



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
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February 8, 2013

Ms. Jennifer Sedlachek  
ExxonMobil  
4096 Piedmont Ave., #194  
Oakland, CA 94611  
(Sent via E-mail to:  
[jennifer.c.sedlachek@exxonmobil.com](mailto:jennifer.c.sedlachek@exxonmobil.com))

Mrs. Muriel Blank  
Blank Family Trust  
1164 Solano Ave., #406  
Albany, CA 94706

Subject: Fuel Leak Case No. RO0002974 and GeoTracker Global ID T0619716673, Exxon, 990 San Pablo Ave., Albany, CA 94706

Dear Ms. Sedlachek and Mrs. Blank:

Thank you for the recently submitted documents entitled, *Groundwater Monitoring Report, Fourth Quarter 2012, and Response to Comments*, dated December 5, 2012, *Air Sparge and Dual-Phase Extraction Feasibility Testing* dated April 12, 2012, and *Work Plan for Groundwater Monitoring, Air-Sparge and Soil Vapor Extraction Well Installation* dated August 1, 2012 which were prepared by Cardno ERI for the subject site. Alameda County Environmental Health (ACEH) staff has reviewed the case file including the above-mentioned reports for the above-referenced site. The feasibility study tested dual-phase extraction (DPE), combined air-sparge/DPE, and air sparge for a total of four hours per test. The tests demonstrate that AS/DPE could be an effective remediation method for mass removal. However, a corrective action plan needs to be submitted and approved before installation of the remediation wells and implementation of the corrective action can begin. Therefore, the work plan cannot be approved at this time. Please address the following technical comments and send us the reports requested below.

#### **TECHNICAL COMMENTS**

1. **Separate Phase Hydrocarbons** – TPHg was detected in MW-4 at a concentration of 270,000 micrograms per liter, indicating the presence of SPH and possible mobilization of SPH due to the pilot test. Please monitor for SPH in this well. If measurable SPH is present please begin product bailing and record the depth of the SPH and mass removed in future monitoring reports.

ACEH concurs with semi-annual monitoring and reporting until implementation of the CAP but requests quarterly SPH guaging in well MW-4. Please submit the monitoring reports by the dates requested below.

2. **Downgradient Extent of Contamination** – The work plan and monitoring report proposes installing two monitoring wells, one at the police station and one on Buchanan Street to monitor the extent of the plume. Rather than installing the wells at this time, ACEH requests that you identify the location of your dissolved contaminant plume by installing a transect(s) of

borings. Based on the results of this work, propose monitoring well locations for both groundwater and remediation system performance monitoring. Please evaluate if the sanitary sewer line intercepts contamination from the site and acts as a preferential pathway for the migration of contaminants.

ACEH realizes that there is a fire station across the street and would like to point out two things. First, the fire station is currently an active fuel leak case RO0000297. You may want to review this case for the limited amount of data available. Second, this station has doors on both the Buchanan Street side and the Marin Avenue side of the building. It may be possible to install borings and wells on Buchanan Street with minimal interference with fire station operations. Please submit a revised work plan to assess the extent of off-site contamination by the due date requested below.

3. **Aerial Photo Base Map** – We request that you use an aerial photo as the base map showing the site and its immediate vicinity for future site maps submitted for the site. Please label and identify the use of all properties on your map.
4. **Corrective Action Plan** – At this time, a Draft Corrective Action Plan (CAP) prepared in accordance with Title 23, California Code of Regulations, Section 2725 appears warranted. The CAP must include a concise background of soil and groundwater investigations performed in connection with this case and an assessment of the residual impacts of the chemicals of concern (COCs) for the site and the surrounding area where the unauthorized release has migrated or may migrate. The CAP should also include, but is not limited to, a detailed description of site lithology, including soil permeability, and most importantly, contamination cleanup levels and cleanup goals, in accordance with the San Francisco Regional Water Quality Control Board (SFRWQCB) Basin Plan and appropriate ESL guidance for all COCs and for the appropriate groundwater designation. Please note that soil cleanup levels should ultimately (within a reasonable timeframe) achieve water quality objectives (cleanup goals) for groundwater in accordance with the SFRWQCB Basin Plan. Please specify appropriate cleanup levels and cleanup goals in accordance with 23 CCR Section 2725, 2726, and 2727 in the CAP.

