



ENVIRONMENTAL HEALTH DEPARTMENT
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
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June 18, 2013

Ms. Carryl MacLeod
Chevron Environmental Management Co.
6101 Bollinger Canyon Road
San Ramon, CA 94583
(Sent via electronic mail to:
cmacleod@chevron.com)

Mr. Patrick Elwood
College Square Associates
1345 Grand Avenue
Piedmont, CA 94611

Mr. Donald Sweet
San Francisco Property Mgmt Co.
1375 Sutter Street, Suite 308
San Francisco, CA 941095

Subject: Conditional Work Plan Approval; Fuel Leak Case No. RO0000466 and Geotracker Global ID T06019752694, Chevron #20-9339, 5940 College Avenue, Oakland, CA 94618

Dear Ms. MacLeod, and Messrs. Elwood and Sweet:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the *Response to Technical Comments and Work Plan*, dated April 19, 2013. The report was prepared and submitted on your behalf by Conestoga-Rovers & Associates (CRA). Thank you for submitting the work plan.

ACEH has reviewed the site under the Low-Threat Closure Policy and the site does not fit the policy due to the lack of one soil sample collected onsite (Direct Contact and Outdoor Air Exposure Criteria) and due to the lack of soil vapor or alternatively, the collection of shallow soil analytical data (Vapor Intrusion Criteria). ACEH anticipates that the site may close under the LTCP with the collection of limited additional data.

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 work. 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 these technical comments is proposed. We request that you address the following technical comments, perform the proposed work, and send us the report 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. **Work Plan Modifications** – The referenced work plan proposes a series of actions with which ACEH is in general agreement of undertaking; however, ACEH requests the following modifications to the approach.
 - a. **Proposed Soil Bore Location** - The work plan proposes to install one 5-foot soil bore between the presumed former locations of a number of underground storage tanks (USTs) and the former fuel dispenser. ACEH is in agreement that collection of the data is appropriate; however, requests the bore be located immediately adjacent to the presumed former underground storage tank (UST) locations rather than as depicted between the USTs and the dispenser. This is an effort to determine residual source area contamination in proximity to multiple former USTs. It is presumed that the vapor sample can provide data on the fuel dispenser area.
 - b. **Soil Sampling** – As noted above, the work plan proposes to install one 5-foot soil bore between the presumed former locations of a number of USTs and the former fuel dispenser. Soil is proposed to be sampled for naphthalene only. Because not a *single* soil sample has been collected onsite, and only one soil sample has been collected close to the site (collected beneath the sidewalk in the public right-of-way proximal to one of the four former USTs), ACEH additionally requests the soil sample be analyzed for Total Petroleum Hydrocarbons (TPH) as gasoline, TPH as diesel, and benzene, toluene, ethylbenzene, total xylenes, and MTBE. Collection of some of these

analytes will provide a redundant (multiple lines of evidence) approach to the vapor intrusion and direct contact criterions.

- c. Vapor Intrusion Sub-Slab Sampling** – The work plan proposes the installation of two sub-slab vapor points beneath the existing buildings, and the collection of indoor and outdoor vapor samples. ACEH agrees that the collection of sub-slab vapor samples is appropriate; however, requests the relocation of the southerly vapor point northward within the same southerly building in order to minimize the affect of contamination that may originate at Shaeff's Garage. This also places the relocated vapor point closer to the subject site's presumed source area and SB-3. ACEH notes that the LTCP does not require the collection of indoor and outdoor vapor samples (or sub-slab vapor samples); however, is not opposed to the collection of the data. Because indoor and outdoor vapor sampling protocols were not attached to the work plan, please forward a copy of the protocols that include the precautions to be taken with the collection indoor vapor samples (chemical product inventory, etc.), by the date referenced below.

Please be aware that the Department of Toxic Substances Control (DTSC) states (*Advisory Active Soil Gas Investigations*, April 2012) that if TO-15 is used to analyze for naphthalene, passive samplers should also be used to confirm the results (DTSC, Appendix E), and specifies tubing type due to selective absorption of naphthalene by standard vapor sampling tubing (among other items). Please verify or update your vapor protocols to reflect this. As noted, because vapor protocols were not attached to the work plan, please forward a copy of the protocols, as a Work Plan Addendum, by the date referenced below. It is anticipated that the review of, and comment on, the protocols can be expedited.

Please submit a site investigation report by the date specified below.

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:

- **July 19, 2013** – Work Plan Addendum (Indoor, Outdoor, and Sub-Slab Vapor Sampling Protocols)
File to be named: RO466_WP_ADEND_R_yyyy-mm-dd
- **August 23, 2013** – Soil and Groundwater Investigation (Vapor)
File to be named: RO466_SWI_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 is not listed on the first page of this letter, or in the list of cc's listed below, ACEH is requesting your email address to help expedite communications and to help lower overall costs.

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: Greg Barclay, Conestoga-Rovers & Associates, 10969 Trade Center Drive, Suite 107, Rancho Cordova, CA 95670; (sent via electronic mail to: GBarclay@CRAworld.com)

Brian Silva, Conestoga-Rovers & Associates, 10969 Trade Center Drive, Suite 107, Rancho Cordova, CA 95670; (sent via electronic mail to: BSilva@CRAworld.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)

Dilan Roe (sent via electronic mail to dilan.roe@acgov.org)

Mark Detterman (sent via electronic mail to mark.detterman@acgov.org)

Geotracker, Electronic Files

ATTACHMENT 1

**Responsible Party(ies) Legal Requirements/Obligations
& ACEH Electronic Report Upload (ftp) Instructions**

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 .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 <://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 .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.