, ACEH
Barney Chan, ACEH
Robert W. Schultz, ACEH

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

10-01-03

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September 30, 2003

Paul Supple
Atlantic Richfield Co.
(a BP affiliated co.)
PO Box 6549
Moraga, CA 94570

Dear Mr. Supple:

Subject: Fuel Leak Case No. RO0000356, BP Station #11117, 7210 Bancroft Ave., Oakland, CA

Alameda County Environmental Health (ACEH) staff has reviewed the Leaking Underground Storage Tank Oversight Program file including "2nd Quarter 2003 Groundwater Monitoring Report" dated June 20, 2003 by URS Corporation (URS). We request that you address the following technical comments and send us the technical reports requested below.

TECHNICAL COMMENTS

1. Site Characterization - Up to 560,000 micrograms/liter (ug/l) Total Petroleum Hydrocarbons-Gasoline (TPH-G), 32,000 ug/l benzene, and 95,000 ug/l methyl tertiary-butyl ether (MTBE), have been detected in onsite and offsite monitoring wells. The lateral and vertical extent of your dissolved contaminant plume is undefined. Please propose sampling locations to define the plumes associated with your site in the Work Plan requested below. Include geologic cross-sections and show soil and groundwater analytical results, utility conduits, well screens, etc., and explain your rationale for the additional sampling locations. You may want to consider performing an investigation to quickly define the location of the contaminant plume downgradient from the release site prior to installing the permanent monitoring network. That will allow you to optimize the location and depth of the permanent wells, thereby reducing the cost of the monitoring work. Collection of groundwater samples using a one-time direct push water-sampling tool would be appropriate for this investigation.

2. Source Characterization – 6,000 mg/kg TPH-G and 34 mg/kg benzene were detected at MW-4. We request that you use the information from the tank removals to propose additional borings to delineate the lateral and vertical extent of soil contamination in the source area. Please propose boring locations in the Work Plan requested below.

3. Preferential Pathway Survey – An underground utility site survey was described and diagrams provided in a report dated October 19, 2000. However, depths were not indicated. In addition to the map(s) submitted, please use cross-sections showing the location and depth of all utility lines and trenches (including sewers, storm drains, pipelines, trench backfill, etc.) within and near the site and plume area(s). Evaluate the probability of the contaminant plumes encountering preferential pathways and conduits that could spread the contamination, particularly in the vertical direction to deeper water aquifers. Please submit with the Work Plan requested below.

4. Historical Hydraulic Gradients – Please show using a rose diagram with magnitude and direction; include cumulative groundwater gradients in all future reports submitted for this site.

5. Groundwater Analyses – We request that you include the other fuel oxygenates Tertiary Amyl Methyl Ether (TAME), Ethyl Tertiary Butyl Ether (ETBE), Di-Isopropyl Ether (DIPE), and Tertiary Butyl Alcohol (TBA), Ethanol by EPA Method 8260 and the lead scavengers, Ethylene Dibromide (EDB), Ethylene Dichloride (EDC) for analyses of grab and monitoring well groundwater samples, and for the lead scavengers, EDB and EDC, also perform analyses on soil samples. If any of the latter compounds are detected, and are determined to be of concern (poses a risk to human health, the environment, or water resources) it is to be incorporated into your regular monitoring plan.

6. 1984 Underground Storage Tank Removals - We do not have any reports of this removal. Please provide documents indicating the former locations of the tanks, their condition, whether the excavation had petroleum odors or discoloration indicative of leakage or contained groundwater, sample locations and results.

7. MW-3 Installation - We do not have any reports of this installation. Please provide a boring log and soil sample analyses.

8. 1998 Underground Storage Tank Removals - We do not have any reports of this removal. Please provide documents indicating the former locations of the tanks, their condition, whether the excavation had petroleum odors or discoloration indicative of leakage or contained groundwater, sample locations and analyses, and Oakland Fire Department inspection report.

9. Dual Phase Extraction (DPE) Pilot Test - The report concluded that DPE is feasible for remediation. However, there is no proposal to use DPE. If you plan to use DPE, please indicate in the Work Plan how it will be implemented.

TECHINCAL REPORT REQUEST

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

October 31, 2003 - Third Quarter 2003 Groundwater Monitoring Report
November 30, 2003 – Workplan
November 30, 2003 - 1984 & 1998 Underground Storage Tank Removal Documentation
November 30, 2003 - MW-3 Installation boring log and soil sample analyses
60 days after Work Plan approval - Soil and Water Investigation Report
January 31, 2004 - Fourth Quarter 2003 Groundwater Monitoring Report
April 30, 2004 – First Quarter 2004 Groundwater Monitoring Report
July 31, 2004 - Second Quarter 2004 Groundwater Monitoring Report

These reports are being requested pursuant to the Regional Water Quality Control Board's (Regional Board) authority under Section 13267 of the California Water Code. If you have any questions, please call me at (510) 567-6746.

