



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
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July 14, 2015

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

Subject: Response to May 15, 2015 Communication; 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 April 6, 2015 Correspondence*, dated May 15, 2015. The response was submitted on your behalf by Arcadis, Inc. (Arcadis). Thank you for the response.

In essence, the response letter provided additional comments on three of the Technical Comments contained in the ACEH April 6, 2015 letter. In general ACEH is presently in agreement with the comments regarding the proposed garage vapor intrusion investigation, and waiting to incorporate data currently proposed to be collected by others at offsite locations into onsite decision making (Erler & Kalinowski, Inc, [EKI] *Final Work Plan for Additional Groundwater Investigation, Site B Project Area*, March 30, 2015). ACEH's previous request for a vapor work plan addendum was intended to address the potential for subsurface soil vapor (e.g. SB-42 and vicinity) to affect garage vapor concentrations that could be transmitted to residential quarters. However, at this juncture, it appears reasonable to proceed with the work as proposed. Finally, in regards to the third technical comment, please see below.

Thus, based on ACEH staff review of the documents the proposed scope of work is conditionally approved for implementation provided that the technical comments below are incorporated during the proposed field investigation. Submittal of a further revised work plan or work plan addendum for this scope of work is not required unless an alternate scope of work outside that described in the work plan or technical comments below is proposed. We request that you perform the proposed work, and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to: [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org)) prior to the start of field activities.

## **TECHNICAL COMMENTS**

- 1. Vapor Survey of Garage and Elevators** - The referenced work plan proposes a series of actions with which ACEH is in general agreement of undertaking. Please submit a report by the date specified below.
- 2. Groundwater Monitoring** – The referenced response letter proposed to discontinue groundwater monitoring and sampling of wells MWX-9, MW-18, and MW-19A based largely on proximity of other wells; however, these wells monitor intermediate positions in the area of Emulsified Vegetable Oil (EVO) injections conducted by others and may provide useful data on the extent these injections have affected the water-bearing zone at these well locations. Specifically, these and other “site” wells, monitor (screen) shallower portions of a water-bearing zone that was not targeted by the EVO

injections, and have not been sampled since the EVO injections were conducted in July to October 2013 (and were last sampled in December 2012). Therefore, it appears reasonable to obtain representative groundwater samples from all wells associated with this investigation to determine if the EVO injections have additionally reduced groundwater concentrations in the shallow water-bearing zone being monitored, at all well locations, prior to discontinuing or diminishing the sample interval of the wells.

ACEH understands that groundwater sampling of wells associated with the site will occur in late July in coordination with groundwater monitoring and sampling of wells associated with the South Bay Front Site B case (Envirostor 70000131) by others (EKI).

### **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:

- **September 25, 2015** – Site Investigation (Garage Vapor Survey)  
File to be named: RO2535\_SWI\_R\_yyyy-mm-dd
- **October 9, 2015** – Second Semi-Annual 2015 Groundwater Monitoring and Sampling Report (Reports can be merged using this date)  
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

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](mailto: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](mailto:Justin.Sobieraj@arcadis-us.com))

Ms. Karen Toth, California Environmental Protection Agency, Department of Toxic Substances Control, 700 Heinz Avenue, Suite 200, Berkeley, CA 94710, (Sent via electronic mail to: [karen.toth@dtsc.ca.gov](mailto:karen.toth@dtsc.ca.gov))

Dilan Roe (sent via electronic mail to [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Mark Detterman, ACEH (sent via electronic mail to [mark.detterman@acgov.org](mailto: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/](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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>REVISION DATE:</b> May 15, 2014
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> 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](mailto: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](mailto: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.