



June 23, 2017

Mr. Daniel Bo  
Harvest Investments  
3942 Valley Avenue, Suite H  
Pleasanton, CA 94566 (Sent via email to: [danielsbo@gmail.com](mailto:danielsbo@gmail.com))

Subject: Conditional Work Plan Approval for Site Cleanup Program (SCP) Case No. RO0003150, Shell Station Redevelopment, 27501 Loyola Avenue, Hayward, CA 94545

Dear Mr. Bo:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the Site Cleanup Program (SCP) case file for the above-referenced site including the *Data Gap Work Plan Second Addendum* dated April 26, 2017 (2<sup>nd</sup> Addendum). The 2<sup>nd</sup> Addendum was revised in response to April 2017 telephone communications and technical comments in ACDEH's March 17, 2017 Directive Letter.

A Shell Gasoline Service Station occupied this property from 1956 to 1978, was not operated as a service station from 1979 to 1983, and by 1984 the service station was demolished leaving the property vacant land since 1984. The San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) issued a Closure Letter for the site on July 16, 2001. The case was closed to existing commercial use as a gasoline service station, and the Site Management Requirements Section of the Closure Letter states "Should property use intensify, a separate assessment shall be conducted and clearance obtained from the SFBRWQCB for proposed more intensive use". ACDEH now assists in providing oversight for environmental cases in the City of Hayward which resulted in opening a SCP case.

According to the documentation included with the October 21, 2014 *Phase I Environmental Site Report*, prepared by AEI, Shell Oil performed three remedial events: a Groundwater Extraction and Treatment (GWET) System operated at the site between May 1985 and the first quarter 1994 with up to 38 groundwater monitoring wells; a soil vapor extraction test was performed in 1994, and Oxygen-releasing Compound (ORC) was used in the third quarter 1995. Light non-aqueous phase liquid (LNAPL) was recovered from monitoring wells converted to extraction wells located along the east, south, and west sides of the site.

This case will be evaluated for closure consistent with the State Water Board's Low-Threat Underground Storage Tank Closure Policy (LTCP) for petroleum related contaminants. The LTCP states that it is appropriate to apply the policy to other petroleum releases. The ultimate goal of assessing the site is to determine if additional investigation and cleanup is needed prior to a land use change from lower risk commercial standards to higher risk residential standards.

The proposed scope of work in the 2<sup>nd</sup> Addendum is conditionally approved and may be implemented provided that the technical comments below are incorporated during the site investigation. Submittal of a revised Addendum is not required unless an alternate scope of work outside that described in the 2<sup>nd</sup> Addendum and technical comments below is proposed. We request that you address the following technical comments, perform the proposed work, and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to: [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org)) prior to the start of field activities.

## **TECHNICAL COMMENTS**

### **A. Soil Sampling:**

1. **Soil Analytes:** ACDEH is in agreement with the proposed soil sampling analysis, however, the 2<sup>nd</sup> Addendum does not specify how the soil sample from each boring will be selected for laboratory analysis. ACDEH requests soil sample collection for laboratory analysis within the 0 to 5 foot depth interval to be based on indications of contamination (PID detections, odor, staining, or etc.).

Additionally, due to the historic presence of a waste oil UST(s) in the vicinity of proposed borings SB-4, SG-3, and SG-4, please analyze soil samples from those borings, based on indications of contamination, for Poly-Aromatic Hydrocarbons (PAHs) with the Selected Ion Monitoring (SIM) mode to ensure that the detection levels of PAHs are below the concentrations specified for Residential and Utility Worker in the LTCP for Direct Contact and Outdoor Air Exposure.

### **B. Soil Vapor Sampling:**

1. **Installation of Semi-Permanent Soil Vapor Probes:** Consistent with the California Department of Toxic Substances Control (DTSC) July 2015 *Advisory Active Soil Gas Investigations* (DTSC Guidance), ACDEH requires installation of semi-permanent soil vapor wells to assess temporal and seasonal variations in soil vapor concentrations.
2. **Standard Operation Procedures (SOP) for Soil Vapor Sampling:** Please include the SOP for Soil Vapor Sampling as an appendix in the report requested below.
3. **Confirmation of Naphthalene Analyses by EPA Method TO-17:** Due to the challenges associated with soil vapor sample collection and analysis of naphthalene described in Appendix E of the DTSC Guidance, ACDEH requests analysis of all soil vapor samples using both EPA Methods TO-15 and TO-17 to confirm the naphthalene analysis using EPA Method 8260. The method for sample collection and analysis using EPA Method TO-17 must be consistent with those described in DTSC Guidance.
4. **Soil Vapor Analytes:** ACDEH is in agreement with the proposed soil vapor sampling analysis, however, ACDEH requests analysis of all soil vapor samples for methane, carbon dioxide, and oxygen using ASTM D1946. These analytes provide data regarding bioattenuation of petroleum hydrocarbons in the subsurface environment. Please include each as well as the selected tracer on the summary tables for quick referencing in the report requested below.
5. **Ambient Air Leaks:** Consistent with Appendix C, *Quantitative Leak Testing Using a Tracer Gas* of the DTSC Guidance, ACDEH considers soil vapor samples valid only when the sample tracer concentration does not exceed 5% of the shroud tracer concentration. This requires the collection of a shroud tracer concentration at each vapor sample location. Please ensure this is completed to ensure collection of high quality soil vapor data.

### **C. Groundwater Monitoring Well Sampling:**

1. **Groundwater Monitoring Well Redevelopment:** For all groundwater monitoring wells which are relocated, ACDEH requests redevelopment prior to sampling to minimize suspended sediment to ensure collection of high quality groundwater data.

**2. Groundwater Analytes:** ACDEH is in agreement with the proposed groundwater sampling analysis.

**D. Electronic Submittal of Information (ESI) Compliance:** A review of the case file indicates that the SWRCB Geotracker database and/or the ACDEH database is not complete, thus rendering the site to a non-compliant status pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3890 to 3895. At present missing data and documents include, but may not be limited to:

- analytical data for soil, water and vapor samples collected for the purpose of subsurface investigation or remediation, including influent/effluent water samples from remediation systems (EDF files).
- complete copies of reports, in pdf format, including the signed transmittal letter and professional certification (GEO\_REPORT files);
- depth-to-water information for permanent sampling points whenever the data is collected, even if the well is not sampled during the sampling event (GEO\_WELL files);
- stand alone site maps displaying tank locations, streets bordering the facility, and sampling locations for all soil, water and vapor samples (GEO\_MAP files);
- stand alone boring logs with depth to the screened interval and the length of screened interval for any permanent monitoring well installed (GEO\_BORE files);

### **TECHNICAL REPORT REQUEST**

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

- **September 1, 2017** Soil and Groundwater Investigation Report  
RO0003150\_SWI\_R\_yyyy-mm-dd

Should you have any questions, please contact me at (510) 567-6708 or send me an e-mail message at [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org)

Sincerely,

Karel Detterman, PG  
Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party(ies) Legal Requirements / Obligations  
Electronic Report Upload (ftp) Instructions

cc: Trent Weise, AEI Consultants (Sent via E-mail to: [tweise@aeiconsultants.com](mailto:tweise@aeiconsultants.com))  
Hugh Murphy, Hayward Fire Department (Sent via E-mail to: [hugh.murphy@hayward-ca.gov](mailto:hugh.murphy@hayward-ca.gov))  
Dilan Roe, ACDEH (Sent via E-mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Karel Detterman, ACDEH (Sent via E-mail to: [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org))  
Paresh Khatri, ACDEH (Sent via E-mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@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/](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.

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