Sincerely,

Don Hwang
Hazardous Materials Specialist
Local Oversight Program

C: Leonard Niles, URS Corporation, 500-12th St., Suite 200, Oakland, CA 94607-4014
Donna Drogos
File

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

07-26-01

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

July 25, 2001

Scott Hooton
BP Oil Co.
Midwest Environmental Services
295 SW 41st St., Bldg. 13, Suite N
Renton, WA 98055

Dear Mr. Hooton:

Subject: Former BP Oil Site No. 11117, 7210 Bancroft Ave., Oakland, CA
RO0000356

"1st Quarter 2001 Monitoring..." dated April 25, 2001 prepared by Blaine Tech Services was reviewed. The current round of samples were collected on March 20, 2001 for monitoring wells MW-1, MW-2, MW-3, MW-4, MW-6, MW-7, MW-8, and MW-10. The sampler indicated that MW-9 couldn't be located. The highest concentrations of analytes sought were found in wells MW-2 and MW-4. The concentrations of Total Petroleum Hydrocarbons-Gasoline (TPH-G), Benzene, Toluene, Ethylbenzene, Xylenes (BTEX), and Methyl Tertiary-Butyl Ether (MTBE), for MW-2 were: 140,000 ug/l, 15,900 ug/l, 24,800 ug/l, 3,700 ug/l, 22,100 ug/l, and 12,900 ug/l, respectively. The concentrations were in the range found during the past couple of years. The concentrations for MW-4 were: 100,000 ug/l, 7,100 ug/l, 4,530 ug/l, 2,540 ug/l, 9,370 ug/l, and 63,100 ug/l, respectively. The MTBE concentration increased to its highest concentration while the concentrations of the other analytes were in the range found during the past couple of years.

MW-1 and MW-3 located on one side of the property, had low and Not Detected (ND) concentrations of BTEX, and MTBE concentrations of 391 ug/l and 398 ug/l, respectively. TPH-G concentrations were 880 ug/l and 1,000 ug/l, respectively. MW-6, MW-7, and MW-10, located downgradient of these two wells, were all ND for BTEX. MW-7's TPH-G was 1,100 ug/l which was a little higher than for MW-1 and MW-3. However, TPH-G and MTBE concentrations for MW-6 and MW-10, and MTBE concentrations for MW-7, were much higher, 3,300 ug/l and 3,760 ug/l, 16,000 ug/l and 11,900 ug/l, and 1,210 ug/l, respectively.

The plume at the site has not been delineated. Therefore, delineation of the plume and a Corrective Action Plan, which includes an assessment of impacts, a feasibility study, and

applicable cleanup levels, are needed. Also, reports have stated that the tank system was replaced in 1998 but our file does not contain a report describing this. Information about this and any other excavation activities are needed. If you have any questions, you may call me at 510/567-6746.

Sincerely,

Don Hwang
Hazardous Materials Specialist

C: David DeWitt, Tosco Marketing Co., 2000 Crow Canyon Pl., Suite 400, San Ramon, CA 94583

file

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

8-15-01

R0356

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

March 14, 2001

Scott Hooton
BP Oil Co.
Midwest Environmental Services
295 SW 41st St.
Bldg. 13, Suite N
Renton, WA 98055

Dear Mr. Hooton:

Subject: Former BP Oil Site No. 11117, 7210 Bancroft Ave., Oakland, CA
StId 3960

"4th Quarter 2000 Monitoring..." dated January 31, 2001 prepared by Blaine Tech Services was reviewed. The current round of sampling was for monitoring wells MW-2 and MW-4. The concentrations of analytes sought for in well MW-2, Total Petroleum Hydrocarbons-Gasoline (TPH-G), Benzene, Toluene, Ethylbenzene, Xylenes (BTEX), and Methyl Tertiary-Butyl Ether (MTBE), 130,000 ug/l, 18,600 ug/l, 30,000 ug/l, 3,250 ug/l, 20,600 ug/l, and 21,700 ug/l, respectively), were in the range found in recent sampling events. The concentrations of analytes sought for in well MW-4 have generally shown a decreasing trend, except for MTBE, where 24,400 ug/l was detected. (MW-4 also contained: 70,000 ug/l TPH-G, 4,580 ug/l, 3,480 ug/l, 2,550 ug/l, 9,220 ug/l BTEX.) The elevated petroleum hydrocarbon concentrations warranted consideration for remediation. Groundwater extraction was used from March 16, 2000 to April 30, 2000. This had little effect on subsequent analyte concentrations. Therefore, a Corrective Action Plan, which includes an assessment of impacts, a feasibility study, and applicable cleanup levels, is needed.

Additionally, a letter from our office dated June 8, 1999 notified you that the frequency for groundwater monitoring for all wells was to be quarterly. Please make this change. If you feel that the frequency should be decreased for any of the wells then you must contact this office to discuss this matter.

If you have any questions, you may call me at 510/567-6746.

Sincerely,

Don Hwang
Hazardous Materials Specialist

C: David DeWitt, Tosco Marketing Co., 2000 Crow Canyon Pl., Suite 400, San Ramon, CA 94583
file

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

RO 356

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

June 8, 1999

STID 3960

Mr. Scott Hooton
BP Oil Company
Environmental Remediation Management
295 SW 41st Street
Renton, WA 98055-4931

RE: BP Oil Site #11117, 7210 Bancroft Avenue, Oakland – Sampling Schedule

Dear Mr. Hooton:

As we discussed April 14th, the well sampling and monitoring frequencies for this site were modified without seeking approval from this office. Although adjustments in schedules may appear acceptable at certain times in some cases, to implement a change without approval by the local agency is unacceptable.

