



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
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January 5, 2012

Denis Brown
Shell Oil Products US
20945 S. Wilmington Ave.
Carson, CA 90810-1039

Douglas and Mary Safreno (*Sent via E-mail to: dmsafreno@sbcglobal.net*)
1627 Vineyard Avenue
Pleasanton, CA 94566-6389

Subject: Review of Draft Corrective Action Plan for Fuel Leak Case No. RO0000360 and GeoTracker Global ID T0600101259, Shell#13-5782, 4212 First Street, Pleasanton, CA 94566

Dear Mr. Brown and Mr. and Ms. Safreno:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the recently submitted documents entitled, "*Corrective Action Plan*," dated October 24, 2011 (CAP) and "*Groundwater Monitoring Report – Third Quarter 2011*," dated November 15, 2011 (Monitoring Report). The Monitoring Report presents groundwater sampling results from July 27, 2011. During the July 2011 sampling event, MTBE was detected at concentrations up to 5,200 micrograms per liter.

The CAP presents a conclusion that the remedial methods evaluated in the CAP are not feasible for the site. However, this conclusion does not appear to be consistent with the results from previous pilot tests and evaluations. As discussed in more detail below, ACEH does not concur with this conclusion or the recommendation to implement monitored natural attenuation. We request that you submit a Pilot Test Work Plan that addresses the technical comments below no later than March 16, 2012.

We have also attached a set of comments on the CAP that were submitted to ACEH by Tamalpais Environmental Consultants on behalf of the current property owner (see attachment). Shell and the current property owners are both responsible parties for this case. ACEH treats all responsible parties as jointly and severally liable without bias. Please note that ACEH cannot and will not act as an intermediary between responsible parties in any dispute or disagreement. We request that both responsible parties work together to resolve any issues and assure that future submittals are acceptable to both responsible parties.

TECHNICAL COMMENTS

- 1. Feasibility of Dual Phase Extraction and Air Sparging.** The CAP presents a conclusion that dual-phase extraction (DPE) and air sparging pilot testing demonstrated the infeasibility of these methods. However, this conclusion does not appear to be consistent with the actual pilot test results and conclusions presented in previous reports. As noted in the "*Data Review and Subsurface Investigation Work Plan*," dated January 31, 2011, the DPE pilot test conducted in January 2009, indicated that DPE may be a feasible remedial method for the site. Section 3.4 of the CAP concludes

that the air sparging pilot test conducted in January 2010 was flawed and inconclusive. We concur with this conclusion. However, the flawed pilot test data are inconclusive and do not indicate that air sparging is infeasible. Therefore, we request that you conduct a valid pilot test that will evaluate DPE and air sparging. Please present your plans in the Pilot Test Work Plan requested below.

2. **Vapor Intrusion (Section 2.5.3 of CAP).** The CAP concludes that there appears to be little potential for off-site soil vapor intrusion. Based on the low concentrations of benzene, toluene, ethylbenzene, and xylenes detected in groundwater during recent sampling events and the site configuration, we concur that the potential for off-site vapor intrusion appears to be minimal. However, the potential for vapor intrusion from shallow soil on site has not been evaluated and potentially could affect future redevelopment of the site or use of the existing station building. Please include plans to conduct soil vapor sampling in the Pilot Test Work Plan requested below.
3. **Groundwater Monitoring.** We have no objection to implementing semi-annual groundwater monitoring during the second and fourth quarter until a pilot test is implemented. The Work Plan requested below is to include a sampling schedule that is adequate to monitor the results of a pilot test.

TECHNICAL REPORT REQUEST

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

- **March 16, 2012** – Pilot Test Work Plan
- **45 days following the end of second and fourth quarter** – Semi-annual Monitoring Report

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org. Case files can be reviewed online at the following website: <http://www.acgov.org/aceh/index.htm>. As your email address does not appear on the cover page of this notification ACEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Attachments: Comments on Corrective Action Plan dated November 23, 2001 (prepared by Tamalpais Environmental Consultants)
Responsible Party(ies) Legal Requirements/Obligations

Responsible Parties
RO0000360
January 5, 2012
Page 3

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Danielle Stefani, Livermore Pleasanton Fire Department, 3560 Nevada St, Pleasanton, CA 94566
(Sent via E-mail to: dstefani@lpfire.org)

Colleen Winey (QIC 8021), Zone 7 Water Agency, 100 North Canyons Pkwy, Livermore, CA 94551
(Sent via E-mail to: cwiney@zone7water.com)

Peter Schaefer, Conestoga-Rovers & Associates, 5900 Hollis Street, Suite A
Emeryville, CA 94608 (Sent via E-mail to: pschaefer@croworld.com)

Donna Drogos, ACEH (Sent via E-mail to: donna.drogos@acgov.org)
Jerry Wickham, ACEH (Sent via E-mail to: jerry.wickham@acgov.org)

GeoTracker, eFile

November 23, 2011

Alameda County

NOV 28 2011

Environmental Health

Jerry Wickham
Alameda County Environmental Health
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Subject: Comments on Corrective Action Plan submitted by Conestoga-Rovers & Associates, 4212 First Street, Pleasanton, California.

