



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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April 6, 2015

Mr. Mark Horne
Chevron Environmental Management Co.
6101 Bollinger Canyon Road
San Ramon, CA 94583
(Sent via electronic mail to:
MarkHorne@chevron.com)

Mr. Geoffrey Sears
Emery Station Office II, LLC
c/o Wareham Development Corporation
1120 Nye Street, Suite 400
San Rafael, CA 94901
(Sent via electronic mail to:
gsears@warehamproperties.com)

Subject: Request for Work Plan Addendum and Work Plan; SCP Case File No. RO0002535 and Geotracker Global ID SLT2O07076; Chevron #20-6265, Former Asphalt Batch Plant and Bulk Terminal, 1520 Powell Street, Emeryville, CA 94608

Dear Messrs. Horne and Sears:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site, including the *Response to ACEH November 17, 2014 Correspondence*, and the *Air Sampling Work Plan*, both submitted together as a single document and dated February 5, 2015. The document was submitted on Chevron's behalf by Arcadis, Inc. (Arcadis). Thank you for submitting the document. Thank you also for correcting site figures to reflect soil bore locations based on historical figures in the case record, as well as submitting older documents and attempting to locate others for future submittal.

In general, the *Response to ACEH November 17, 2014 Correspondence* provided responses to each of the technical comments contained in the November 17, 2014 directive letter; principally these are as follows:

- To address potential residual groundwater contamination in the upper Coarse Grained Unit (CGU), which was one of several water-bearing units beneath the site vicinity that were delineated by other consultants immediately south and off the subject site, Arcadis proposes to conduct an indoor vapor survey of the onsite garage within the three elevator sumps as a worst case point of exposure to subsurface chlorinated volatile organic compounds (VOCs). An up wind ambient air sample was also proposed;
- Arcadis is in agreement that tetrachloroethene (PCE) contamination appears to be sourced off of the subject site;
- Arcadis observed that offsite remediation work in Powell Street has substantially reduced PCE and Trichloroethene (TCE) concentrations beneath Powell Street, and therefore concluded that no residual TCE contamination is present beneath the subject site. However, available data indicates the TCE was either sourced at the subject site and the extent of removal is ill-defined, or alternatively the subject site may have contributed to TCE concentrations in the vicinity of the site; and
- Arcadis has proposed to collect vapor samples at the three elevator sump locations noted above and in the breathing level in the garage, to address the potential risk of vapor intrusion to the subject site building.

ACEH is concerned that the proposed scope of work may not produce vapor data that is sufficiently robust or easily interpreted without the collection of additional data to support the proposed stand alone vapor samples; additional comments are provided below. ACEH also is not in agreement that there is sufficient evidence to indicate that no residual soil or groundwater contamination remains at the subject site as stated in the Arcadis letter and as discussed below. Therefore at this juncture, and based on ACEH staff review of the case file and the referenced document, ACEH requests you address the following technical comments and send us the documents requested.

TECHNICAL COMMENTS

- 1. Request for Vapor Work Plan Addendum** – As briefly stated above, and as stated in previous directive letters, there is not sufficient data to support the position that no residual soil or groundwater contamination is present on the site. Shallow soil data exists in the vicinity of soil bore SB-42 where 15 milligrams per kilogram (mg/kg) of TCE was detected at a depth of four to five feet below grade surface (bgs) in the landscape strip west of the footprint of the existing building. This sample also reported 1.7 mg/kg trans-1,2-DCE, 1,200 mg/kg Total Petroleum Hydrocarbons as gasoline (TPHg), and 92,000 mg/kg Oil & Grease in 1990. Soil was not profiled vertically beneath this detection at the time. Arcadis reports that the soil was excavated; however, this does not appear probable based on the location of the soil bore, and confirmatory data is lacking (Additionally, see the “Incomplete List of Requested Documents” Technical Comment 3 below).

Additional source may also be present vertically beneath the Loading Dock and Lab Office TCE excavations, from which bottom confirmation soil samples were collected at a depth of 6 feet bgs and reported TCE concentrations up to 3.4 milligrams per kilogram were detected. ACEH appreciates that soil was subsequently removed to an approximate depth of 10 feet across the site, and to 15 feet bgs in the vicinity of the three elevator sumps; however, final confirmation samples do not appear to have been collected, and the vertical migration of TCE beneath these depths is not an atypical behavior. As noted previously one of the elevator sumps is in the vicinity of these excavations.

ACEH is in general agreement with the proposed scope of work for vapor sampling and building survey; however, is concerned that complications may arise in interpreting the results collected in the elevator sumps due to VOC's derived from consumer products at the site either from garage storage sources, transition through the garage, or in the residential floors above the garage at the site, or from contributions to ambient air samples from upwind on- or off-site sources. Therefore to augment the proposed in garage vapor sampling, and to reduce the potential that the data may not be easily interpreted due to these building survey or ambient air complications, ACEH additionally requests the installation of a minimum of two permanent soil vapor wells at, and in the vicinity of, the presumed location of soil bore SB-42. This will additionally address the potential for onsite soil sources of TCE outside of the building envelope and will produce multiple lines of evidence in order to determine the threat of vapor intrusion to the residential units at the site. Consequently, ACEH requests that a work plan addendum be submitted to incorporate this scope of work by the date identified below.