Nevertheless, I reviewed the "new" schedule for this site, transmitted to me by Blaine Tech Services ("Blaine") at my request (copy attached). Although the changes Blaine has implemented for some of the wells appear to be appropriate, other changes, however, are not.

At this time, please adhere to the following sampling and monitoring schedules:

Well	Sampling	Monitoring
MW-1	Semi-annually (Mar/Sep)	Quarterly
MW-2	Quarterly	"
MW-3	Annually (Mar)	"
MW-4	Quarterly	"
MW-6	Semi-annually (Mar/Sep)	"
MW-7	" " "	"
MW-8	Annually (Mar)	"
MW-9	" "	"
MW-10	Semi-annually (Mar/Sep)	"

In addition, well MW-10 is to be surveyed before the next monitoring event and incorporated into the groundwater gradient calculations.

Please call me at (510) 567-6783 should you have any questions.

Sincerely,

Scott O. Seery, CHMM
Hazardous Materials Specialist

Attachment

cc: Chuck Headlee, RWQCB
Bob Chambers, Alameda County District Attorney's Office
Leroy Griffin, Oakland Fire Department
Francis Thie, Blaine Tech Services, 1680 Rogers Ave., San Jose, CA 95112-1105

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

R0356

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

May 7, 1999

STID 3960

Mr. Scott Hooton
BP Oil Company
Environmental Remediation Management
295 SW 41st Street
Renton, WA 98055-4931

RE: BP Oil Site #11117, 7210 Bancroft Avenue, Oakland

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS

Dear Mr. Hooton:

This letter is to inform you of new legislative requirements pertaining to cleanup and closure of sites where an unauthorized release of hazardous substance, including petroleum, has occurred from an underground storage tank (UST). Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code requires the primary or active responsible party to notify all current record owners of fee title to the site of: 1) a site cleanup proposal, 2) a site closure proposal, 3) a local agency intention to make a determination that no further action is required, and 4) a local agency intention to issue a closure letter. Section 25297.15(b) requires the local agency to take all reasonable steps to accommodate responsible landowners' participation in the cleanup or site closure process and to consider their input and recommendations.

For purposes of implementing these sections, you have been identified as the primary or active responsible party. Please provide to this agency, within twenty (20) calendar days of receipt of this notice, a complete mailing list of all current record owners of fee title to the site. You may use the enclosed "list of landowners" form (sample letter 2) as a template to comply with this requirement. If the list of current record owners of fee title to the site changes, you must notify the local agency of the change within 20 calendar days from when you are notified of the change.

If you are the sole landowner, please indicate that on the landowner list form. The following notice requirements do not apply to responsible parties who are the sole landowner for the site.

In accordance with Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code, you must certify to the local agency that all current record owners of fee title to the site have been informed of the proposed action before the local agency may do any of the following:

1) consider a cleanup proposal (corrective action plan)

2) consider a site closure proposal

3) make a determination that no further action is required

4) issue a closure letter

You may use the enclosed "notice of proposed action" form (sample letter 3) as a template to comply with this requirement. Before approving a cleanup proposal or site closure proposal, determining that no further action is required, or issuing a closure letter, the local agency will take all reasonable steps necessary to accommodate responsible landowner participation in the cleanup and site closure process and will consider all input and recommendations from any responsible landowner.

Please call me at (510) 567-6783 should you have any questions about the content of this letter.

Sincerely,

Scott O. Seery, CHMM
Hazardous Materials Specialist

Attachments

cc: Chuck Headlee, RWQCB
Leroy Griffin, Oakland Fire Department

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

RO#356

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510) 567-6700

June 13, 1996

Mr. Scott Hooton
BP Oil Company
Environmental Resource Mgmt.
295 Southwest 41st St., Ste N
Renton, WA 98055

STID 3960

Re: Former BP Site No. 11117, located at 7210 Bancroft Ave., Oakland, CA

Dear Mr. Hooton,

This office has reviewed your May 29, 1996 letter which responded to the County's March 20, 1996 letter. The following are additional comments and corrections that the County has in response to your May 29, 1996 letter:

- In the March 20, 1996 letter, the County requested, per the Regional Water Quality Control Board's guidelines, that you mulitiply the benzene concentrations listed in ASTM RBCA's Table X2.1 by a factor of 0.29. Somehow, you came to the assumption that this request was made based on differing MCL values for California as opposed to the Federal Safe Drinking Water Act (SDWA). This office and RWQCB requested that you multiply the benzene concentrations by a factor of 0.29 to account for the toxicity value (a.k.a., cancer potency value) for benzene given by CAL EPA in its California Cancer Potency Value list, which is updated every six months. California has a higher toxicity value of 0.1 for benzene as compared to the USEPA value of 0.029 for benzene. You were correct in stating that the benzene cancer potency values listed in IRIS and HEAST "would not warrant change", however, they both don't address California standards since they are Federal databases.

