



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

August 9, 2016

Deborah Pryor  
Shell Oil Products US  
20945 S. Wilmington Ave.  
Carson, CA 90810-1039  
(Sent via E-mail to: [deborah.pryor@shell.com](mailto:deborah.pryor@shell.com))

Carl Cox  
C and J Cox Corporation  
4431 Stoneridge Drive  
Pleasanton, CA 94588-8417

Subject: Response to Request for Closure for Fuel Leak Case No. RO0002744 and GeoTracker Global ID T0600159797, Shell#13-5244, 8999 San Ramon Road, Dublin, CA 94568

Dear Ms. Pryor and Mr. Cox:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file for the above-referenced site including the recently submitted documents: "*Groundwater Monitoring Report – Third Quarter 2015*," dated December 1, 2015, and submitted on your behalf by GHD; and "*First Semiannual 2016 Groundwater Monitoring Report*," dated May 2, 2016, (Groundwater Monitoring Reports) and submitted by AECOM. The Groundwater Monitoring Reports present results from groundwater sampling conducted on July 30, 2015 and March 17, 2016. In addition, ACDEH reviewed the report entitled "*Closure Request*," dated June 10, 2016 and submitted on your behalf by GHD, which evaluated the site against the Low-Threat Underground Storage Tank Case Closure Policy (LTCP). Despite the site not meeting any of the Media-Specific Groundwater Criteria, the report presented an argument for closure as follows: 1) the methyl *tert*-butyl ether (MTBE) plume boundary was likely to be greater than 1,000 feet away from the nearest downgradient potential receptor well based on model data that estimates that the length of the deeper groundwater plume to be less than 1,000 feet in length; and 2) the closest surface water body, although approximately 500 feet west of the MTBE plume, is cross-gradient from the remaining plume in the intermediate and deeper zones and is not likely to be impacted due to the depth to groundwater.

Based on ACDEH's review of the Closure Request, the site may be eligible for closure. In order to make a determination, we request the generation of additional limited data that is discussed below.

#### **1. Media-Specific Criteria for Groundwater**

The Closure Request Report refers to the results of a groundwater transport model developed and discussed in the report entitled, "Updated Well Survey and Groundwater Modeling Report," dated March 4, 2014, and submitted on your behalf by Conestoga-Rovers and Associates. The model assumed a continuous source of 149 micrograms per liter ( $\mu\text{g/L}$ ) MTBE from the deeper down-gradient monitoring wells, and a sensitivity analysis assumed a continuous source of 280  $\mu\text{g/L}$  within a 100-year time frame. Both the model and sensitivity analysis predicted a deeper groundwater plume length of less than 1,000 feet, and concluded that the plume boundary was likely to be greater than 1,000 feet away from the nearest potential receptor well that is 2,000 feet downgradient of the site.

However, ACDEH notes that the shallow, intermediate, and deep groundwater MTBE plume boundaries are not fully defined, especially in the southeast extent of the contamination. In addition,

according to "Creek and Watershed Map of the Pleasanton and Dublin Area," published by Oakland Museum of California, a historical creek existed between 500 and 600 feet downgradient from monitoring wells MW-13B and MW-13C, and between 430 and 620 feet downgradient from monitoring wells MW-14B and MW-14C. Granular material deposited by the historic creek could serve as a potential conduit for plume migration.

Therefore, ACDEH requests that a plume justification study, based on the LTCP final Technical Justification for Groundwater Media-Specific Criteria, be performed as an additional line of evidence to determine whether or not the plume boundary would be greater than 1,000 feet away from the nearest downgradient existing water supply well. Using MW-13C and MW-14C as source areas for MTBE, maximum plume lengths in feet for the constituent MTBE should be measured and drawn from the source areas in the direction of groundwater flow. Please refer to Technical Justification paper, especially Table 1, for more information on maximum plume characteristics and length for MTBE. We also request a discussion of the historical channel as a potential preferential pathway for downgradient plume migration.

## **2. Media-Specific Criteria for Direct Contact and Outdoor Air Exposure**

The site meets the criteria for benzene and ethylbenzene concentrations at 0 to 5 feet below ground surface (bgs) and at 5 to 10 feet bgs. However, based on ACDEH's review of analytical laboratory reports from investigations, it appears that naphthalene has not been analyzed in soil samples. High residual concentrations of total petroleum hydrocarbon concentrations as diesel (TPH-d) and gasoline (TPH-g) were found in shallow soil samples that ranged from 1,000 milligrams per kilogram (mg/kg) to 16,000 mg/kg. Because naphthalene is semi-volatile compared to benzene and ethylbenzene, and because some high residual concentrations of TPH remain, there is a concern of naphthalene remaining in soil.