Dear Mr. Wickham:

Tamalpais Environmental Consultants (TEC) has prepared this letter on behalf of the property owners of 4212 First Street in Pleasanton. The purpose of this letter is to provide comments and additional information to the Alameda County Environmental Health (ACEH) agency related to the Corrective Action Plan (CAP) submitted by Conestoga-Rovers & Associates (CRA), dated October 24, 2011. We encourage the ACEH to consider the following comments and require additional investigation and remediation activities for the property (Site).

Comment 1: Property Development Restrictions

The gas station on the Site has historically been operated as a Shell service station. The operation rights for the station were recently sold to a new operator who has elected to discontinue ongoing operation of the property as a service station. The property owners are now evaluating potential development options, including a potential extension of the lease with the new operator, but (i) those negotiations have not been finalized and (ii) even if finalized, will commit the operator to the Site for only another 5 years. The CAP erroneously indicates that the "contract" with the owners includes "specific restrictions on site development to commercial uses excluding child day care, elder care, or other similar sensitive uses." The existing lease is limited to the period of operation of the service station and does not limit the long-term development of the property as described in the CAP. The owners are under no such restrictions. The assumption that this property could not be used for any sensitive uses is inappropriate.

Comment 2: Evaluation of Remediation Feasibility

The CAP ignores previous CRA conclusions that there are feasible remediation options for the Site. The CAP summarizes previous investigation and remediation activities and indicates that the mass of hydrocarbons removed during the dual phase extraction (DPE) pilot test was over 286 pounds in a 5-day pilot test. This amount was removed from the

Tamalpais Environmental Consultants

32 Hill Ave., Fairfax, CA 94930 • phone (415) 456-5084 • fax (415) 785-4001

November 23, 2011

vadose zone by soil vapor extraction (SVE) during a limited test in three wells. The removal of this mass of hydrocarbons from only a few wells within a short time frame likely indicates that significantly more hydrocarbon mass is present in the vadose zone above the groundwater table. At the time, CRA concluded that SVE could be a viable remediation alternative. Furthermore, vadose zone impacts lead directly to elevated soil gas concentrations, which can directly affect the long-term risks associated with different types of development of the property.

Comment 3: Vapor Intrusion

The CAP specifies that "since the site use remains an active gas station, an assessment of on-site vapor intrusion is not considered necessary. If the site use changes in the future, an assessment may be necessary depending on the proposed development plan." An assessment of soil gas at the site should be conducted as soon as possible to evaluate existing and potential risks. The presence of a residual mass of hydrocarbons in the vadose zone was confirmed in the DPE pilot test. This can be evaluated with soil gas sampling, which can also be used to evaluate the effectiveness of any potential remediation option engineered to address soil gas impacts like SVE.

Comment 4: Groundwater Remediation

The groundwater modeling described in the CAP indicates that groundwater will be impacted with methyl tertiary-butyl ether (MTBE) above the Environmental Screening Level for a period in excess of 50 years (Figure 5 for Well MW-1). However, only two years of additional groundwater monitoring are proposed. The low rate of MTBE degradation and high potential for migration in groundwater would seem to indicate that some type of additional groundwater remediation or monitoring is warranted.

We appreciate your consideration of these comments as you prepare your response to the CAP submitted for the property. The owners of the property believe that the operators of the service station have a responsibility to ensure that the Site has not been significantly impacted by the historical operation of the service station. If you have any questions regarding the information provided, please contact Aaron O'Brien at (415) 456-5084.

Sincerely,



Aaron O'Brien, PE, CHMM
President

cc: Douglas & Mary Safreno
Jim Frassetto, Miller; Starr & Regalia

Attachment 1

Responsible Party(ies) Legal Requirements / Obligations

REPORT REQUESTS

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of reports in electronic form. The electronic copy replaces paper copies and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) GeoTracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and [other](#) data to the GeoTracker database over the Internet. Beginning July 1, 2005, these same reporting requirements were added to Spills, Leaks, Investigations, and Cleanup (SLIC) sites. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites is required in GeoTracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/).

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	REVISION DATE: July 20, 2010
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities.

REQUIREMENTS

- **Please do not submit reports as attachments to electronic mail.**
- Entire report including cover letter must be submitted to the ftp site as **a single portable document format (PDF) with no password protection.**
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- **Signature pages and perjury statements must be included and have either original or electronic signature.**
- **Do not password protect the document.** Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:

RO#_Report Name_Year-Month-Date (e.g., RO#5555_WorkPlan_2005-06-14)

Submission Instructions

- 1) Obtain User Name and Password
 - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
 - i) Send an e-mail to 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.