- The applicable Tier 1 ASTM RBCA exposure pathway scenarios for the site's soil contamination are "Soil Volatilization to Outdoor Air" (S>O) and "Soil Vapor Intrusion from Soil to Buildings"(S>B). The applicable exposure pathway scenarios for the site's groundwater contamination are "Groundwater Volatilization to Outdoor Air" (G>O) and "Groundwater Vapor Intrusion from Groundwater to Buildings" (G>B). Levels of soil and groundwater contamination observed at the site exceed the Tier 1 Risk Based Screening Levels

(RBSL) for benzene for three of these exposure pathways (S>O (1.3ppm), S>B (0.05ppm), and G>B (214ppb)), assuming a 10^{-5} risk. You state that these "RBSL [values] are based on a number of assumptions that are not met at this... site", primarily the "significant discrepancy [in] the depth to groundwater (DTW)". However, the "discrepancy" between the DTW used for the Tier 1 calculations and the DTW at the site may not necessarily be a driving factor in a site-specific RBSL calculation. Ultimately, it appears that the significance of this DTW discrepancy will be determined in your proposed Tier 2 calculations. In conducting the Tier 2 calculations, please be reminded to average the DTWs for the area of concern (e.g., the average DTW for Well MW-4 is 25 feet), and to use the appropriate conversion factors (e.g., in your letter you stated that 3.0 meters is equivalent to 7.6 feet, when in actuality it is equivalent to 9.85 feet, roughly).

This office would like to meet with you to further discuss the site and the Tier 2 assessment for the site. Thankyou for offering us a manual for Groundwater Services, Inc.'s (GSI) Tier 2 RBCA Tool Kit, however, this office is currently considering the purchase of software to assist with overseeing risk assessments, and has already begun looking into GSI's tool kit along with other RBCA software.

Please contact me to schedule a meeting date. If you have any questions, please feel free to contact me at (510) 567-6763.

Sincerely,

Juliet Shin
Senior Hazardous Materials Specialist

cc: Acting Chief-File

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

RO#356

RAFAT A. SHAHID, DIRECTOR
DEPARTMENT OF ENVIRONMENTAL HEALTH
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
(510)567-6700

March 20, 1996

Mr. Scott Hooton
BP Oil Company
Environmental Resource Mgmt.
295 Southwest 41st St., Ste N
Renton, WA 98055

STID 3960

Re: Investigations at BP Oil Site No. 11117, located at 7210 Bancroft Ave., Oakland, California

Dear Mr. Hooton,

Per our conversation on March 20, 1996, this office has identified additional data gaps and questions regarding operations and investigations at the above site. Please submit the following information to this office:

- Contaminant concentrations have steadily been increasing in groundwater samples collected from Wells MW-2 and MW-4 since monitoring began in 1992, which could be indicative of an on-going leak from the site. The increasing contaminant concentrations don't appear to correlate with fluctuating depth-to-groundwater measurements. In order to try and determine whether there could be an on-going leak at the site, or continuous source, this office is requesting that you submit information on whether BP replaced or upgraded any of Mobil's underground storage tanks and associated piping when BP took over operations at the site. The site figures in the quarterly groundwater monitoring reports indicate the locations of both "former underground fuel tanks" and existing tanks, yet there is no further information in our files to indicate when the apparent tank replacement took place.

- The elevated contaminant levels currently being identified in the groundwater, and some of the soil samples collected from Well MW-4 in 1992, exceed the human health protective levels established in Tier 1 of the American Society for Testing and Materials' Risk-Based Corrective Action guidelines (ASTM RBCA) (please be reminded to multiply all the given benzene thresholds in ASTM RBCA by a factor of 0.29 to obtain the corrected values for California). Due to this information, this office is requesting that you submit detailed rationale to confirm or refute ASTM RBCA's implications that the contamination beneath the site could be posing a human health threat.

- Since groundwater monitoring began at the site in 1992, the groundwater flow direction has varied from northwest to northeast. If we were to assume that the source of the contaminant plume lies in the area of Wells MW-2 and MW-4, where the highest contaminant levels have consistently been identified, then it would appear that the contaminant plume has migrated approximately 140 feet to the northwest where Well MW-3 is still detecting fluctuating contaminant levels. The extent of the contaminant plume in the northeast direction is still unclear, although, it appears possible that the plume could have migrated as far to the northeast as it has to the northwest. An attempt was made to install a well, B-5, northeast of the site in 1992, however, the drillers apparently never hit groundwater and consequently never completed the well. Since 1992, no additional efforts have been made to characterize the extent of the plume in this direction. This office is requesting that BP submit some discussions as to why or why not it feels the area northeast of the site has been adequately characterized. You may want to consider some of the following issues while preparing this discussion: 1) although groundwater was apparently not identified in B-5, this location may have been slow to recharge, as witnessed for on-site Well MW-2; 2) even if no groundwater existed in B-5, is that sufficient to assume the groundwater contaminant plume is definitely not migrating towards the northeast; and 3) although no soil contamination was identified in B-5 at 30-feet bgs, which is around the capillary fringe, that does not assure that groundwater in this area was not impacted. For example, soil contamination was not identified in Well MW-2 during well installation, however, this well is currently identifying the highest groundwater contaminant concentrations at the site.