ACDEH requests that you meet with us in approximately 30 days to discuss the findings of the reports on file and LTCP plume study in order to make a determination on the Request for Closure. We request that you respond as soon as possible in choosing from the following days and times. Please allot approximately two hours for the meeting:

- Thursday, September 8, 2016 at 11 am
- Friday, September 9, 2016, 11 am
- Tuesday, September 13, 2016, 11 am

If you have any questions, please call me at (510) 567-6721 or send me an electronic mail message at [anne.jurek@acgov.org](mailto:anne.jurek@acgov.org). Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

Sincerely,

Anne Jurek, M.S.  
Professional Technical Specialist II

Responsible Parties  
RO0002744  
August 9, 2016  
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Attachment: Responsible Party(ies) Legal Requirements/Obligations  
Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Colleen Winey (QIC 8021), Zone 7 Water Agency, 100 North Canyons Pkwy, Livermore, CA 94551  
(Sent via E-mail to: [cwiney@zone7water.com](mailto:cwiney@zone7water.com))

Aubrey Cool, AECOM, 1333 Broadway Suite 800  
Oakland, CA 94612 (Sent via E-mail to: [Aubrey.Cool@aecom.com](mailto:Aubrey.Cool@aecom.com))

Peter Schaefer, GHD, 5900 Hollis Street, Suite A  
Emeryville, CA 94608 (Sent via E-mail to: [Peter.Schaefer@ghd.com](mailto:Peter.Schaefer@ghd.com))

Anne Jurek, ACDEH (Sent via E-mail to: [anne.jurek@acgov.org](mailto:anne.jurek@acgov.org))

Dilan Roe, ACDEH (Sent via E-mail to: [dilan.roe@acgov.org](mailto:dilan.roe@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

Alameda County Environmental Health's (ACDEH) 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 (State Water Board) 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 State Water Board website for more information on these requirements ([http://www.swrcb.ca.gov/ust/electronic\\_submittal/report\\_rqmts.shtml](http://www.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml)).

#### PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACDEH 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.

## **Attachment 1**

### **Responsible Party(ies) Legal Requirements/Obligations**

#### **REPORT/DATA REQUESTS**

These reports/data are being requested pursuant to Division 7 of the California Water Code (Water Quality), Chapter 6.7 of Division 20 of the California Health and Safety Code (Underground Storage of Hazardous Substances), and Chapter 16 of Division 3 of Title 23 of the California Code of Regulations (Underground Storage Tank Regulations).

#### **ELECTRONIC SUBMITTAL OF REPORTS**

ACEH's Environmental Cleanup Oversight Programs (Local Oversight Program [LOP] for unauthorized releases from petroleum Underground Storage Tanks [USTs], and Site Cleanup Program [SCP] for unauthorized releases of non-petroleum hazardous substances) require submission of reports in electronic format pursuant to Chapter 3 of Division 7, Sections 13195 and 13197.5 of the California Water Code, and Chapter 30, Articles 1 and 2, Sections 3890 to 3895 of Division 3 of Title 23 of the California Code of Regulations (23 CCR). Instructions for submission of electronic documents to the ACEH FTP site are provided on the attached "Electronic Report Upload Instructions."

Submission of reports to the ACEH FTP site is in addition to requirements for electronic submittal of information (ESI) to the State Water Resources Control Board's (SWRCB) Geotracker website. In April 2001, the SWRCB adopted 23 CCR, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1 (Electronic Submission of Laboratory Data for UST Reports). Article 12 required electronic submittal of analytical laboratory data submitted in a report to a regulatory agency (effective September 1, 2001), and surveyed locations (latitude, longitude and elevation) of groundwater monitoring wells (effective January 1, 2002) in Electronic Deliverable Format (EDF) to Geotracker. Article 12 was subsequently repealed in 2004 and replaced with Article 30 (Electronic Submittal of Information) which expanded the ESI requirements to include electronic submittal of any report or data required by a regulatory agency from a cleanup site. The expanded ESI submittal requirements for petroleum UST sites subject to the requirements of 23 CCR, Division, 3, Chapter 16, Article 11, became effective December 16, 2004. All other electronic submittals required pursuant to Chapter 30 became effective January 1, 2005. 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/))

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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.

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The California Business and Professions Code (Sections 6735, 7835, 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.

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Please note that delays in investigation, late 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 SCP)</b>	<b>REVISION DATE:</b> July 25, 2012
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (petroleum UST and SCP) 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.