



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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August 15, 2012

Ms. Catalina Espino Devine
Chevron Environmental Management Co.
6101 Bollinger Canyon Road
San Ramon, CA 94583
(sent via electronic mail to
espino@chevron.com)

Mr. Mark Gomez
City of Oakland
250 Frank Ogawa Plaza,
Suite 5301
Oakland, CA, 9461
(sent via electronic mail to
mgomez@oaklandnet.com)

Simgas LLC
655 Montgomery St #1900
San Francisco, CA 94111

Gurinder Grewal & Singh Navdeep
349 Brianne Ct.
Pleasanton, CA 94566
(sent via electronic mail to grewalngns@yahoo.com)

Subject: Modified Work Plan Approval; Fuel Leak Case No. RO0000464; (Global ID # T0600102238);
Chevron #9-1851, 451 Hegenberger Road, Oakland, CA 94612

Dear Ladies and Gentlemen:

Alameda County Environmental Health Department (ACEH) staff has reviewed the case file, including the *First Semi-Annual 2012 Groundwater Monitoring and Sampling Report*, dated May 4, 2012, the *Subsurface Investigation Report*, dated May 11, 2012, and the *Work Plan for Subsurface Investigation*, dated August 9, 2012. These reports were prepared and submitted on your behalf by Conestoga-Rovers & Associates (CRA). Thank you for submitting the reports.

The subsurface investigation report documented the installation of soil bores B-1 to B-5 around the former waste oil UST location in an initial effort to provide lateral and vertical delineation of the extent of waste oil Light Non-Aqueous Phased Liquids (LNAPL) and related soil and groundwater contamination. The work documented lateral delineation in soil to the west, as well as vertical delineation in soil; however, delineation in soil in the three remaining cardinal directions was not initially accomplished, and the lateral extent of groundwater contamination was not accomplished except to the southwest (B-5). Also a part of the previously proposed work, the vertical extent of gasoline contamination proximal to and downgradient of, the eastern dispenser island by the installation of two soil bores, could not be undertaken due to activities related to the construction of the BART rail extension to the Oakland Airport.

Due to pending reconstruction and expansion of the service station building (targeted for initiation in October 2012), it was judged that additional lateral delineation of the waste oil LNAPL release and related soil contamination required further delineation and refinement to the south, east, and north. As a consequence, the referenced work plan proposes the installation of up to 11 soil bores; including three potential step-out soil bores to the east should further lateral delineation be required in that direction. The information generated would allow better design of remedial actions, currently anticipated to be remedial excavation.

Based on ACEH staff review of the work plan the proposed scope of work is conditionally approved for implementation provided that the technical comments below are incorporated during the proposed field investigation. Submittal of a revised work plan or a work plan addendum is not required unless an alternate scope of work outside that described in the work plan or technical comments below is proposed. We request that you address the following technical comments, perform the proposed work, and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to: mark.detterman@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Collection and Analysis of Soil Samples** – ACEH generally concurs with the proposed soil collection regimen, and the selected analytical suite, contained in the work plan; however, ACEH has two requests concerning this area of the work plan:
 - a. **Waste Oil Analytical Suite** – To date standard waste oil analytical testing does not appear to have been conducted at the site. As a consequence, ACEH requests, at a minimum, the collection and submittal of the two highest concentrations in soil samples for these contaminants (full VOC scan by EPA Method 8260, Semi-Volatiles by EPA Method 8270, and LUFT metals). Because the soil bores and samples are anticipated to be perimeter delineation soil samples, further characterization within the core zone of the LNAPL plume may be required for excavation confirmation samples as well as for soil disposal purposes.
 - b. **Submittal of Soil Samples** - ACEH did not specifically locate details for the minimum number of soil samples proposed to be submitted for analysis. The perception of ACEH is that all soil samples collected will be submitted for analysis (per work plan phrasing and the August 6, 2012 conference call); however, to preclude miscommunication, please ensure that the soil samples collected are also analyzed as outlined in the work plan.
2. **Request for Collection of Groundwater Grab Samples** – Because lateral delineation of groundwater contamination associated with the waste oil LNAPL has not been achieved, ACEH requests the collection and analysis of grab groundwater samples from the soil bores per the proposed, and above modified, analytical suite. ACEH requests only that a sufficient number of grab groundwater samples be collected to accomplish this task around the entire perimeter of the investigation area.
3. **Request for Resumption of Dispenser Associated Investigation Activities** – Because onsite construction activities related to the BART rail extension to the airport have significantly diminished, and a drill rig will be made available for the waste oil investigation, ACEH requests resumption of previously proposed gasoline dispenser related contamination activities at the site in the pending work effort.

TECHNICAL REPORT REQUEST

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

- **September 21, 2012** – Soil and Groundwater Investigation, and Work Plan for Interim Remedial Actions
File to be named: SWI_IRAP_R_yyyy-mm-dd
- **December 3, 2012** – Second Semi-Annual 2012 Groundwater Monitoring Report
File to be named GWM_R_yyyy-mm-dd
- **May 27, 2013** – First Semi-Annual 2013 Groundwater Monitoring
File to be named GWM_R_yyyy-mm-dd

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

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>. If 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.

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

Sincerely,

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

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

cc: Tina Hariu, Conestoga-Rovers & Assoc., 5900 Hollis Street, Suite A, Emeryville, CA 94608
(sent via electronic mail to thariu@croworld.com)

Nathan Lee, Conestoga-Rovers & Assoc., 5900 Hollis Street, Suite A, Emeryville, CA 94608
(sent via electronic mail to nlee@croworld.com)

Bob Clark-Riddell, Pangea Environmental Services, Inc., 1710 Franklin Street, Suite 200, Oakland, CA 94612 (sent via electronic mail to BRiddell@pangeaenv.com)

Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Suite 3341, Oakland, CA 94612-2032 (sent via electronic mail to lgriffin@oaklandnet.com)

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

Attachment 1
Responsible Party(ies) Legal Requirements/Obligations

REPORT/DATA REQUESTS

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

ELECTRONIC SUBMITTAL OF REPORTS

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

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

PERJURY STATEMENT

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

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 7835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

UNDERGROUND STORAGE TANK CLEANUP FUND

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

AGENCY OVERSIGHT

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

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: July 25, 2012
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

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

REQUIREMENTS

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

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

Submission Instructions

- 1) Obtain User Name and Password
 - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
 - i) Send an e-mail to deh.loptoxic@acgov.org
 - b) In the subject line of your request, be sure to include **"ftp PASSWORD REQUEST"** and in the body of your request, include the **Contact Information, Site Addresses,** and the **Case Numbers (RO# available in Geotracker) you will be posting for.**
- 2) Upload Files to the ftp Site
 - a) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
 - (i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) Click on Page located on the Command bar on upper right side of window, and then scroll down to Open FTP Site in Windows Explorer.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
 - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
 - a) Send email to deh.loptoxic@acgov.org notify us that you have placed a report on our ftp site.
 - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name @acgov.org. (e.g., firstname.lastname@acgov.org)
 - c) The subject line of the e-mail must start with the RO# followed by **Report Upload.** (e.g., Subject: RO1234 Report Upload) If site is a new case without an RO#, use the street address instead.
 - d) If your document meets the above requirements and you follow the submission instructions, you will receive a notification by email indicating that your document was successfully uploaded to the ftp site.