- In your February 23, 1996 letter, you inquired as to whether a vapor extraction system was warranted at the site. Firstly, due to significant amounts of clay identified in the boring logs, it is uncertain whether a vapor extraction system would be effective in remediating the site. Secondly, the employment of a remediation system is typically requested when the plume appears to be posing a threat to human health or the environment, or is shown to be significantly migrating. At this time, we don't have enough information to answer either of these questions. The existence of product at a site does not, in and of itself, confirm any human health threat. The risk to human health may be reduced by factors, such as depth to groundwater, soil types, site use, limited extent of product, etc.

- Based on Table 2 of the most recent quarterly groundwater monitoring report, it appears that the frequency of product bailing has been switched from weekly to quarterly. Please notify this office as to whether or not this is correct.

Please submit the above information to this office within 45 days of the date of this letter. If you have any questions or comments, please feel free to contact me at (510) 567-6763.

Sincerely,

Juliet Shin
Senior Hazardous Materials Specialist

cc: Acting Chief-File

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

R0356

June 13, 1994

Mr. Scott Hooton
BP Oil Company
Environmental Resource Mgmt.
295 Southwest 41st St., Ste N
Renton, WA 98055

STID 3960

Re: Required investigations at BP Oil Facility No. 11117, located at 7210 Bancroft Ave., Oakland, California

Dear Mr. Hooton,

This office is in receipt of your letter, dated June 6, 1994, which states that BP Oil Company (BP) cannot implement the proposed investigations at the above site due to the lack of an encroachment permit from the City of Oakland. This office is also in receipt of a letter, dated June 2, 1994, from the City of Oakland which grants BP access onto its property. Therefore, it appears that, at this time, the proposed investigations may be implemented at the site.

Elevated levels of Total Petroleum Hydrocarbons as gasoline (TPHg), TPH as diesel, and benzene, toluene, ethylbenzene, and xylenes have continuously been identified in all the site's monitoring wells, and free product has been identified for the last several quarters in Well MW-2. Therefore, Hydro Environmental's work plan, dated January 27, 1993 and accepted by the County on February 26, 1993, is required to be implemented **within 45 days of the date of this letter.** A report documenting the work shall be submitted within 45 days after completing field activities.

If you have any questions or comments, please contact me at (510) 271-4530.

Sincerely,

Juliet Shin
Hazardous Materials Specialist

cc: Gil Jensen, Alameda County District Attorney's Office

Scott Kellstedt
Hydro Environmental Tech., Inc.
2363 Mariner Square Drive, Ste 243
Alameda, CA 94501

Edgar Howell-File(JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

R0356

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

May 5, 1994

Scott Hooton
BP Oil Company
Environmental Resource Mgmt.
295 Southwest 41st St., Ste N
Renton, WA 98055

STID 3960

Re: Required investigations at BP Oil Facility No. 11117, located at 7210 Bancroft Ave., Oakland, California

Dear Mr. Hooton,

Elevated levels of Total Petroleum Hydrocarbons as gasoline (TPHg), TPH as diesel, and benzene, toluene, ethylbenzene, and xylenes have continuously been identified in all three on-site monitoring wells (Wells MW-1, MW-2, and MW-4), and the one off-site monitoring well (MW-3). Additionally free product has been identified for the last several quarters in Well MW-2. Consequently, in a December 18, 1992 letter, this office required you to submit a work plan addressing the further delineation of the ground water contaminant plume. This office received Hydro Environmental Technologies' work plan in January 1993, and approved the workplan on February 26, 1993.

The work was required to have been implemented by May 1, 1993, and a report documenting the work was required to have been submitted by mid-June 1993. By August 9, 1993, this office had received no communication as to the status of work at the site, so we took the initiative to phone you, only to discover that the proposed work had never been implemented due to disagreements over the encroachment permit between the City of Oakland and BP.

During October and November 1993, I had a number of phone conversations with Ralph Wheeler, attorney for the City of Oakland, and Jim Burdett, attorney for BP, to identify the points of disagreement and expedite some sort of resolution and the implementation of the proposed investigations. It appeared that by November 1993, the problems had been resolved, and it was the understanding of this office that the work plan could now be implemented.

Per my conversation with you on May 5, 1994, you stated that the work plan had still not been implemented due to continuing disagreements in the language of the encroachment permit. Specifically, the initial City of Oakland Encroachment Permit had

implied that the companies requesting the encroachment permit would be responsible for **any** contaminant constituents, even those that were not attributable to their sites, that were identified during the drilling and sampling events.

However, per my conversations with the City of Oakland on May 5, 1994, specifically, Ralph Wheeler and Phil Grubstick, they stated that the City of Oakland had since modified the language in their encroachment permit to exclude responsibility for any contaminants that were not attributable to the sites requesting the permit.

Therefore, it appears that, at this time, there are no reasons for not implementing the January 1993 workplan. Please look into the status of the encroachment agreement on your end, to confirm whether or not an agreement has been reached. Additionally, you are required to submit a timetable for the scheduled work **within 30 days** of the date of this letter.

Lastly, in the future, please keep us informed of any changes in or difficulties with implementing your work plans or quarterly sampling events.

