



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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August 26, 2016

Mr. Carryl MacLeod
Chevron Environmental Management Co.
6001 Bollinger Canyon Road
San Ramon, CA 94583
(Sent via electronic mail to:
CMacleod@chevron.com)

WestMac LLC
1842 21st Avenue
San Francisco, CA 94122
(Sent via electronic mail to:
gathconstruc@aol.com) and
sokaneconst@hotmail.com)

Mr. Buyandalai Itgel
787 Marlesta Road
Pinole, CA 94564
(Sent via electronic mail to:
teamspirit74@yahoo.com)

Subject: Path to Closure and Request for Work Plan; Fuel Leak Case No. RO00002438; Chevron #9-2029 (Global ID #T0600173887), 890 MacArthur Blvd, Oakland, CA 94608

Dear Ms. MacLeod, WestMac LLC, and Mr. Itgel:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the Second Quarter 2016 Semi-Annual Groundwater Monitoring Report, and *Site Development Analysis and Request for Closure*, both dated July 7, 2016. The reports were prepared and submitted on your behalf by generated by Stantec Consulting Services, Inc (Stantec). Thank you for submitting them. They have helped move the site towards closure.

ACDEH has not received updated site development plans for the proposed multi-unit residential complex that provide added vapor mitigation details as discussed in the April 8, 2016 meeting, including details on a proposed vapor barrier, waterproofing, and garage ventilation from the project proponent.

ACDEH has evaluated the data and recommendations presented in the above-mentioned reports, in conjunction with the case files, to determine if the site is eligible for closure as a low risk site under the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case Closure Policy (LTCP). Based on ACDEH staff review, and due in part to the lack of all information discussed in the meeting, we have determined that the site fails to meet the LTCP Media-Specific Criteria for Vapor Intrusion to Indoor Air (see Geotracker and as detailed below).

Therefore, at this juncture and based on the review of the case file ACDEH requests that you address the following technical comments and send us the documents requested below.

TECHNICAL COMMENTS

- 1. LTCP Media Specific Criteria for Vapor Intrusion to Indoor Air** – The LTCP describes conditions, including bioattenuation zones, which if met will assure that exposure to petroleum vapors in indoor air will not pose unacceptable health risks to human occupants of existing or future site buildings, and adjacent parcels. Appendices 1 through 4 of the LTCP criteria illustrate four potential exposure scenarios and describe characteristics and criteria associated with each scenario.

Our review of the case files indicates that the site data collection and analysis fail to support the requisite characteristics of one of the four scenarios. As you are aware, residual Total Petroleum Hydrocarbon (TPH) contamination remains at the site above 100 milligrams per kilogram (mg/kg) between 0 to 5 and 5 to 10 feet below grade surface (bgs; see for example recent data collected at SB-15 and SB-18, and older data at MW-3, MW-4, EX36, and others) and groundwater benzene concentrations remain stable above 100 micrograms per liter (µg/l; see MW-6). No onsite soil vapor samples have been collected.

There appear to be two vapor intrusion areas of concern that remain unaddressed at the site:

- Soil bores for wells MW-2 and MW-3 document photoionization detector (PID) readings consistently above 1,000 parts per million (ppm) response units, and as high as 4,500 ppm, with no corresponding detections of significant hydrocarbon contamination, especially volatile hydrocarbons (highest documented at MW-2 were <1.0 mg/kg TPHg, and <0.005 to < 0.05 mg/kg benzene, toluene, ethylbenzene, and total xylenes; data at MW-3 is more complex) These data can suggest the potential for other volatile organic compounds (VOCs), potentially including chlorinated compounds to be present at these two locations. ACDEH recognizes that soil samples from bore B-4, positioned immediately to the east of the former waste oil underground storage tank (UST), were analyzed for VOCs and semi-volatile organic compounds (SVCOs); however, based on this PID data, additional unsuspected sources may have been present at the site in soil or groundwater and have the potential to impact the planned residential redevelopment. Vapor sampling in these areas, below the future planned foundation, will also determine the risk of vapor intrusion from residual hydrocarbons to the planned development and the extent the discussed soil removal under a Site Management Plan (SMP) or vapor mitigation may be warranted for that building.
- The planned development includes one elevator on the eastern edge of the garage level to residential occupation levels. It is appropriate to investigate the risk for vapor intrusion from residual contamination at the site into the elevator pit and sump. Per LTCP guidance, vapor samples should be collected a minimum of five feet below the future elevation of the elevator pit, unless depth to water precludes this approach.

