



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

February 19, 2013

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

Roland C. Malone, Jr. Trust
Eric Parrish, Trustee
1359 Napa Valley Lane
Eugene, OR 97404

Subject: Case File Review for Fuel Leak Case No. RO0000486, Shell#13-5701, 4255 MacArthur Blvd., Oakland, CA 94619

Dear Mr. Brown and Mr. Parrish:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the subject site including the recently submitted document entitled, "*Subsurface Investigation Report, Former Shell Service Station, 4255 MacArthur Blvd., Oakland, California,*" dated January 10, 2013 and received by ACEH on January 17, 2013 (Report). The Report, which was prepared by Conestoga-Rovers & Associates, presents results from installation and sampling of four soil vapor probes on-site, three nested soil vapor probes off-site in the adjacent mobile home park, and two sub-slab vapor probes in the church property north of the site.

Soil vapor samples collected from probes within the adjacent mobile home park contained up to 36,000,000 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) Total Petroleum Hydrocarbons as gasoline (TPHg). BTEX, naphthalene, and MTBE were not detected in the soil vapor samples; however, reporting limits were elevated. Soil vapor samples collected from on-site probes contained up to 230,000,000 $\mu\text{g}/\text{m}^3$ TPHg and 1,500,000 $\mu\text{g}/\text{m}^3$ benzene. Due to water in the probes, soil vapor samples could not be collected from several probes where sampling was planned.

The Report recommends an additional soil vapor investigation in the mobile home park to delineate the extent of petroleum hydrocarbons in soil vapor. We concur with the proposal to conduct additional soil vapor investigation in the mobile home park and request that you submit a Work Plan to conduct the additional investigation **no later than April 29, 2013**. We also request that the Work Plan include the scope of work necessary to address the technical comments below.

TECHNICAL COMMENTS

- 1. Off-Site Soil Vapor Results.** Soil vapor samples collected from probes within the adjacent mobile home park contained up to 36,000,000 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) Total Petroleum Hydrocarbons as gasoline (TPHg). BTEX, naphthalene, and MTBE were not detected in the soil vapor samples; however, reporting limits were elevated. We concur with the recommendation to conduct additional soil vapor investigation in the mobile home park and request that you submit a Work Plan to conduct the additional investigation no later than April 29, 2013

2. **Proposed Shallow Soil Vapor Probes at Locations SVP-1, SVP-6, and SVP-19.** The Report recommends the installation of soil vapor probes at 1.5 feet bgs at locations SVP-1, SVP-6, and SVP-19 to obtain vapor samples above persistent perched water at the locations. Due to the potential for ambient air to affect the sampling results at a depth of 1.5 feet bgs at unpaved locations, we do not concur with the installation of probes at 1.5 feet bgs. We suggest that new probes be installed in the proximity of these three locations but are offset from the tank pit. Please include these plans in the Work Plan requested below.
3. **Proposed Shallow Soil Vapor Probes at Locations SVP-4 and SVP-7.** The Report recommends the installation of soil vapor probes at 1.5 feet bgs at locations SVP-4 and SVP-7 to provide additional data on vertical attenuation. Due to the potential for ambient air to affect the sampling results at a depth of 1.5 feet bgs at unpaved locations, we do not concur with the installation of probes at 1.5 feet bgs.
4. **On-Site Soil Vapor Results.** Soil vapor samples collected from on-site probes contained up to 230,000,000 $\mu\text{g}/\text{m}^3$ TPHg and 1,500,000 $\mu\text{g}/\text{m}^3$ benzene. Due to water in the probes, soil vapor samples could not be collected from several probes where sampling was planned. The Report recommends no additional sampling of on-site soil vapor probes. Due to the elevated concentrations detected at some locations and the temporal and vertical variability of the data, we expect that re-sampling is necessary at some locations. Please review the existing data and propose re-sampling of existing on-site probes where necessary to help evaluate the potential for vapor intrusion to indoor air for future construction.
5. **Sub-Slab Vapor Sampling Results.** One additional round of sub-slab vapor sampling will be necessary to confirm the initial results. In the Work Plan requested below, please include sampling of the sub-slab vapor probes.
6. **Cross Sections.** The most recent cross section for the site appears to be a cross section in the "Remedial Action Plan," dated April 15, 1998. Considerable investigation has been completed since 1998. Therefore, please include updated cross sections in the Work Plan requested below.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACEH ftp site (Attention: Jerry Wickham), and to the State Water Resources Control Board's GeoTracker website according to the following schedule and file-naming convention:

- **April 17, 2013** – Semi-Annual Groundwater Monitoring Report – First Quarter 2013
File to be named: GWM_R_yyyy-mm-dd RO486
- **April 29, 2013** – Work Plan
File to be named: WP_R_yyyy-mm-dd RO486

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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>. 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.

Sincerely,

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

Attachment: Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (Sent via E-mail to: lgriffin@oaklandnet.com)

Peter Schaefer, Conestoga-Rovers & Associates, 5900 Hollis Street, Suite A, Emeryville, CA 94608 2032 (Sent via E-mail to: pschaefer@croworld.com)

Roya Kambin, Chevron Environmental Management Company, 6001 Bollinger Canyon Road, Room 5310, San Ramon, CA 94583 (Sent via E-mail to: RKambin@Chevron.com)

Brenda Evans, AECOM, 1220 Avenida Acaso, Camarillo, CA 93012 (Sent via E-mail to: brenda.evans@aecom.com)

Eric Hetrick, ConocoPhillips, 76 Broadway, Sacramento, CA 95818 (Sent via E-mail to: eric.g.hetrick@conocophillips.com)

Rajan Goswamy, 4276 MacArthur Boulevard, Oakland, CA 94619

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

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.