If you have any questions or comments, please contact me at (510) 271-4530.

Sincerely,

Juliet Shin
Hazardous Materials Specialist

cc: Jim Burdett
BP Exploration and Oil Inc.
200 Public Square
Cleveland, Ohio 44114-2375

Gil Jensen, Alameda County District Attorney's Office

Scott Kellstedt
Hydro Environmental Tech., Inc.
2363 Mariner Square Drive, Ste 243
Alameda, CA 94501

Edgar Howell-File(JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

R0356

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

February 26, 1993

Mr. Scott Hooton
BP Oil Company
Environmental Resource Mgmt.
16400 SouthCenter Pkwy., Ste 301
Tukwila, Washington 98188

STID 3960

Re: Work plan for further ground water investigations at BP Oil Facility No. 11117, located at 7210 Bancroft Avenue, Oakland, California

Dear Mr. Hooton,

This office has received Hydro Environmental Technologies, Inc.'s work plan, dated January 27, 1993, for the placement and sampling of three borings. The work plan is acceptable to this office with the reminder that soil samples must be collected at 5-foot depth intervals and from changes in lithology and that a minimum of one soil sample must be analyzed from each of the borings.

Field work shall commence within 60 days. A report must be submitted within 45 days after the completion of this phase of work at the site. Subsequent reports are to be submitted quarterly until this site qualifies for final RWQCB "sign-off".

If you have any questions or comments, please contact me at (510) 271-4530.

Sincerely,

Juliet Shin
Hazardous Materials Specialist

cc: Richard Hiett, RWQCB

Scott D. Kellstedt
Hydro Environmental Technologies, Inc.
2363 Mariner Square Drive, Ste 243
Alameda, CA 94501

Edgar Howell-File(JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

R0356

December 18, 1992

Scott Hooton
BP Oil Company
Environmental Resource Mgmt.
16400 SouthCenter Pkwy., Ste 301
Tukwila, Washington 98188

STID 3960

RE: Investigations at BP Oil Facility No. 11117, located at 7210 Bancroft Avenue, Oakland, California

Dear Mr. Hooton,

This office has received Alisto Engineering Group's Quarterly Monitoring Report, dated November 23, 1992, for the above site. The laboratory analysis results for the ground water samples collected from all three on-site monitoring wells identified very elevated levels of Total Petroleum Hydrocarbons as gasoline (TPHg) and benzene, toluene, xylenes, and ethylbenzene. It appears that the extent of this ground water contamintion needs to be defined. According to Wells MW-3 and MW-6, located off-site to the northwest, it appears that the extent of contamination in this direction has already been defined. However, the ground water contaminant plume has not been defined in the other directions.

Per **Section 2723 (a), Article 11, Title 23 California Code of Regulations**, you are required to submit a work plan addressing the further delineation of the groundwater contaminant plume. This work plan is due **within 60 days** of the date of this letter. Please be advised that this is a formal request pursuant to **California Water Code Section 13267 (b)**. Any extensions of the stated deadlines, or modifications of the required tasks, must be confirmed in writing by either this agency or RWQCB.

If you have any questions or comments, please contact me at (510) 271-4530.

Sincerely,

Juliet Shin
Hazardous Materials Specialist

cc: Richard Hiett, RWQCB

Brady Nagle
Alisto Engineering Group
1000 Burnett Avenue, Ste 420
Concord, CA 94520

Edgar Howell-File(JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

R0356

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

December 7, 1992

Randy Begier
Mobil Oil Corporation
3800 West Alameda Ave., Ste 700
Burbank, CA 91505-4331

STID 3960

RE: BP Oil Facility No. 11117, located at 7210 Bancroft Avenue, Oakland, California

Dear Mr. Begier,

It appears that underground storage tanks (USTs) were removed from the above site when the site was operated by Mobil Oil Corporation. This office has no information on the type of USTs that were formerly at the site or their removal. If Mobil has any information on these USTs, please submit them to this office within 30 days of the date of this letter.

If you have any questions or comments, please contact me at (510) 271-4530.

Sincerely,

Juliet Shin
Hazardous Materials Specialist

cc: Richard Hiett, RWQCB

Scott Hooton
BP Oil Company
Environmental Resource Mgmt.
16400 SouthCenter Pkwy., Ste 301
Tukwila, WA 98188

Edgar Howell-File (JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, ASST. AGENCY DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
State Water Resources Control Board
Division of Clean Water Programs
UST Local Oversight Program
80 Swan Way, Rm 200
Oakland, CA 94621
(510) 271-4530

R0356

December 7, 1992

Scott Hooton
BP Oil Company
Environmental Resource Mgmt.
16400 SouthCenter Pkwy., Ste 301
Tukwila, Washington 98188

STID 3960

RE: BP Oil Facility No. 11117, located at 7210 Bancroft Avenue, Oakland, California

Dear Mr. Hooton,

According to our files, the last quarterly monitoring event at the above site was on July 24, 1992. Per **Section 2652 (d), Article 5, Title 23 California Code of Regulations**, you are required to submit monitoring reports to this office every quarter.

Additionally, it appears that underground storage tanks (USTs) were removed from the site in the past, however, this office has no information on these former USTs or their removal. Please look through your files and submit any information you may have on these former tanks within 30 days of the date of this letter.

