

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



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December 29, 2008

Mr. Chris Panaitescu
Thrifty Oil Company
13116 Imperial Highway
Santa Fe Springs, CA 90670-00138

Subject: Fuel Leak Case No. RO00000005 (Global ID # T0600101366), Thrifty Oil #63/Arco #9542, 6125 Telegraph Avenue, Oakland, CA 94609

Dear Mr. Panaitescu:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site and the documents entitled "Site Assessment/Well Installation Report" and "Remedial Action Workplan" received April 7, 2007 and September 2, 2008, respectively. The work plan recommends the implementation a five-day multi phase extraction (MPE) event as an interim remedial measure. However, prior to consideration of the remedial action work plan received in September 2008, ACEH has identified several outstanding issues that must be resolved. In particular, high levels of TPHg and benzene contamination have been detected in soil immediately downgradient of source area at concentrations up to 1,100 mg/kg TPHg and 13 mg/kg benzene at 16 feet bgs, leaving the vertical extent of contamination undefined. In addition, groundwater gradient and groundwater analytical data indicate that the lateral extent of the groundwater contamination plume down gradient of monitoring wells MW-3 and MW-4 is undefined. More importantly, residential properties are immediately down gradient of the site and the human health risk associated with contaminant volatilization from soil and/or groundwater not been evaluated. Therefore, ACEH request that you propose a scope of work to address the above mentioned issues and prepare a work plan that details you plan to address these issues.

Based on ACEH staff review of the case file, we request that you address the following technical comments and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to <mailto:steven.plunkett@acgov.org>) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Dissolved Contamination Plume Definition.** Monitoring wells MW-7 and MW-8 installed in April 2007 are located cross gradient of the former tank pit and may not be representative of soil and groundwater contamination down gradient of the site. In addition, free product recovery from wells MW-1 through MW-4 was discontinued in 1996, and dissolved phase contamination was detected in down gradient well MW-4 at concentrations up to 21,600 µg/L TPHg and 2,050 µg/L MtBE in 2007. With the lateral and vertical extent of the contaminant plume undefined we request that you prepare a work plan that details your proposal to define the lateral and vertical extent of the dissolved phase contaminant plume down gradient of your site. Please review current and historical groundwater gradient data when considering the location of soil borings. Please submit the work plan according to the schedule outlined below.

2. **Source Area Characterization.** Historical soil analytical data indicate that the vertical extent of contamination both in the source area and immediately downgradient of the source area is undefined. For example, soil samples from onsite well MW-1 detected 471 mg/kg TPHg, and 7.6 mg/kg benzene (17 feet bgs), while downgradient wells MW-3 and MW-4 detected 52 mg/kg TPHg, and 5.4 mg/kg benzene (14 feet bgs) and 1,100 mg/kg TPHg, and 13 mg/kg benzene (16 feet bgs), respectively, with the vertical extent of contamination undetermined. In addition, soil samples from B-2 and B-3 were not analyzed leaving this part of the source area undefined. As a result of the high concentrations of TPHg and benzene in the source area and immediately downgradient of the source area, ACEH request that you propose a scope of work to evaluate the lateral and vertical extent of source area soil contamination. Please submit a work plan according to the schedule outlined below.
3. **Soil Vapor Assessment.** High concentrations of sorbed and dissolved phase TPHg and benzene contamination have been detected in soil and groundwater samples collected beneath your site. Also, residences area located adjacent to and down gradient of the subject site and the soil vapor pathway have not been evaluated. ACEH requires that you collect soil vapor samples to assess the potential risk to on-site and off-site receptors. Please prepare a work plan to collect soil vapor samples and evaluate the vapor intrusion pathway and submit the work plan according to the schedule outlined below.
4. **Groundwater Extraction System Data Evaluation.** High concentrations of dissolved phase petroleum hydrocarbons were originally detected in influent groundwater samples collected in May 2006. Thrifty described the results of the influent groundwater sampling as anomalous, possibly as a result of unauthorized dumping of contaminated liquid into the treatment system holding tank. However, data or records to support this conclusion were not presented. Subsequent influent groundwater sampling conducted in June 2006 detected dissolved phase contamination at concentrations consistent with the high detections of previous sampling events. However, entry into the treatment system is restricted and only authorized personnel would be allowed access. Consequently, a record of access to the treatment system would likely be available to determine if unauthorized dumping of liquid occurred.

Furthermore, dissolved phase petroleum hydrocarbon contamination was again detected in influent groundwater collected in February 2008 at concentrations up to 97,800 µg/L TPHg, which is two orders of magnitude greater than the combined monitoring well groundwater sample concentration of approximately 800 µg/L TPHg which was collected in January 2008. Unless there is a regular practice of unauthorized dumping of contaminated groundwater into the treatment system, it is unlikely that the results from the recent influent water sampling are anomalous. Rather, it is more likely the high concentration of dissolved phase contamination detected in influent groundwater is from residual contamination in the source area. Please determine if Thrifty personnel may have dumped TPHg contaminated water (purge water/rinse water) into the pre-treatment holding tank and provide any documentation to support your conclusion.
5. **Extended Site Maps.** Please prepare extended site maps using aerial photos as base maps, showing nearby buildings and structures, roads and other facilities in the vicinity of your site. Please present these figures in the work plan requested below, and in future reports. fantastic

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Mr. Steven Plunkett), according to the following schedule:

- **March 15, 2008** – Work Plan

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_rqmts.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

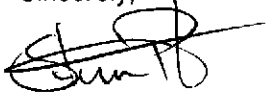
If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for

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possible enforcement action. 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) 383-1767 or send me an electronic mail message at steven.plunkett@acgov.org.

Sincerely,



Steven Plunkett
Hazardous Materials Specialist



Donna L. Drogos, PE
Supervising Hazardous Materials Specialist

cc: Tim Nelligan
Equipoise Corp.
1401 N. El Camino Real, Suite 107
San Clemente, CA 95627

Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032
Donna Drogos, Steven Plunkett, File