



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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September 30, 2015

Mr. Mike Bauer (*Sent via E-mail to: mikebauer@chevron.com*)
Chevron Environmental Management Company
145 S. State College Blvd.
Brea, CA 92821

Ms. Julie Beck Ball
Mr. Peter Reinhold Beck
2720 Broderick Street
San Francisco, CA 94123

Subject: Case File Review for SLIC Case No. RO0002466 and GeoTracker Global ID T06019744728, Park Street Landing 2301-2337 Blanding Avenue, Alameda, CA 94501

Dear Mr. Bauer and Ms. Ball:

Alameda County Environmental Health (ACEH) staff has reviewed the Spills, Leaks, Investigations, and Cleanups (SLIC) case file for the above referenced site including the documents entitled, "*Site Conceptual Model and Low-Threat Closure Request*," dated February 10, 2015 (SCM) and "*Second Semi-Annual 2015 Groundwater Monitoring and Sampling Report*," dated September 18, 2015. Both documents were prepared on Chevron's behalf by Conestoga-Rovers & Associates which is now GHD Services, Inc. The SCM reviews the site conditions and concludes that the site meets the general and media-specific criteria in the State Water Resources Control Board Low-Threat Underground Storage Tank Case Closure Policy (LTCP) for case closure.

Based on our review of the SCM which is discussed in the technical comments below, the current site data does not support the conclusion that the site meets the general or media-specific criteria in the LTCP. Elevated concentrations of petroleum hydrocarbons are present in soil, soil vapor, and groundwater beneath the site. The potential for vapor intrusion to indoor air has also not been fully evaluated as discussed in technical comment 4 below. Based on these considerations, further assessment of the potential for vapor intrusion is required prior to decisions regarding site cleanup or closure.

TECHNICAL COMMENTS

- 1. General Criteria for Secondary Source Removed.** Section 3.1 of the SCM indicates that historical documents do not contain information related to secondary source removal. The SCM concludes that, "soil and groundwater data demonstrate that hydrocarbon impact is limited to the areas of the former ASTs and loading rack," and that "soil beneath the site is mostly clay and appears to have limited petroleum hydrocarbon migration." However, a review of cross sections for the site indicates that petroleum hydrocarbon contamination extends below the clay layer at the site. The clay layer does not appear to be an effective barrier to contaminant migration. The site does not appear to meet the general criteria for secondary source removal.

- 2. Connection and Discharges to Surface Water.** A review of cross sections for the site indicates that a layer of permeable sands and silts appears to extend from the site to the Alameda Canal. The 2012 tidal study confirmed that water levels in several monitoring wells at the site had strong responses to tidal fluctuations indicating that the site is hydraulically connected to the Alameda Canal. There appears to be a migration pathway for contaminated groundwater in well MW-1RB to the Alameda Canal. We do not concur that the site meets Class 5 of the groundwater-specific criteria. During the most recent groundwater sampling event, the concentration of total petroleum hydrocarbons as gasoline detected in groundwater from well MW-1RB was 1,300 micrograms per liter, which is the highest concentration detected historically for well MW-1RB. Since groundwater concentrations are not decreasing in some areas of the site and there appears to be a migration pathway to Alameda Canal, it is possible that the site represents a chronic source for petroleum hydrocarbons discharging to the adjacent surface water in the Alameda Canal. Groundwater sampling is to be continued on a semi-annual basis.
- 3. Mass Flux.** The mass flux calculations for discharge to the Alameda Canal that are presented in the November 30, 2012 "*Piezometer Installation and Tidal Study Report*," appear to be significantly biased low. Parameters such as hydraulic conductivity and average gradient used to estimate seepage velocity did not reflect site conditions. If mass flux calculations are to be presented in future reports, they must meet the following:

 - The parameters used must be representative of site conditions.
 - All parameters must be shown in tables with a reference
 - The calculations are to be clearly shown.
 - Diluting the discharge using the tidal flow in the canal is not acceptable; the estimated concentration at discharge without dilution is to be shown.
- 4. Vapor Intrusion.** We do not concur that the site meets the vapor specific-criteria in the LTCP which requires that a site-specific risk assessment demonstrates that human health is protected to the satisfaction of the regulatory agency. The concentrations of petroleum hydrocarbons detected in indoor air samples and soil vapor samples collected at 5 feet exceed applicable screening criteria. Sub-slab sampling results do not exceed screening criteria. Based on the sub-slab sampling results, the SCM concludes that the indoor air samples are affected by indoor sources within the building and that elevated soil vapor results do not represent a risk. Recent evaluations of sub-slab sampling suggest a higher level of uncertainty regarding the representativeness of sub-slab data than previously recognized (*Estimation of Generic Subslab Attenuation Factors for Vapor Intrusion Investigations*, R. Brewer, et al., *Groundwater Monitoring and Remediation* 34, No. 4, 2014). Potential sources of error include temporal variability, uncertainty in the duration, entry rate, and volumes of vapors intruded to indoor air, potential discrepancies between vapor entry points and sample locations, and spatial variability. We do not believe that sub-slab data provide a sufficient basis to discount the indoor air data and soil vapor data. Therefore, we request that you conduct additional assessment of vapor intrusion to the existing buildings that includes additional indoor and outdoor air sampling, soil vapor sampling, and potentially additional sub-slab sampling. Plans for indoor and ambient air sampling must include consideration of building ventilation and seasonal effects. Plans for additional sub-slab sampling must consider the potential sources of error identified above. Please include plans for additional vapor intrusion assessment in a Vapor Intrusion Assessment Work Plan no later than November 30, 2015.

5. **Direct Contact and Outdoor Air Exposure Criteria.** The maximum concentrations of petroleum constituents in soil between 0 and 5 feet bgs exceed the LTCP criteria for both residential and commercial land use. We do not concur with the SCM that the maximum concentrations in soil are less than levels from a site-specific risk assessment. We are not aware of any site-specific risk assessment conducted for shallow soil at the site. Section 3.2.3 of the SCM discusses sub-slab, vapor, and indoor air results without explaining how they relate to direct contact risks from soil. If site cleanup for shallow soil does not occur, land use and site management restrictions will be required.

TECHNICAL REPORT REQUEST

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

- **November 30, 2015** – Vapor Intrusion Assessment Work Plan
File to be named: WP_R_yyyy-mm-dd
- **March 25, 2016** – Semi-annual Groundwater Monitoring Report – First Quarter 2016
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.

If you have any questions, please call me at 510-567-6791 or send me an electronic mail message at jerry.wickham@acgov.org. 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.

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

Responsible Parties
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cc: Mr. Brian Silva, Conestoga-Rovers & Associates, 10969 Trade Center Drive, Suite 107, Rancho Cordova, CA 95670 (*Sent via E-mail to: Brian.Silva@ghd.com*)

Mr. Monroe Wingate, C/o Alan Wingate, 18360 Carriger Road, Sonoma, CA 95476

Jerry Wickham, ACEH (*Sent via E-mail to: jerry.wickham@acgov.org*)

GeoTracker, e-File

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.