

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

COLLEEN CHAWLA, Agency Director



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

July 10, 2018

Chevron Environmental Management Company
6001 Bollinger Canyon Road
San Ramon, California 94583
Attn.: Carryl MacLeod
(Sent via electronic mail to: cmacleod@chevron.com)

Kim and Toan Nguyen
5425 Martin Luther King Jr. Way
Oakland, CA 94609

Subject: Request for Electronic Submittal of Information and Meeting Update; Fuel Leak Case No. RO0003224 and GeoTracker Global ID T10000009600, 5815 Market St, 5815 Market Street, Oakland, CA 94608

Dear Responsible Parties:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case files for the site including the recently submitted document entitled *Second Quarter 2018 Groundwater Monitoring and Sampling Report (GWM)*, dated June, 8, 2018 and prepared by Arcadis U.S., Inc. (Arcadis) for the subject site. Our review was performed in association with the State Water Resources Control Board (SWRCB) Low Threat Underground Storage Tank Case Closure Policy (LTCP). The GWM was submitted to the SWRCB GeoTracker website on June 9, 2018. The GWM documents activities associated with the groundwater monitoring and sampling event conducted on April 18, 2018 and provides conclusions and recommendations. Though the GWM has been submitted to GeoTracker, the GWM document has not been received pending submittal of its associated EDF, GEO_MAP and GEO_WELL files. In addition to the EDF and GEO_WELL files, ACDEH requests the submittal of GWM Figure 3 as its associated GEO_MAP.

As part of our case files review, ACDEH noted the GEO_MAP files for the documents entitled *Fourth Quarter 2017 Groundwater Monitoring and Sampling Report*, dated January 24, 2018, and *First Quarter 2018 Groundwater Monitoring and Sampling Report*, dated March 27, 2018, both prepared by Arcadis, have not been submitted to GeoTracker, thus rendering the case 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. Please prepare a figure for each event depicting the groundwater elevation contours similar to Figure 3 of the GWM.

In order to regain compliance status, ACDEH requests submittal of the files requested above to GeoTracker. Please submit these files by July 20, 2018 for our review prior to the scheduled meeting discussed below. These documents 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. Please notify our agency of the submittals via electronic mail, Attention: Keith Nowell, with a listing of the submitted files.

In the GWM, Arcadis states that, based on historical records, only gasoline was dispensed at the site and that methyl tertiary butyl ether (MTBE) is not a contaminant of concern (COC) as the use as an active service station ended before MTBE was used as a fuel additive. Therefore, Arcadis proposes eliminating diesel and MTBE from the scope of analyses for future events. The reference(s) for the Arcadis statement is/are not identified in the GWM, and ACDEH is not aware of documentation in the case files regarding diesel and/or MTBE. Additional data may be available that ACDEH is not aware of, or may not have been submitted, and therefore has not been incorporated in to ACDEH's review. If additional data is made available, the data can be incorporated in future LTCP reviews. We request submittal of documents not currently located in the case files to GeoTracker so they can be included in future reviews. ACDEH requests being notified of the additional submittals via electronic mail, Attention: Keith Nowell, with a listing of the submitted files.

Prior to the submittal and review of the documents pertaining to diesel and MTBE use at the site, ACDEH requests continued sampling and analysis for these potential COCs (PCOCs). Alternatively, the third quarter 2018 groundwater monitoring and sampling event may be postponed until after the meeting discussed below in order for a review and discussion of the merits of continued sampling for these PCOCs.

Responsible Parties
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In our June 6, 2018 letter, ACDEH requested preparation of a data gap investigation work plan in conjunction with a review of the LTCP criteria. The work plan and LTCP review is to be presented at a meeting originally scheduled at our offices on Wednesday, July 25, 2018 at 10 AM. Due to scheduling conflicts, we have rescheduled the meeting to **Thursday, July 26, 2018 at 10 AM.**

Thank you for your cooperation. ACDEH looks forward to working with you and your consultants to advance the case toward closure. Should you have any questions regarding this correspondence or your case, please call me at (510) 567-6764 or send an electronic mail message at keith.nowell@acgov.org.

