



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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July 31, 2012

Mr. John Buestad
Foley Street Investments LLC
2533 Clement Avenue
Alameda, CA 94501
(sent via electronic mail to:
john@buestad.com)

Mr. John F. Buono, Jr.
Good Chevrolet
P.O. Box 1730
Alameda, CA 94501

Subject: July 25, 2012 Meeting Follow-up and Revised Technical Report Schedule for Fuel Leak Case No. RO0000008 and GeoTracker Global IDT0600100655, Good Chevrolet, 1630 Park Street, Alameda, CA 94501

Dear Messrs. Buestad and Buono:

A commercial development project with at-grade parking is currently proposed to be built at the former Good Chevrolet property under an accelerated development schedule and the site has returned to an undeveloped state since the June 2012 building demolition. Alameda County Environmental Health (ACEH) sent a directive letter dated July 20, 2012 providing Technical Comments (TCs) and requested the responsible parties (RPs) to address those comments in specific technical reports under a schedule of due dates. During the preparation of the directive letter, ACEH decided that it would be productive to call a meeting of the stakeholders (ACEH, Foley Street Investments (FSI), and the City of Alameda) to discuss the July 20, 2012 directive letter, future corrective actions at the site, and establish a Baseline Environmental Project Schedule that integrates future site construction with the on-going environmental investigation and cleanup. During the meeting we learned that FSI plans to break ground for the new construction in or by December 2012 and since the site buildings are demolished, an opportune time to conduct remedial activities temporarily exists at the site now until ground-breaking.

TECHNICAL COMMENTS

1. **Request for Tank Pit Excavation Contingency Plan:** Currently there are two wells located in the old tank pit. To expedite excavation of the old tank pit, a Well Decommissioning and Replacement Work Plan was requested by ACEH in technical comment 3 by July 27, 2012. The requested work plan was received on July 26, 2012 and is currently under review.

ACEH requests resolution of conflicting excavation target soil concentrations in the May 2, 2012 Data Gap Work Plan: in Section 5.2.1 it states that efforts will be made to remove the impacted soil vertically to reach the target soil concentrations at the base of the excavated area, but in Section 5.2.3 it states that the old tank pit would be excavated to an estimated depth of 15 feet bgs. Thus, the objective is not clear and requires clarification in a Site Conceptual Model (SCM). Consequently, in addition to previously requested

deliverables, ACEH additionally requests a contingency plan in the Data Gap Work Plan Addendum in the event that total petroleum hydrocarbon as gasoline (TPHG) and/or benzene in tank pit floor and sidewall confirmation results exceed selected remediation goals (not currently established). In the Addendum, please include the SCM justifying the tank pit excavation and proposed remediation goals. ACEH also requests that the SCM address other apparent source area(s) including the source of the 12,000 ppm TPHG in AEI-28 at 11 feet bgs in the former showroom area.

2. **Baseline Environmental Project Schedule:** As requested in technical comment 1 and as discussed in our July 25, 2012 meeting, please submit a Baseline Environmental Project Schedule that provides details of the proposed environmental work that will be required to prepare a validated SCM, gain approval of a corrective action plan, implement and monitor remediation and mitigation measures, commence site construction, and obtain site closure. The Baseline Environmental Project Schedule should be a focused schedule that includes only site development activities that are impacted by the environmental schedule (i.e., planning review/approval process, architectural design/approval process, issuance of building permit, site grading, construction activities, issuance of occupancy permits, etc.). The Baseline Environmental Project Schedule should include, but not be limited to, the following key elements and milestones:

- Preferential Pathway Study
- Soil, Groundwater, and Soil Vapor Investigations
- Initial, Updated, and Final/Validated SCMs
- Feasibility Study/Corrective Action Plan
- Remedial Actions (source removal, etc)
- Short Term Mitigation Measures Incorporated into Site Redevelopment during Remediation Phase
 - Remediation Phase Vapor Intrusion Membrane and Sub-Slab Ventilation System, and Operation and Maintenance Plan (Design/Review/Approval)
 - Risk Management Plan for Site Demolition and Earthwork Activities
 - Monitoring Plans (Vapor Intrusion/Groundwater)
- Monitoring Well Installation/Decommissioning/Replacement
- Public Participation Program (Fact Sheet Preparation/Distribution/Public Comment Period, Community Meetings, etc.)

Please use a critical path methodology/tool to construct a schedule with sufficient detail to support a realistic and achievable project schedule. The schedule should include:

- 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 (ACEH review times are based on calendar days).