If you have any questions or comments, please contact me at (510) 271-4530.

Sincerely,

Juliet Shin
Hazardous Materials Specialist

cc: Richard Hiett, RWQCB

Frederick G. Moss
Hydro-Environmental Technologies, Inc.
2363 Mariner Square Drive, Ste 243
Alameda, California 94501

Edgar Howell-File(JS)

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, Assistant Agency Director

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Division
80 Swan Way, Rm. 200
Oakland, CA 94621
(510) 271-4320

R0356

July 7, 1992

STID 3960

BP Oil Company
16400 South Center Pkwy, Suite 301
Tukwile WA 98188
Attn: Pete DeSantis

RE: BP Oil Station 11117
7210 Bancroft Ave.
Oakland CA 94605

Dear Mr. DeSantis,

Subsequent to your meeting with Alameda County staff on June 26, 1992, the file for the above referenced facility was assigned to Jennifer Eberle, Hazardous Materials Specialist. In a recent telephone conversation with your office assistant, Pauline, we were requested to put the following requests in writing.

Upon reviewing the County assessor's records, there appears to be no listing for the above named address. Would you please assist us in identifying the correct address and providing us with the property owner's name and address? Please respond **within 7 days** or by **July 14, 1992** to this request.

In addition, the only document we have in our file for this site is a Workplan for a Phase I Environmental Investigation, prepared by Hydro Environmental Technologies, dated 11/8/91. This Workplan is under cover letter from BP Oil (signed by yourself), dated 11/11/91. Please send us copies of any other documents for this site. In particular, we would like information on the ground water monitoring well installed in the shopping mall, as referred to on page 1 of the Workplan.

Was this Workplan implemented? If so, please provide us with the appropriate documentation. Please respond **within 30 days**, or **by August 7, 1992** to the above requests for information.

All reports and proposals must be submitted **under seal** of a California-Registered Geologist, -Certified Engineering Geologist, or -Registered Civil Engineer. All proposals, reports, and analytical results pertaining to this investigation and remediation must be sent both to our office and to:

Rich Hiett
RWQCB, San Francisco Bay Region
2101 Webster St., Suite 500
Oakland CA 94612

This letter constitutes a formal request for technical reports pursuant to California Water Code Section 13267(b). Any extensions of stated deadlines or changes in the workplan must be confirmed in writing and approved by this agency or the RWQCB.

If you have any questions, please contact Jennifer Eberle at 510-271-4320.

Sincerely,

Susan L Hugo

Susan Hugo
Senior Hazardous Materials Specialist

cc: Mark Thomson, Alameda County District Attorney's Office
Rich Hiett, RWQCB
File

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ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

R0356

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Program
80 Swan Way, Rm 200
Oakland, CA 94621
(415)

Certified Mailer #: P 062 128 215

September 13, 1991

Mr. Pomsik Kim
BP Oil Co.
7210 Bancroft Avenue
Oakland, CA. 94605

SECOND NOTICE OF VIOLATION

SUBJ: Five-Year Permit to Operate Four Underground Storage Tanks at BP Oil Company Facility #11117, 7210 Bancroft Avenue Oakland, California 94605

Dear Mr. Kim:

On July 19, 1991, Young Fong from our office inspected the above premises. The inspection was performed to evaluate whether the conditions for the 5-year underground storage permit were being met prior to its issuance.

As you are aware, four underground storage tanks (single-walled) exist at the subject facility. During this inspection, Mr. Fong noted the following violations of Title 23, California Code of Regulations (CCR) and California Health and Safety Code (H&SC):

1) Section 2641 and 2644, Title 23, CCR and Section 25292(4)of H&SC - Per Section 2641, CCR, all owners of existing underground storage tanks are to select an appropriate monitoring alternative. If monitoring alternative #5 is selected, the following activities are required: daily inventory reconciliation, annual tank testing and continuous pipeline leak detection.

   a) Inventory records are currently maintained properly for the three product tanks. Monitoring alternative in Section 2641 which specifies inventory reconciliation shall take into account: separate daily underground storage tank quantity measurements for both the stored hazardous substance and any water layer, and daily meter readings for underground storage tank input and withdrawal.

   b) Quarterly summary reports have not been submitted to our office. The owner or operator, per Section

2644(e), CCR, shall on a quarterly basis, submit a summary report to the local agency, under penalty of perjury, that either: the data is within allowable variations or a listing of the dates and variations that exceed the allowable variations.

Submit quarterly summary reports for the previous two quarters of daily inventory reconciliation.

2) Section 2643, CCR and Section 25292 of H&SC - This office has not received copies of annual automatic line leak detector test and annual tightness test results for pressurized piping. Per the above sections, the underground storage tank owner is required to have the automatic line leak detector and underground pressurized piping tightness tested annually. Additionally, the last integrity tests on the product tanks are dated March 9, 1990. Please provide our office with the results of annual tank tightness tests, automatic line leak detection tests and pipeline leak detection tests.

