

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY  
DAVID J. KEARS, Agency Director



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

June 25, 2008

Mr. Bill Borgh  
ConocoPhillips  
76 Broadway  
Sacramento, CA 95818

Mr. Elias and Mrs. Elaine Adamopoulos  
18 Southampton Place  
Lafayette, CA 94549

Subject: Fuel Leak Case No. RO00002967 and Geotracker Global ID T0619732490, Unocal #1028 / ConocoPhillips # 251028, 5300 Broadway, Oakland, CA 94618

Dear Mr. Borgh and Mr. and Mrs. Adamopoulos:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the November 1, 2007 *Due Diligence Site Assessment Report* that was submitted by ATC. This report discusses the results of the baseline assessment that was performed at the site in 2007. The report indicates that maximum concentrations of 25,000 micrograms per liter ( $\mu\text{g/L}$ ) total petroleum hydrocarbons as diesel (TPHd) in groundwater from ATC-2 and 5,300  $\mu\text{g/L}$  total petroleum hydrocarbons as gasoline (TPHg) in ATC-5. The maximum TPHd concentration in soil [23 milligrams per kilogram ( $\text{mg/Kg}$ )] was detected in ATC-2 at a depth of five feet below ground surface (bgs) and the maximum TPHg concentration (5.2  $\text{mg/Kg}$ ) was detected in ATC-5 from 5 ft bgs.

ACEH requests that you perform additional investigation at the site including addressing the following technical comments, performing the requested work, and sending us the technical reports requested below.

**TECHNICAL COMMENTS**

1. **Dissolved Contamination Plume Definition.** The lateral and vertical extent of groundwater contamination is undefined since the only two groundwater samples collected during the baseline assessment both contained elevated petroleum hydrocarbons. We recommend that you perform an expedited site assessment to determine the extent of contamination in the groundwater. Please submit your proposal to define the extent of contamination in the Work Plan requested below.

2. **Preferential Pathway Evaluation Survey**- The purpose of the preferential pathway study is to locate potential migration pathways and conduits and determine the probability of the NAPL and/or plume encountering preferential pathways and conduits that could spread contamination. We request that you perform a preferential pathway study that details the potential migration pathways and potential conduits (wells, utilities, pipelines, etc.) for vertical and lateral migration that may be present in the vicinity of the site.

Discuss your analysis and interpretation of the results of the preferential pathway study (including the detailed well survey and utility survey requested below) and report your results in the Work Plan requested below. The results of your study shall contain all information required by California Code of Regulations, Title 23, Division 3, Chapter 16, §2654(b).

a. **Utility Survey**

An evaluation of all utility lines and trenches (including sewers, storm drains, pipelines, trench backfill, etc.) within and near the site and plume area(s) is required as part of your study. Please include maps and cross-sections illustrating the location and depth of all utility lines and trenches within and near the site and plume areas(s) as part of your study.

b. **Well Survey**

The preferential pathway study includes a detailed well survey of all wells (monitoring and production wells: active, inactive, standby, decommissioned (sealed with concrete), abandoned (improperly decommissioned or lost); and dewatering, drainage, and cathodic protection wells) within a ¼-mile radius of the subject site. Your consultant has already contacted us to perform a well survey. Please report the results of the well survey in the work plan requested below.

**TECHNICAL REPORT REQUEST**

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

- **September 30, 2008** –Work Plan and preferential pathway evaluation

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/electronic\\_submittal/report\\_reqmts.shtml](http://www.swrcb.ca.gov/ust/electronic_submittal/report_reqmts.shtml)).

#### 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

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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) 639-1287 or send me an electronic mail message at [barbara.jakub@acgov.org](mailto:barbara.jakub@acgov.org).

Sincerely,



Barbara J. Jakub, P.G.  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Mr. Valentin Contantinescu, Delta Environmental Consultants, Inc., 11050 White Rock Road, Rancho Cordova, CA 95670, (via electronic mail)

Donna Drogos, ACEH (Sent via electronic mail)  
Barbara Jakub, ACEH  
File