Please include a narrative identifying assumptions (i.e., analytical laboratory turnaround time, ACEH review time, number of review cycles, etc.), project constraints, and contingency plans. Also, include a discussion about proposed schedule compression techniques (i.e., cost and schedule tradeoffs, fast tracking, etc) to shorten the environmental project schedule without changing the project scope, in order to meet schedule constraints, imposed dates, or other site redevelopment schedule objectives.

Please include a project kick-off meeting/teleconference call as an initial activity in the breakdown of each summary task. The intent of the project kick-off meeting will be to facilitate review of the updated SCM, schedule, and scope of work prior to initiation of the next major phase of work. The Baseline Environmental Project Schedule will be required to be updated prior to the start of a new task for use in the kick-off meetings and at other key junctures as necessary in order to maintain a realistic schedule throughout the project as work progresses.

Please submit an electronic copy of the focused baseline environmental project schedule and schedule updates in portable data format (pdf) as well as a paper copy (Attention: Karel Detterman). We will provide a sample schedule demonstrating the level of detail we are requesting under separate cover.

3. **Waste Oil Underground Storage Tank (UST) Release:** According to Good Chevrolet's March 11, 1991 Unauthorized Release Form, a waste oil UST was removed along with the gasoline UST from the same tank pit. An April 1987 report by Groundwater Technology, Inc. (GTI) indicated that during the October 1986 tank removal, the waste oil tank pit sample from 8 feet contained 57 parts per million TPH as waste oil. Although numerous investigations over the years have delineated the TPHG release in soil and groundwater, it appears that analyses for waste oil constituents have not been performed. Please include standard analytical methods for waste oil constituents for the tank pit excavation confirmation sampling in the Data Gap Work Plan Addendum and the next groundwater monitoring event.

REVISED TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Karel Detterman), according to the following schedule:

- **August 10, 2012** – Data Gap Work Plan Addendum with initial SCM
- **August 10, 2012** – Baseline Environmental Project Schedule
File to be named: BASE_SCH_YYYY-mm-dd
Updated file to be named BASE_SCH_UPD_YYYY-mm-dd
- **Soil and Groundwater Investigation:** The compliance date for submittal of the Soil and Groundwater Investigation will be based on the dates proposed in the Baseline Environmental Project Schedule.
File to be named: SWI_R_YYYY-mm-dd)
- **Site Conceptual Model (SCM)** The compliance date for submittal of the SCM will be based on the dates proposed in the Baseline Environmental Project Schedule.
File to be named: SCM_R_YYYY-mm-dd)
- **Feasibility Schedule/Corrective Action Plan:** The compliance date for submittal of the FS/CAP will be based on the dates proposed in the Baseline Environmental Project Schedule.
File to be named: FEASSTUD_CAP_R_YYYY-mm-dd)

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If you have any questions or concerns regarding this correspondence or your case, please send me an e-mail at karel.detterman@acgov.org or call me at (510) 567-6708.

Sincerely,

Karel Detterman, PG
Hazardous Materials Specialist

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

cc: Robert Robitaille, AEI Consultants, 2500 Camino Diablo, Walnut Creek, CA 94597 (Sent via E-mail to rrobitaille@aeiconsultants.com)

Peter McIntyre, AEI Consultants, 2500 Camino Diablo, Walnut Creek, CA 94597 (Sent via E-mail to pmcintyre@aeiconsultants.com)

Sunil Ramdass, Underground Storage Tank Cleanup Fund, SWRCB, PO Box 944212, Sacramento, CA 94244-2120, (sent via electronic mail to sramdass@waterboards.ca.gov)

Andrew Thomas, Planning Services Manager, City of Alameda Planning and Building Development, 2263 Santa Clara Avenue, Room 190, Alameda, CA 94501-4477 (Sent via E-mail to: athomas@ci.alameda.ca.us)

Eric Fonstein, Development Manager, City of Alameda Community Development Department, 2263 Santa Clara Avenue, Room 120, Alameda, CA 94501-4477 (Sent via E-mail to: efonstei@ci.alameda.ca.us)

Donna Drogos, ACEH (Sent via E-mail to: donna.drogos@acgov.org)
Karel Detterman, ACEH (Sent via E-mail to: karel.detterman@acgov.org)
GeoTracker, Electronic Case 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/).

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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	REVISION DATE: July 20, 2010
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: 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
 - 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 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.