



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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May 22, 2008

Mr. Bill Borgh
76 Broadway
Sacramento, CA 95818

Subject: Fuel Leak Case No. RO0000450 and Geotracker Global ID T0600102263, Unocal 0843, 1629 Webster St., Alameda, CA

Dear Mr. Borgh:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the documents entitled, *Site Status Letter*, dated March 16, 2008 and *Work Plan – Site Investigation and Injection Well Installation* dated January 24, 2007. The 2007 work plan recommends advancing one soil boring to 55 feet below ground surface (bgs) and installing 3 to 5 ozone sparge wells.

We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

TECHNICAL COMMENTS

1. **Soil and Groundwater Characterization.** We concur with the location for your proposed deep soil boring and request that you proceed with advancing the soil boring to define the vertical extent of hydrocarbons and oxygenates at the site. We also concur that you should collect discrete groundwater samples using a hydropunch or similar system at 10-foot intervals. However, we request that soil samples be collected and analyzed at areas of obvious contamination, the soil/groundwater interface, at each lithology change, or at a minimum of five-foot intervals. We recommend that you obtain at least two soil samples that are below the detection limits to define the vertical extent of contamination in soil. We request that this boring be continuously cored.
2. **Contaminant Plume Migration, Upgradient Source of MTBE and Ozone Sparge Well Installation.** At this time, we recommend that you postpone installing the ozone sparge wells. MTBE and petroleum hydrocarbons appear to be migrating from the upgradient Shell site as indicated by formerly non-detectable concentrations in upgradient well MW-1. However, concentrations in MW-6 may be coming from either site. We request that you perform further analysis and interpretation of the subsurface lithology at both the Conoco

and Shell sites and reevaluate your remediation proposal. Please include the following in your analysis:

- Results from your deep boring;
- Proposed ozone-sparge screen intervals; and
- Extended cross sections that include the Shell site, soil and groundwater concentrations and contaminant plume contours, areas of previous excavation(s) and utility locations.

Report your results in the Soil and Water Investigation requested below.

Should your evaluation reveal that remediation is necessary; I would like to point out that neither a feasibility study to evaluate of remedial options or an ozone pilot test has been performed at the site. Please provide information that would substantiate that your ozone sparge well placement will remediate the remaining plume including the off-site portion of the plume located at MW-6 and be an effective remedial method for this site.

3. **Site Status Letter.** We have reviewed the Site Status Letter that was submitted via mail to our office. It is missing the required perjury statement, a stamp from a licensed professional (since there are recommendations in the letter) and it was not submitted to the ftp site. Please upload this document with the required additions to the Alameda County ftp site as per the attached instructions.

LANDOWNER NOTIFICATION REQUIREMENTS

Pursuant to California Health & Safety Code Section 25297.15, the active or primary responsible party for a fuel leak case must inform all current property owners of the site of cleanup actions or requests for closure. Furthermore, ACEH may not consider any cleanup proposals or requests for case closure without assurance that this notification requirement has been met. Additionally, the active or primary responsible party is required to forward to ACEH a complete mailing list of all record fee title holders to the site.

At this time we require that you submit a complete mailing list of all record fee title owners of the site by **September 19, 2008**, which states, at a minimum, the following:

A. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (name of primary responsible party), certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:

- OR -

B. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (name of primary responsible party), certify that I am the sole landowner for the above site.

(Note: Complete item A if there are multiple site landowners. If you are the sole site landowner, skip item A and complete item B.)

In the future, for you to meet these requirements when submitting cleanup proposals or requests for case closure, ACEH requires that you:

1. Notify all current record owners of fee title to the site of any cleanup proposals or requests for case closure;

2. Submit a letter to ACEH which certifies that the notification requirement in 25297.15(a) of the Health and Safety Code has been met;
3. Forward to ACEH a copy of your complete mailing list of all record fee title holders to the site; and
4. Update your mailing list of all record fee titleholders, and repeat the process outlined above prior to submittal of any additional *Corrective Action Plan* or your *Request for Case Closure*.

Your written certification to ACEH (Item 2 above) must state, at a minimum, the following:

A. In accordance with Section 25297.15(a) of the Health & Safety Code, I, (name of primary responsible party), certify that I have notified all responsible landowners of the enclosed proposed action. (Check space for applicable proposed action(s)):

cleanup proposal (Corrective Action Plan)

request for case closure

local agency intention to make a determination that no further action is required

local agency intention to issue a closure letter

- OR -

B. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (name of primary responsible party), certify that I am the sole landowner for the above site.

(Note: Complete item A if there are multiple site landowners. If you are the sole site landowner, skip item A and complete item B.)

TECHNICAL REPORT REQUEST

Please conduct the proposed work and submit technical reports to Alameda County Environmental Health (Attention: Barbara Jakub), according to the following schedule:

- **June 5, 2008** – Please resubmit the Site Status Letter to the ACEH ftp site with the required perjury letter and both the signature and stamp of a licensed professional.
- **July 21, 2008** – Complete deep soil boring.
- **September 19, 2008** – Soil and Water Investigation Report, and Landowner Notification Document.

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.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml).

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

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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) 639-1287 or send me an electronic mail message at barbara.jakub@acgov.org.

Sincerely,

A handwritten signature in blue ink that reads "Barbara Jakub". The signature is written in a cursive style with a long, sweeping underline.

Barbara Jakub, California P.G. 7304
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Dennis Detloff, Delta Consultants, 11050 White Rock Rd., Rancho Cordova, CA 95670

Donna Drogos, ACEH
Barbara Jakub, ACEH
File