The CAP must evaluate at least three viable alternatives for remedying or mitigating the actual or potential adverse affects of the unauthorized release(s) besides the 'no action' and 'monitored natural attenuation' remedial alternatives. Each alternative shall be evaluated not only for cost-effectiveness but also its timeframe to reach cleanup levels and cleanup goals, and ultimately the Responsible Party must propose the most cost-effective corrective action.

6. **Baseline Environmental Project Schedule** – The State Water Resources Control Board passed Resolution No. 2012-0062 on November 6, 2012 which requires development of a Path to Closure Plan by December 31, 2013 that addresses the impediments to closure for the site. The Path to Closure must have milestone dates by calendar quarter which will achieve site cleanup and case closure in a timely and efficient manner that minimizes the cost of corrective action. The Project Schedule should include, but not be limited to, the following key environmental elements and milestones as appropriate:
  - Preferential Pathway Study
  - Soil, Groundwater, and Soil Vapor Investigations

- Initial, Updated, and Final/Validated SCMs
- Interim Remedial Actions
- Feasibility Study/Corrective Action Plan
- Pilot Tests
- Remedial Actions
- Soil Vapor and Groundwater Monitoring Well Installation and Monitoring
- Public Participation Program (Fact Sheet Preparation/Distribution/Public Comment Period, Community Meetings, etc.)
- Case Closure Tasks (Request for closure documents, ACEH Case Closure Summary Preparation and Review, Site Management Plan, Institutional Controls, Public Participation, Landowner Notification, Well Decommissioning, Waste Removal, and Reporting.)

Please include time for regulatory and RP in house review, permitting, off-site access agreements, and utility connections, etc.

Please use a critical path methodology/tool to construct a schedule with sufficient detail to support a realistic and achievable Path to Closure Schedule. The schedule is to include at a minimum:

- Defined work breakdown structure including summary tasks required to accomplish the project objectives and required deliverables
- Summary task decomposition into smaller more manageable components that can be scheduled, monitored, and controlled
- Sequencing of activities to identify and document relationships among the project activities using logical relationships
- Identification of critical paths, linkages, predecessor and successor activities, leads and lags, and key milestones
- Identification of entity responsible for executing work
- Estimated activity durations (60-day ACEH review times are based on calendar days)

Please submit an electronic copy of the Path to Closure Schedule by the date listed below. ACEH will review the schedule to ensure that all key elements are included.

### **TECHNICAL REPORT REQUEST**

Please submit technical reports to ACEH (Attention: Barbara Jakub), according to the following schedule:

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- **April 10, 2013** – Work Plan  
(File to be named: WP\_R\_yyyy-mm-dd)
  - **April 10, 2013** – Path to Closure and Schedule  
(File to be named PROJ\_SCH\_yyyy-mm-dd)
  - **June 16, 2013** – Draft Corrective Action Plan  
(File to be named: CAP \_R\_yyyy-mm-dd)
  - **June 20, 2013** – Groundwater Monitoring Report (Semi-annual Monitoring Report (1<sup>st</sup> Quarter 2013) (File to be named: GWM \_R\_yyyy-mm-dd)
- December 20, 2013** – Groundwater Monitoring Report (Semi-annual Monitoring Report (2<sup>nd</sup> Quarter 2013) (File to be named: GWM \_R\_yyyy-mm-dd)

Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, 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: Responsible Party(ies) Legal Requirements/Obligations  
ACEH Electronic Report Upload (ftp) Instructions

cc: Rebekah Westrup, Environmental Resolutions, Inc., 601 North McDowell Blvd., Petaluma, CA 94954 (*Sent via E-mail to: [rebekah.westrup@cardno.com](mailto:rebekah.westrup@cardno.com)*)  
Mrs. Marcia B. Kelly, 641 SW Morningside Rd., Topeka, KS 66615 (*Sent via E-mail to: [marciabkelly@earthlink.net](mailto:marciabkelly@earthlink.net)*)  
Rev. Deborah Blank, 1563 Solano Ave. #344, Berkeley, CA 94707 (*Sent via E-mail to: [miracoli@earthlink.net](mailto:miracoli@earthlink.net)*)  
Donna Drogos, ACEH (*Sent via E-mail to: [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org)*)  
Barbara Jakub, ACEH (*Sent via E-mail to: [barbara.jakub@acgov.org](mailto:barbara.jakub@acgov.org)*)  
GeoTracker, 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> July 20, 2010
	<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 (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.