Sincerely,

Keith Nowell, PG, CHG
Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations

cc: Katherine Szymanowski, ARCADIS U.S., Inc., 2300 Clayton Road, Suite 400, Concord, CA 94520
(Sent via electronic mail to: Katherine.Szymanowski@arcadis.com)

Mark Watrous-Heyliger, Graphics, Arts & Presentations, PO Box 640081, San Francisco, CA
94164-0081 (Sent via electronic mail to mlwh.gap@gmail.com)

Dilan Roe, ACDEH, (Sent via electronic mail to: dilan.roe@acgov.org)
Paresh Khatri, ACDEH; (Sent via electronic mail to: paresh.khatri@acgov.org)
Keith Nowell, ACDEH (Sent via electronic mail to: keith.nowell@acgov.org)
GeoTracker/File

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: December 14, 2017
	ISSUE DATE: July 25, 2012
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: Responsible Party(ies) Legal Requirements / Obligations

REPORT & DELIVERABLE REQUESTS

Alameda County Department of Environmental Health (ACDEH) Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) require submission of all reports in electronic form to the State Water Board's (SWB) GeoTracker website in accordance with California Code of Regulations, Chapter 30, Division 3, Title 23 and Division 3, Title 27.

Leaking Underground Fuel Tank (LUFT) Cases

Reports and deliverable requests are 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 (RP) in conjunction with an unauthorized release from a petroleum underground storage tank (UST) system.

Site Cleanup Program (SCP) Cases

For non-petroleum UST cases, reports and deliverables requests are pursuant to California Health and Safety Code Section 101480.

ELECTRONIC SUBMITTAL OF REPORTS

A complete report submittal includes the PDF report and all associated electronic data files, including but not limited to GEO_MAP, GEO_XY, GEO_Z, GEO_BORE, GEO_WELL, and laboratory analytical data in Electronic Deliverable Format™ (EDF). Additional information on these requirements is available on the State Water Board's website (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)

- Do not upload draft reports to GeoTracker
- Rotate each page in the PDF document in the direction that will make it easiest to read on a computer monitor.

GEOTRACKER UPLOAD CERTIFICATION

Each report submittal is to include a GeoTracker Upload Summary Table with GeoTracker valid values¹ as illustrated in the example below to facilitate ACDEH review and verify compliance with GeoTracker requirements.

GeoTracker Upload Table Example

Report Title	Sample Period	PDF Report	GEO_MAPS	Sample ID	Matrix	GEO_Z	GEO_XY	GEO_BORE	GEO_WELL	EDF
2016 Subsurface Investigation Report	2016 S1	✓	✓	Effluent	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
2012 Site Assessment Work Plan	2012	✓	✓			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2010 GW Investigation Report	2008 Q4	✓	✓	SB-10	W	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				SB-10-6	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				MW-1	WG	✓	✓	✓	✓	✓
				SW-1	W	✓	✓	✓	✓	✓

¹ GeoTracker Survey XYZ, Well Data, and Site Map Guidelines & Restrictions, CA State Water Resources Control Board, April 2005

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: NA
	ISSUE DATE: December 14, 2017
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: Responsible Party(ies) Legal Requirements / Obligations

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 the State Water Board's GeoTracker website." This letter must be signed by the Responsible Party, or legally authorized representative of the Responsible Party.

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 and include the professional registration stamp, signature, and statement of professional certification. 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

For LUFT cases, RP's non-compliance with these regulations may result in ineligibility to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse the cost of cleanup. Additional information is available on the internet at: https://www.waterboards.ca.gov/water_issues/programs/ustcf/

AGENCY OVERSIGHT

Significant delays in conducting site assessment/cleanup or report submittals may result in referral of the case to the Regional Water 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.