

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



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

June 23, 2008

Ms. Jennifer Sedlachek  
Exxon Mobil  
4096 Piedmont, #194  
Oakland, CA 94611

Mr. John Jay  
C/o Jay Phares Corporation  
10700 MacArthur Boulevard, Suite #200  
Oakland, CA 94605

Subject: Fuel Leak Case No. RO0002635 and Geotracker Global ID T0600120383, Exxon #7-4121, 10605 Foothill Boulevard, Oakland, CA 94605

Dear Ms. Sedlachek and Mr. Jay:

I am the caseworker recently assigned to the above-referenced fuel leak case. Please send future correspondence for this site to my attention. Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site, including the document entitled, "*Well Installation and Additional Risk Assessment Report*," dated May 30, 2007. The "*Well Installation and Additional Risk Assessment Report*," presents subsurface investigation results, a human health risk assessment, and a corrective action plan.

Five soil vapor probes were installed at the site in January 2007. Two of the five soil vapor probes were sampled but three of the soil vapor probes could not be sampled due to water in the probes. In addition, the two probes that were sampled were not purged prior to sampling. As discussed in the technical comments below, additional soil vapor sampling is required in order to assess potential vapor intrusion for the site and off-site. Since the potential vapor intrusion pathway has not been adequately evaluated, we cannot comment on the adequacy of the proposed excavation. Therefore, we request that you conduct the soil vapor sampling discussed in the technical comments below prior to completion of a Corrective Action Plan.

We request that you address the technical comments below, perform the proposed work, and submit the work plan requested below.

**TECHNICAL COMMENTS**

1. **Proposed Excavation.** Excavation of the former tank pit area to a depth of approximately 20 feet bgs is proposed in the "*Well Installation and Additional Risk Assessment Report*," dated May 30, 2007. Although we do not necessarily object to the proposal to excavate soil in the source area, we request that you further evaluate potential vapor intrusion concerns to assess whether the scope of the proposed excavation is adequate to address site risks as discussed in technical comments 2 and 3.

2. **Tier 1 Screening of Potential Health Risks.** The "*Well Installation and Additional Risk Assessment Report*," includes a Tier 1 screening of potential human health risks. In the Tier 1 screening, soil vapor data from two soil vapor probes sampled in January 2007 are compared to Environmental Screening Levels ([ESLs] San Francisco Bay Regional Water Quality Control Board November 2007). Concentrations of VOCs in the two soil vapor samples were less than both commercial and residential ESLs for the vapor intrusion pathway. However, the Tier 1 screening did not include results from soil vapor sampling conducted in May 2006. During May 2006, soil vapor samples were collected from six soil vapor probes. The concentration of benzene in soil vapor exceeded the residential ESL ( $84 \mu\text{g}/\text{m}^3$ ) in four of the six temporary borings and exceeded the commercial ESL in one of the six borings. Further evaluation of the elevated concentrations of benzene detected in the May 2006 soil vapor samples is required. Therefore, we request that you propose additional soil vapor sampling to evaluate potential vapor intrusion on site for future site occupants, particularly in the tank pit area outside the area of proposed excavation to help assess whether the proposed excavation will be effective in mitigating potential vapor intrusion concerns. Please include plans for soil vapor sampling in the Work Plan requested below.
3. **Soil Vapor Sampling Results.** Soil vapor samples were collected from two of the five soil vapor probes installed at the site in January 2007. Soil vapor samples could not be collected from three of the five soil vapor probes due to water in the probes. In addition, the two probes that were sampled were not purged prior to sampling. Four of the soil vapor probes are located along the western boundary of the site to help assess potential off-site vapor intrusion. Please include plans to purge and sample all five soil vapor probes in the work plan requested below.
4. **Public Participation.** Public participation is a requirement for the Corrective Action Plan process. Therefore, we request that you submit a Draft CAP for ACEH review. Upon ACEH approval of a Draft CAP, ACEH will notify potentially affected members of the public who live or own property in the surrounding area of the proposed remediation described in the Draft CAP. Public comments on the proposed remediation will be accepted for a 30-day period.
5. **Quarterly Groundwater Monitoring.** Please continue quarterly groundwater monitoring and present the results in the Quarterly Reports requested below.

#### **TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **August 11, 2008** – Quarterly Groundwater Monitoring Report (Second Quarter 2008)
- **August 25, 2008** – Work Plan
- **November 11, 2008** – Quarterly Groundwater Monitoring Report (Third Quarter 2008)

- **February 11, 2009** – Quarterly Groundwater Monitoring Report (Fourth Quarter 2008)

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.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

#### 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.

Jennifer Sedlachek  
John Jay  
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**UNDERGROUND STORAGE TANK CLEANUP FUND**

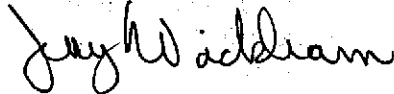
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

**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.

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

Sincerely,



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

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032

Bryan Campbell, ETIC Engineering, Inc., 2285 Morello Avenue, Pleasant Hill, CA 94523

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>ISSUE DATE:</b> July 5, 2005
	<b>REVISION DATE:</b> December 16, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> Electronic Report Upload (ftp) Instructions

Effective **January 31, 2006**, 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

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- 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)

#### Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in Excel format. These are for use by assigned Caseworker only.

#### 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 [dehloptoxic@acgov.org](mailto:dehloptoxic@acgov.org)  
or
    - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of Alicia Lam-Finneke.
  - 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 and Firefox browsers will not open the FTP site.
  - b) Click on File, then on Login As.
  - 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 [dehloptoxic@acgov.org](mailto:dehloptoxic@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 at acgov.org. (e.g., [firstname.lastname@acgov.org](mailto: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)