You are required to submit the following items:

a) Correctly completed underground storage tank permit application - Form B.

b) Initial tank and pipeline precision test results, per Section 2635(7), CCR and Section 25289(b) of the Health and Safety Code;

Please note that copies of the documents requested above and other related tank/pipe integrity records shall be maintained on-site for at least three (3) years.

Submit all of the required materials to this office **within 10 days, i.e. no later than September 27, 1991.** A follow-up inspection will be conducted upon receipt and review of the required documents, and a five-year operating permit will be issued when the above requirements are met.

Failure to respond in a timely manner could result in civil liabilities under Division 20, Chapter 6.7, Section 25299 of the Health and Safety Code, of not less than five hundred dollars ($500) or more than five thousand dollars ($5000) for each underground storage tank for each day of violation.

Should you have any questions or concerns regarding the contents of this letter, please feel free to contact either Brian Oliva or myself, at (415) 271-4320.

Sincerely,

Thomas Peacock, Sr. Hazmat Specialist
Hazardous Materials Division

FYF:fyf

cc: Pete Desantis, BP Oil Company
Gil Jensen, Alameda County District Attorney, Consumer and Environmental Protection Division
Dale Swain, Alton Geoscience
Files

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

R0356

DEPARTMENT OF ENVIRONMENTAL HEALTH
Hazardous Materials Program
80 Swan Way, Rm. 200
Oakland, CA 94621
(415)

July 26, 1991

Mr. Pomsik Kim
BP Oil Co.
7210 Bancroft Avenue
Oakland, CA. 94605

NOTICE OF VIOLATION

SUBJ: Five-Year Permit to Operate Four Underground Storage Tanks at BP Oil Company Facility #11117, 7210 Bancroft Avenue Oakland, California 94605

Dear Mr. Kim:

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As you are aware, four underground storage tanks (single-walled) exist at the subject facility. During this inspection, Mr. Fong noted the following violations of Title 23, California Code of Regulations (CCR) and California Health and Safety Code (H&SC):

1) Section 2641 and 2644, Title 23, CCR and Section 25292(4)of H&SC - Per Section 2641, CCR, all owners of existing underground storage tanks are to select an appropriate monitoring alternative. If monitoring alternative #5 is selected, the following activities are required: daily inventory reconciliation, annual tank testing and continuous pipeline leak detection.

   a) Inventory records are currently maintained properly for the three product tanks. Monitoring alternative in Section 2641 which specifies inventory reconciliation shall take into account: separate daily underground storage tank quantity measurements for both the stored hazardous substance and any water layer, and daily meter readings for underground storage tank input and withdrawal.

   b) Quarterly summary reports have not been submitted to our office. The owner or operator, per Section

2644(e), CCR, shall on a quarterly basis, submit a summary report to the local agency, under penalty of perjury, that either: the data is within allowable variations or a listing of the dates and variations that exceed the allowable variations.

Submit quarterly summary reports for the previous two quarters of daily inventory reconciliation.

2) Section 2643, CCR and Section 25292 of H&SC - This office has not received copies of annual automatic line leak detector test and annual tightness test results for pressurized piping. Per the above sections, the underground storage tank owner is required to have the automatic line leak detector and underground pressurized piping tightness tested annually. Additionally, the last integrity tests on the product tanks are dated March 9, 1990. Please provide our office with the results of annual tank tightness tests, automatic line leak detection tests and pipeline leak detection tests.

You are required to submit the following items:

a) Correctly completed underground storage tank permit application - Form B.

b) Initial tank and pipeline precision test results, per Section 2635(7), CCR and Section 25289(b) of the Health and Safety Code;

c) A written routine monitoring procedure/plan per Section 2632(d)(1) or 2634(d)(2), Title 23, CCR, which includes, where applicable: the frequency of performing the monitoring method, the methods and equipment to be used for monitoring, where monitoring will be performed, the location(s) from which the monitoring will be performed, the name(s) or title(s) of the person(s) responsible for performing the monitoring and/or maintaining the equipment, and the reporting format;

d) A written spill/leak response plan per Section 2632(d)(2), Title 23, CCR. This plan should demonstrate that in the event of an unauthorized release, product would be removed from the secondary container within the shortest possible time. It should include at least the following:

1) A description of the proposed methods and equipment to be used for removing the waste oil, including the location and availability of the required equipment, if not permanently on-site, and an equipment maintenance schedule for the equipment located on-site.

2) The name(s) or title(s) of the person(s) responsible for authorizing the work to be performed.

Please note that copies of the documents requested above and other related tank/pipe integrity records shall be maintained on-site for at least three (3) years.

Submit all of the required materials to this office within 30 days, i.e. no later than August 29, 1991. A follow-up inspection will be conducted upon receipt and review of the required documents, and a five-year operating permit will be issued when the above requirements are met.

Failure to respond in a timely manner could result in civil liabilities under Division 20, Chapter 6.7, Section 25299 of the Health and Safety Code.

Should you have any questions or concerns regarding the contents of this letter, please feel free to contact either Young Fong or myself, at (415) 271-4320.

Sincerely,

Thomas Peacock, Sr. Hazmat Specialist
Hazardous Materials Division

FYF:fyf

cc: Lou Parisi, BP Oil Company
Gil Jensen, Alameda County District Attorney, Consumer and Environmental Protection Division
Files