

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
ALEX BRISCOE, Director



ENVIRONMENTAL HEALTH DEPARTMENT
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
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July 22, 2011

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

Mr. Bhushan Bansal
Bansal Inc.
1784 150th Street
San Leandro, CA 94578-1826

Anabi Real Estate Development LLC
Mr. Rene Anabi
1041 North Benson Avenue
Upland, CA 91786

Subject: Request for Additional Data; Fuel Leak Case No. RO0000368 (Global ID # T0600100303), Chevron #9-8139, 16304 Foothill Blvd., San Leandro, CA 94587

Dear Ms. Frerichs, Mr. Bansal and Mr. Anabi:

Alameda County Environmental Health (ACEH) has reviewed the case file, including the December 17, 2010 *Case Closure Request* and the November 5, 2010 *Second Semi-Annual 2010 Groundwater Monitoring Report*, both reports were generated and submitted on your behalf by Conestoga-Rovers & Associates (CRA). Thank you for submitting the reports. The *Case Closure Request* reviews the history of the site, presents a series of trend analysis graphs, and residual mass calculations; and in an effort to move the case towards closure compares the site to the seven SWRCB low-risk criteria contained in the January 13, 2010 *Resolution 2009-0042 – UST Cleanup Program Task Force Report*. These criteria were derived from the 1996 Lawrence Livermore National Laboratories Report generated for the San Francisco RWQCB, but remain principally as recommendations, and do not consider vapor intrusion concerns.

In general ACEH does not have significant concerns with the contaminant trend and the predicted time analysis graphs to reach groundwater goal graphs for wells E-2 (correctly identified as former MW-5) and E-3 (correctly identified as former MW-4). In well E-2 MTBE appears to have achieved non-detectable concentrations, whereas TPHg appears to be relatively stable, seasonally rising and seasonally declining, but with a generalized long term decline in concentrations; this would appear to indicate residual soil contamination beneath the site. In well E-3 both TPHg and MTBE appear to be undergoing a long term decline, with seasonal fluctuations, and again would appear to indicate residual soil contamination beneath the site. This would be as expected closer to a residual source.

Conversely, TPHg and MTBE concentrations in both well MW-8 and MW-14 appear to have had previously elevated concentrations that have declined with time, but which have also recently renewed upwards directed contaminant concentration trends, as might be expected downgradient of a source, or potentially could indicate a potential secondary release. TBA should also be included in this analysis, but is not present on the trend graphs. TBA has also increased, from a long period of essentially non-detectable concentrations (<2 µg/l) to 58 µg/l to 840 µg/l in the period of approximately 1 year; a significant increase. Analyte trends in both wells would appear to indicate a renewed (or continued) downgradient offsite migration of a dissolved-phase plume. While TPHg is of concern, MTBE and TBA are of greater concern given generally greater mobility and higher concentrations. The initial increase appears to have occurred in May 2008 in well MW-8, and November 2008 in well MW-14, again

suggestive of the renewed offsite migration of a plume. Because of the continuity of the water-bearing zone in wells MW-8, MW-12, MW-13, and MW-14, not seen so clearly in most other wells at this site, this can be of importance to the plume migration. Should this trend continue, the predicted time analysis graphs would diverge from current predictions, which do not appear to fully incorporate recent analyte trends (especially in well MW-8), and has the potential of developing significant inaccuracies over time. ACEH is uncertain if these inaccuracies are of concern and thus requests some limited additional information.

As a consequence, and based on these observations, this fuel leak case cannot be closed at this time. This decision is subject to appeal to the State Water Resources Control Board (SWRCB), pursuant to Section 25299.39(b) of the Health and Safety Code (Thompson-Richter Underground Storage Tank Reform Act - Senate Bill 562). Please contact Mr. George Lockwood in the SWRCB Underground Storage Tank Program at (916) 341-5752 or GLockwood@waterboards.ca.gov for information regarding the appeal process.

Based on ACEH staff review of the case file, we request that you address the following technical comments and send us the reports described below.

TECHNICAL COMMENTS

- 1. Preferential Pathway Well Survey** – The above referenced *Case Closure Request*, as well as the *Site Conceptual Model* report, dated March 16, 2004, and generated by Cambria, contain well surveys based on original data that appears to date to a July 25, 2001 report generated by Delta Environmental Consultants, (Delta) Inc and Gettler-Ryan, Inc. In that report Delta states the well information came from Chevron; however, the source of the data was unknown. Due to the known use of residential wells in the downgradient region, the greater mobility of MTBE, and to the availability of several datasets, ACEH requests that the well survey be revisited and updated using known sources, including both DWR and ACPWA, by the date identified below.
- 2. Groundwater Monitoring Interval** – To assist in understanding contaminant concentration trends at, and downgradient of the site, it appears appropriate to modify the current approach to groundwater monitoring at the site. Groundwater monitoring wells MW-10, MW-11, and MW-13 have not been monitored or sampled since August 2005, well MW-9 was last sampled in March 2009, and well MW-12 has been sampled annually since 2007. ACEH requests the redevelopment and sampling of unsampled wells for a minimum of one groundwater event, coupled with a subsequent evaluation of contaminant trends and the appropriateness of additional monitoring and sampling events of selected wells. Based on contaminant trends semi-annual sampling in the months of February and August appear to be an appropriate monitoring and sampling interval and months. Please submit the resulting groundwater monitoring reports according to the following schedule.
- 3. Contaminant Trend and Predicted Time Analysis Graphs** – As summarized more completely above, in general it does not appear that the “Predicted Time to Goal” Graphs capture the full recent data set at the site, and the inclusion of additional groundwater data requested in Technical Comment No. 2 in the trend graphs, is anticipated to benefit the understanding of contaminant trends and help address the fate and transport of the plume at the site and downgradient vicinity. As a consequence, ACEH requests the submittal of a revised trend and predicted trend analysis graphs that incorporate the requested datasets.

TECHNICAL REPORT REQUEST

Please submit the following deliverable to ACEH (Attention: Mark Detterman), according to the following schedule:

- **October 21, 2011** – Second Semi-Annual 2011 Groundwater Monitoring Report (with preferential pathway well survey and Predicted Time Analysis Graphs)
- **April 13, 2012** – First Semi-Annual 2011 Groundwater Monitoring Report

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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.

Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,

Mark Detterman, PG, CEG
Senior Hazardous Materials Specialist

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

cc: James Kiernan, 10969 Trade Center Drive, Suite 106, Rancho Cordova, CA 95670
(sent via electronic mail to jkiernan@croworld.com)

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

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.