

ALAMEDA COUNTY
**HEALTH CARE SERVICES
AGENCY**

REBECCA GEBHART, Interim Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP)
For Hazardous Materials Releases
1131 HARBOR BAY PARKWAY, SUITE 250
ALAMEDA, CA 94502
(510) 567-6700
FAX (510) 337-9335

November 20, 2017

Ms. Jennifer Sedlachek
ExxonMobil
4096 Piedmont Ave., #194
Oakland, CA 94611

(Sent via electronic mail to:
jennifer.c.sedlachek@exxonmobil.com)

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

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

Dear Ms. Sedlachek and Ms. Blank:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file for the above referenced site including the *Work Plan for Additional Soil Vapor Assessment and Response to Comments*, dated September 28, 2017, and the *Semi-Annual Soil Vapor Assessment, Third Quarter 2017*, dated October 6, 2017. The reports were prepared and submitted on your behalf by Cardno. Thank you for submitting them.

The referenced work plan proposed the installation two sub-slab vapor pins in the outside sidewalk to begin the assessment of the potential for vapor intrusion into the commercial building in a step-wise approach. The referenced soil vapor assessment documented the semi-annual vapor sampling of existing vapor wells installed at two depths, 5.5 and 2.2 feet below grade surface (bgs). Vapor concentrations at SVS3, installed at a depth of 5.5 feet bgs, continues to document vapor concentrations substantially above concentrations acceptable within the Low Threat Closure Policy (LTCP) at sites without a bioattenuation zone, as has been established at this site. Additionally, vapor concentrations at soil vapor well SVS8, installed at a depth of 2.2 feet bgs, continue to document substantial vapor concentrations. Finally, soil vapor wells SVS7 and SVS8, both installed at 2.2 feet bgs, continue to document increasing Total Petroleum Hydrocarbons (TPH) vapor concentrations, and increasing benzene, toluene, ethylbenzene, and total xylene (BTEX) vapor concentrations.

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

TECHNICAL COMMENTS

1. **Work Plan Modifications** – The referenced work plan proposes a series of actions with which ACDEH is in general agreement of undertaking; however, ACDEH requests several modifications to the approach. Please submit the results of the investigation in a report by the date identified below.
 - a. **Shroud Tracer Concentration** – In accordance with Department of Toxic Substances Control (DTSC) guidance, please ensure to document and report the concentration of the tracer gas in the shroud as a percentage in order to calculate the rate of leak, if any, of outside atmospheric gases during the vapor sampling event.

- b. **Naphthalene Confirmation by TO-17** – In addition to analyzing for TPH as diesel vapor concentrations by TO-17, please continue to confirm naphthalene vapor concentrations by TO-17.
 - c. **Additional Vapor Pin Location** – Due to the elevated and increasing vapor concentrations in proximity to the commercial establishment, ACDEH requests the installation of a minimum of one additional vapor pin in the sidewalk between the building and SVS7.
 - d. **Relocation of Three Vapor Pins** – The two proposed vapor pins appear to be depicted at the outer edge of the sidewalk in front of the building. In an effort to assess the risk of vapor intrusion to the building from established contaminant sources ACDEH requests the vapor pins be moved to the inner portion of the sidewalk immediately outside the building.
 - e. **Interior Sub-Slab Vapor Pin Locations** – Due to the elevated vapor concentrations as discussed above, ACDEH requests a minimum of three vapor pin locations be additionally located inside the building. The intent is to determine if a vapor intrusion risk is present due to known, as well as unknown, soil contamination further from established sources at the site. The location of the interior sub-slab vapor pins are to be communicated to ACDEH in a brief letter for ACDEH concurrence by the date identified below. The work can be phased; however, ACDEH requests a single final report by the date identified below.
 - f. **DTSC Rainfall Vapor Sampling Limitation Guidance** – Please observe the DTSC guidance limitation on soil vapor sampling within 24-hours of a rain event with greater than 0.5 inches.
2. **Semi-Annual Vapor Monitoring** – Due to the substantial vapor concentration fluctuations in soil vapor wells at the site, the recommended semi-annual soil vapor sampling to further evaluate soil vapor concentrations appears appropriate due to potentially sensitive population (residential), and Department of Toxic Substances Control (DTSC) guidance. Please submit the results of the vapor sampling in a report by the dates identified below.
 3. **Temporary HIT / Remediation Events** – The referenced work plan indicated that remediation activities would likely commence in mid-November. If remediation activities have not then ACDEH requests that temporary HIT events resume immediately after the sub-slab vapor wells have been initially sampled as a baseline sampling event. Please submit a Remedial Progress Report on a quarterly basis beginning with either the HIT or an active remediation event by the dates specified below.
 4. **Semi-Annual Groundwater Monitoring** – Please continue to conduct groundwater monitoring and sampling at the site on a semi-annual basis, and submit reports by the dates identified below.

