

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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August 27, 2008

Mr. Michael Desso
Nestle USA, Inc.
800 North Brand Blvd.
Glendale, CA 91203

Mr. Mark Hall
Encinal 14th Street, LLC
1855 Olympic Blvd., Suite 250
Walnut Creek, CA 94596

Subject: Fuel Leak Case No. RO0000018 and Geotracker Global ID T0600100262, Carnation Dairy, 1310 14th Street, Oakland, CA 94607

Dear Mr. Desso and Mr. Hall:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site including the recently submitted document entitled, "*Supplemental Soil, Soil Gas, and Groundwater Investigation Report, Carnation Dairy, 1310 14th Street, Oakland, CA,*" dated March 7, 2008 (Report). The Report, which was prepared on behalf of Nestle USA by Environmental Cost Management, Inc. (ECM), presents results from soil, soil vapor and groundwater sampling conducted in the northwestern portion of the site in May 2008. The Report concludes that, "the extent of hydrocarbon impacts is consistent with previous characterizations of soil impacts and historical groundwater sampling performed at the site." Elevated concentrations of fuel hydrocarbons were detected in soil and groundwater in the area of the former USTs and piping and extending north-northwest to 16th Street. Total petroleum hydrocarbons as gasoline (TPHg) and benzene were detected in soil at concentrations up to 12,000 and 99 milligrams per kilogram (mg/kg), respectively. TPHg and benzene were detected in groundwater at concentrations up to 870,000 and 50,000 micrograms per liter ($\mu\text{g/L}$), respectively. The highly elevated concentrations of fuel hydrocarbons detected in groundwater in some areas of the site are likely indicative of free-phase product; however, no separate phase product was observed during grab groundwater sampling activities.

We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

TECHNICAL COMMENTS ON SUPPLEMENTAL WORK PLAN

1. **Soil Vapor Sampling Results.** TPHg was detected in 4 of the 12 soil vapor samples at concentrations up to 2,600 $\mu\text{g/L}$. Benzene was detected in 2 of the 12 soil vapor samples at concentrations up to 40 $\mu\text{g/L}$. Benzene was not detected in soil vapor but was detected at elevated concentrations in soil and groundwater at several sampling locations. As an example, benzene was detected at a concentration of 99 mg/kg in a soil sample collected from 8 to 8.5 feet bgs at sampling location SB-20 but was not detected in the soil vapor

sample collected at 5 feet bgs from SB-20. Given the elevated concentrations of VOCs detected in shallow soil and groundwater in boring SB-20, there appears to be a potential for concentrations of VOCs in soil vapor to increase under different conditions such as lower water levels. In the proposed revised site conceptual model (SCM), please consider the potential for soil vapor concentrations to vary with water levels as residual VOCs are exposed in the vadose zone or submerged below the water table.

2. **Vertical Delineation.** In correspondence dated April 2, 2008, ACEH requested that soil boring SB-17 be extended to a depth of 30 feet bgs in order to collect two depth-discrete grab groundwater samples and evaluate the vertical extent of contamination. However, boring SB-17 and adjacent borings met refusal and could not be advanced beyond 20 feet bgs. Soil samples were collected from SB-17 at five-foot intervals to the total depth of 20 feet bgs. Based on the soil boring results, we are not requesting additional investigation for vertical delineation at this time.
3. **PCB Sampling Results.** PCBs were not detected in any soil or groundwater samples collected during the May 2008 investigation. Based on these results, no further investigation for PCBs is requested at this time.
4. **Table 4 PCB Soil Sample Results.** The "Analytical Results" heading on Table 4 indicates that the analytical results for PCBs are shown in mg/kg. As indicated by the laboratory analytical reports in the report appendix, the analytical results for PCBs on Table 4 are in micrograms per kilogram rather than milligrams per kilogram. Please revise the table heading accordingly in any future reports where the soil analytical results for PCBs may be presented.
5. **Site Conceptual Model.** We do not object to the proposal to prepare a revised SCM using the cumulative historic data including the data collected in May 2008. In preparing the SCM, please review the data gaps previously identified in our September 28, 2007 correspondence. Please submit the Revised SCM by November 4, 2008.
6. **Geotracker EDF Submittals.** Pursuant to CCR Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the LUFT program, must be transmitted electronically to the SWRCB Geotracker website via the internet. Additionally, beginning January 1, 2002, all permanent monitoring points utilized to collect groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level and latitude and longitude accurate to within 1-meter accuracy, using NAD 83, and transmitted electronically to the SWRCB Geotracker website. Beginning July 1, 2005, electronic submittal of a complete copy of all reports (LUFT or SLIC) is required in Geotracker (in PDF format). In order to remain in regulatory compliance, please upload all SLIC analytical data and copies of reports post July 1, 2005, to the SWRCB's Geotracker database website in accordance with the above-cited regulation.

TECHNICAL REPORT REQUEST

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

- **November 4, 2008** – Revised Site Conceptual Model

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/cleanup/electronic_reporting).

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

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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

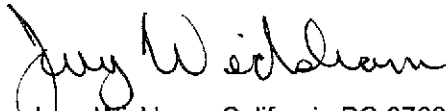
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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.

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,



Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341,
Oakland, CA 94612-2032

Kenneth Cheitlin, Hall Equities Group, 1855 Olympic Blvd., Suite 250
Walnut Creek, CA 94596

Jennifer Costanza, Nestle USA, Inc., 800 North Brand Blvd.
Glendale, CA 91203

Brent Searcy, Environmental Cost Management, 660 Baker Street, Suite 253, Costa Mesa,
CA 92626

Robert Flory, AEI Consultants, 2500 Camino Diablo Blvd., Suite 200
Walnut Creek, CA 94597

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: December 16, 2005
	PREVIOUS REVISIONS: October 31, 2005
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

Effective **January 31, 2006**, 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

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- 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)

Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

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 dehloptoxic@acgov.org
 - or
 - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of Alicia Lam-Finneke.
 - 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 and Firefox browsers will not open the FTP site.
 - b) Click on File, then on Login As.
 - 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 dehloptoxic@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 at 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)