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, ACEH requires installation of permanent vapor wells to assess temporal and seasonal variations in soil gas concentrations. This DTSC guidance additionally indicates that a 24-hour sampling duration for residential structures is appropriate to capture diurnal changes. The proposed 8-hour should also be concurrently collected.

- 2. Request for Data Gap Investigation Work Plan** – As noted above, ACEH is not in agreement that sufficient evidence is available to indicate no residual soil or groundwater contamination remains beneath site, and is not migrating off the site in groundwater. Injection of Emulsified Vegetable Oil (EVO) beneath Powell Street by the City of Emeryville has resulted in substantially reduced groundwater PCE and TCE concentrations in the shallow and deep Upper CGU beneath Powell Street but did not target shallower soil sources, or a residual contamination source on the subject site. The lack of available soil analytical data on the Envirostor website for the East Powell Street area may indicate that a soil source beneath Powell Street was not considered to be of concern.

The EVO injection also did not target groundwater contamination in the Lower CGU beneath Powell Street. At present there is limited and somewhat ambiguous groundwater analytical data for the Lower CGU beneath Powell Street, and it is predominately TCE and cis-1,2-DCE rather than PCE.

The lateral extent of groundwater contamination west of EPW02 in the shallow and deep Upper CGU and in the Lower CGU is also not defined, and remains undefined to the southwest of the subject site (west of the East Powell Street area). Finally onsite delineation of soil contamination associated with these zones (shallow and deep Upper CGU and the Lower CGU) has not been undertaken to support the statement that no residual source of contamination remains on the subject site.

Additionally, as previously noted, Chevron wells are not capable of detecting VOC contamination on the subject site in the shallow and deep Upper CGU and in the Lower CGU. Therefore, it is also appropriate to install wells on the former Chevron site for this purpose.

- 3. Incomplete List of Requested Documents** – As noted in the previous directive letters, a February 18, 2000 directive letter from ACEH requested the submittal of a Risk Management Plan prior to site development, and a post-construction report. An itemized list of applicable content for both reports was provided. Neither report has been submitted. Disposal documentation for exported soil and groundwater extraction (construction dewatering) was to have been included in the later report. Only a copy of an EBMUD discharge permit has been provided.

Thank you for requesting these documents from the Wareham Development Corporation. Because these documents contain information of important relevance to the site, ACEH will continue to seek their submittal. Therefore, ACEH requests further efforts to obtain these documents.

Additional reports have also been noted to be lacking from the public record, and are cited in the bibliography of the SCM / RFC report. Thank you for locating several of the documents; however, ACEH will continue to seek the submittal of the following reports and any other missing reports or communications that should be a part of the public record. At present these include the following:

- **McKesson Environmental Services Report** – Documents the installation of wells MW-1 to MW-9 in 1985; only bore logs have been provided.
 - **Harding Lawson Report** – August 1988 report documents the installation of wells MW-10 to MW-12; only the bore logs have been provided.
- 4. Groundwater Monitoring** – Groundwater monitoring has not occurred at the subject site since December 2012. The DTSC has stated that additional groundwater monitoring by the City of Emeryville does not appear to be warranted for the shallow and deep Upper CGU in the area of injections; however, existing Chevron wells monitor a shallower water zone, and the Lower CGU has not been monitored for chemical trends. Thus, it appears appropriate to resume groundwater monitoring at the site from existing wells.

In the event of the resumption of groundwater monitoring by the City of Emeryville, it would appear to be appropriate to coordinate groundwater monitoring and sampling events. This would provide a more comprehensive understanding of site vicinity groundwater concentrations. Because the subject site has not been monitored or sampled in over two years, please submit semi-annual groundwater monitoring reports by the dates requested below.

TECHNICAL REPORT REQUEST

Please submit reports to Alameda County Environmental Health (Attention: Mark Detterman), and 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 following specified file naming convention and schedule:

- **May 15, 2015** – Vapor Work Plan Addendum
File to be named: RO2535_WP_ADEND_R_YYYY-MM-DD
- **June 26, 2015** – Data Gap Investigation Plan
File to be named: RO2535_WP_R_YYYY-MM-DD
- **August 21, 2015** – First Semi-Annual 2015 Groundwater Monitoring and Sampling Report
File to be named: RO2535_GWM_R_YYYY-MM-DD
- **60 Days After Work Plan Approval** – Site Investigation Report
File to be named: RO2535_SWI_R_YYYY-MM-DD

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

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 E. Detterman, PG, CEG
Senior Hazardous Materials Specialist

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

cc: Justin Sobieraj, Arcadis US, Inc, 100 Smith Ranch Road, Suite 329, San Rafael, CA 94903;
(sent via electronic mail to: Justin.Sobieraj@arcadis-us.com)

Ms. Juanita Bacey, California Environmental Protection Agency, Department of Toxic Substances
Control, 700 Heinz Avenue, Suite 200, Berkeley, CA 94710, (Sent via electronic mail to:
JBacey@dtsc.ca.gov)

Dilan Roe (sent via electronic mail to dilan.roe@acgov.org)
Mark Detterman, ACEH (sent via electronic mail to mark.detterman@acgov.org)
Geotracker, Electronic 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.