SUBMITTAL ACKNOWLEDGEMENT STATEMENT

Please note that ACDEH has updated its Attachment 1 with regard to report submittals to ACDEH. ACDEH will now be requiring a Submittal Acknowledgement Statement, replacing the Perjury Statement, as a cover letter signed by the Responsible Party (RP). The language for the Submittal Acknowledgement Statement is as follows:

I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to ACDEH's FTP server and the SWRCB's Geotracker Website.

Please make this change to your submittals to ACDEH.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACDEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with the specified file naming convention below, according to the following schedule:

- **December 15, 2017** – Second 2017 Semi-Annual Groundwater Monitoring
File to be named: RO2974_GWM_R_yyyy-mm-dd
- **December 22, 2017** – Location of Interior Vapor Pins
File to be named: RO2974_SWI_R_yyyy-mm-dd
- **January 19, 2018** – Remedial Progress Report
File to be named: RO2974_REM_R_yyyy-mm-dd
- **February 2, 2018** – Sub-Slab Vapor Investigation Report
File to be named: RO2974_SWI_R_yyyy-mm-dd
- **June 8, 2018** – First 2018 Semi-Annual Groundwater Monitoring and Remedial Progress Report
File to be named: RO2974_GWM_R_yyyy-mm-dd

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.

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>. If your email address is not listed on the first page of this letter, or in the list of cc's listed below, ACDEH is requesting your email address to help expedite communications and to help lower overall costs.

Should you have additional questions, please contact me at (510) 567--6876 or send me an electronic mail message at 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: Christine Capwell, Cardno, 601 North McDowell Blvd., Petaluma, CA 94954
(Sent via electronic mail to: christine.capwell@cardno.com)

David Daniels, Cardno, 601 North McDowell Blvd., Petaluma, CA 94954
(Sent via electronic mail to: david.daniels@cardno.com)

Mrs. Marcia B. Kelly, 641 SW Morningside Rd., Topeka, KS 66615
(Sent via electronic mail to: marciabkelly@earthlink.net)

Rev. Deborah Blank, 1563 Solano Ave. #344, Berkeley, CA 94707
(Sent via electronic mail to: miracoli@earthlink.net)

Dilan Roe, ACDEH, (Sent via electronic mail to: dilan.roe@acgov.org)
Paresh Khatri, ACDEH; (Sent via electronic mail to: paresh.khatri@acgov.org)
Mark Detterman, ACDEH, (Sent via electronic mail to: mark.detterman@acgov.org)
Electronic File; GeoTracker

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 Department of Environmental Health's (ACDEH) Environmental Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) 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 File Transfer Protocol (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 SCP 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 (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/) for more information on these requirements.

ACKNOWLEDGEMENT 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 have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to ACDEH's FTP server and the SWRCB's GeoTracker website." 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 6731, 6735, and 7835) 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 licensed 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 case meet this requirement. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

UNDERGROUND STORAGE TANK CLEANUP FUND

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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: December 1, 2016
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010; May 15, 2014, November 29, 2016
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions


The Alameda County Environmental Cleanup Oversight Programs (LOP 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.
 - 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) Open File Explorer using the Windows  key + E keyboard shortcut.
 - i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) On the address bar, type in ftp://alcoftp1.acgov.org.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive)
 - d) Click Log On.
 - e) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - f) 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 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.