Thus it appears reasonable to request additional investigation into the elevated PID values associated with soil bores MW-2 and MW-3. This is likely to include soil, groundwater, and soil vapor sampling at these locations. This is particularly important at the location of MW-2, but is not limited to the location only, due to the proposed development's basement excavation to a depth of approximately 12 feet bgs adjacent to this location. An excavation of this depth results in the complete removal of any separation distance between a receptor and any VOC contamination.

Evaluation of the risk of vapor intrusion relative to the future proposed foundation, including the elevator pit, is necessary to determine the potential vapor concentration magnitude, the associated adequacy of a vapor mitigation barrier, the potential to evaluate an option for the removal by excavation of any residual contamination to mitigate the vapor intrusion risk, and provide the basis for evaluating the need for a vapor barrier for the proposed site redevelopment. This request is intended to provide multiple lines of evidence that the proposed ventilation, waterproofing, and vapor barrier will be sufficient for the proposed redevelopment.

As has been previously communicated, and consistent with Department of Toxic Substance Control (DTSC) guidance, ACDEH does not recognize mitigation as a stand-alone solution, but recognizes vapor mitigation as a part of a solution. The requested investigation is intended to provide an additional evaluation basis for defining SMP goals.

Please ensure that your strategy is consistent with the field sampling protocols described in the Department of Toxic Substances Control's Final Vapor Intrusion Guidance (October 2011). Consistent with the guidance, ACDEH the installation of permanent vapor wells to assess temporal and seasonal variations in soil gas concentrations is appropriate. Please provide a soil vapor work plan by the date identified below.

- 2. Annual Groundwater Monitoring** – The referenced groundwater monitoring report recommended the cessation of groundwater monitoring at the subject site based on the recommendation for case closure. Due in part to the long planned change in land use to residential, the site does not appear to meet the LTCP at this time. ACDEH is in agreement that a further reduction in the groundwater monitoring interval is appropriate, and therefore requests the site move to an annual basis. To capture worst case groundwater concentrations, please sample the site in the month of December until further notice.
- 3. Phase 1 Reports** – Reviewing the subject site case file, it appears that a Phase 1 report for the purchase of the property has not been submitted. ACDEH requests that the Phase 1 be submitted in order to determine if other additional Recognized Environmental Conditions (RECs) were reported.

ACDEH additionally requests that any Phase 1 updates be submitted in order to determine if any changes have been noted since the initial documents were generated.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACDEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with Attachment 1 and the following specified file naming convention and schedule:

- **October 21, 2016** – Soil Vapor Work Plan
File to be named: RO2438_WP_R_yyyy-mm-dd
- **February 17, 2017** – Annual Groundwater Monitoring Report
File to be named: RO2438_GWM_R_yyyy-mm-dd
- **60 Days After Work Plan Approval** – Soil Vapor Investigation
File to be named: RO2438_SWI_R_yyyy-mm-dd
- **60 Days After Work Plan Approval** – Site Management Plan
File to be named: RO2438_SITE_MANAGE_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, ACDEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

Thank you for your cooperation. 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 and Electronic Report Upload (ftp) Instructions

cc: Travis Flora, Stantec Consulting Services, Inc, 15575 Los Gatos Blvd, Bldg C, Los Gatos, CA 95032 (Sent via electronic mail to: Travis.Flora@Stantec.com)

Dan McGue, Paragon Real Estate Group, 1400 Van Ness Avenue, San Francisco, CA 94109
(Sent via electronic mail to: DanMcGue@paragon.re.com)

Dilan Roe; ACDEH; (Sent via electronic mail to: dilan.roe@acgov.org)
Mark Detterman; ACDEH; (Sent via electronic mail to: mark.detterman@acgov.org)
Electronic File, GeoTracker

Attachment 1

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: May 15, 2014
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 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.