



July 30, 2010

ENVIRONMENTAL HEALTH DEPARTMENT
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

Mr. Steven Birch
Rodding Cleaning Services
Unknown Address

Crane Works CX
2585 Nicholson Street
San Leandro, CA 94577-4261

Mr. Robert Eckstein
Sketchley Trust
Unknown Address

Mr. Fred Schifferle
Vice President
Bank of America, N. A.
2000 Clayton Road, Building D
Concord, CA 94520-2425
(sent via electronic mail to
Frederick.A.Schifferle@bankofamerica.com)

Mr. Randy Muller
Environmental Services Manager
Bank of America
2650 Ashbourne Drive
Lawrenceville, GA 30043
(sent via electronic mail to
randy.muller@bankofamerica.com)

Subject: Request for Work Plans and Addendum; Fuel Leak Case No. RO00000020 (Global ID# T0600101153), Rodding Cleaning Services, 2585 Nicholson Street, San Leandro, CA 94577

Dear Mr. Schifferle, Mr. Muller, Mr. Birch, and Mr. Eckstein:

Alameda County Environmental Health (ACEH) staff has reviewed the case file, the ACEH directive letter dated October 7, 2008, the *Work Plan to Conduct Soil Vapor Assessment*, dated July 21, 2009, and the *Soil Vapor Assessment* report, dated December 31, 2009. The last two documents were submitted on your behalf by Versar, Inc. Technical reports requested in the October 2008 letter remain outstanding. These included a work plan for the vertical delineation of contamination and an Interim Remedial Action Plan to remedy the high residual concentrations in both soil and groundwater at the site and vicinity which the soil vapor assessment further documents.

Based on ACEH staff review of the soil vapor assessment ACEH is in agreement that a potential for indoor air quality impact exists. We request that you address the following technical comments and send us the documents requested below.

TECHNICAL COMMENTS

1. **Work Plan for Sub-Slab Vapor Sampling** – ACEH is in agreement that a potential for indoor air quality impact exists at the onsite building and the adjacent building. Please include laboratory analysis for oxygen and methane in addition to appropriate contaminants, and account for potential vapor intrusion pathways provided by utility conduits to interior air spaces by vapor point placement (please depict on a map, including utility laterals). Please submit a work plan to conduct sub-slab vapor sampling with the installation of permanent vapor points by date requested below.
2. **Technical Clarification Sought for Vapor Assessment Report** – Review of the vapor assessment report has resulted in a request for technical clarification of several points, as follows:
 - a. **Soil bore permits** – The work plan indicated soil boring permits would be sought; however, no permits were proffered in the investigation report. Please clarify the status of bore permits.

- b. **Bore abandonment** – The report implies the vapor points were temporary and not permanent points. ACEH requests clarification of the presumed borehole abandonment procedures, or of the alternative permanent vapor point construction methods. Please document both clarifications in the soil vapor report addendum requested below.
3. **Work Plan for Subsurface Investigation** – The October 2008 directive letter requested additional source area characterization and based that request on elevated residual soil and groundwater contamination, and lack of vertical delineation in the source area. This remains a valid request based on the data cited in the letter, as well as the following data points:
- a. Bore logs contained in the June 30, 1999 *Monitoring Well Installation and Groundwater Monitoring Report* document photoionization detections in soil from wells MW-3 and MW-5 below first encountered groundwater.
 - b. The location of the former dispenser and product run appears to be uninvestigated by all subsequent investigations. Because the USTs were described as “intact” upon removal overspillage was forwarded as a potential cause. Dispenser or product line failure could also have been involved. It is also unknown if the product lines were removed.
 - c. Because one of the USTs was reported to have been a motor oil UST, the inclusion of analysis for TPHmo would appear appropriate. Grab groundwater samples from bores M-7 to M-15 contained significant TPHmo (up to 4.0 milligrams per liter). Motor oil has not been previously specifically investigated onsite in soil, while groundwater impacts have been attributed to a regional issue. It also does not appear that a full VOC scan and analysis for metals has been conducted relative to the motor oil UST (unspecified as new or used).
 - d. Early reports indicate that overexcavation of the UST excavation pits occurred and that a larger excavation was backfilled with pea gravel; however, manifests to document the disposal of the soil and any groundwater removed have not been submitted to verify this statement. The 2009 vapor assessment report also stated that vapor probe sample depths varied somewhat and were due to fine-grained soil subsurface conditions which prevented vapor withdrawal. This specifically included the three points reported to have been installed in the area of the former excavations. Combined this data can suggest that overexcavation of the UST excavation pits may not have been extensive, if at all, and that significant residual contamination may be present at the site and contributes to the elevated soil vapor concentrations.

ACEH requests further clarification of these issues with the submittal of available older documents, and the submittal of a work plan for source area subsurface investigation, by the date identified below. If appropriate, the two work plans requested may be combined.

4. **Interim Remedial Action Plan** - The October 2008 directive letter also requested interim remedial actions based on elevated residual soil and groundwater contamination. This remains a valid request and is overdue. A review of site data indicates that identification of and implementation of appropriate interim remedial actions will likely result in a reduction in the soil vapor concerns, and likely in an ability to achieve groundwater objectives, not yet identified, sooner.

In regards to a cleanup objective, please be aware that at present all groundwater in San Leandro is currently classified as ‘MUN’ (potentially suitable for municipal or domestic water supply). According to the RWQCB *Water Quality Control Plan (Basin Plan)*, dated January 18, 2007, for the San Francisco Bay Basin, “the term ‘groundwater’ includes all subsurface waters, whether or not these waters meet the classic definition of an aquifer or occur within identified groundwater basins.’ It is also stated in the Basin Plan that ‘all groundwaters are considered suitable, or potentially suitable, for municipal or domestic water supply (MUN).” Therefore, the groundwater beneath the subject site must be considered beneficial for these uses unless shown to be non-beneficial using criteria presented in the Basin Plan. Please also be aware that case closure does not necessarily require

cleanup to MUN cleanup goals, only that those goals can be met within a reasonable timeframe. That timeframe has not yet been provided or estimated in reports for the subject site.

Please utilize data generated for the above requested investigations and submit an Interim Remedial Action Plan according to the schedule identified below.

5. **Groundwater Monitoring Requirements** – An evaluation of groundwater monitoring frequency has not been revisited at this site for some time. Declining concentrations in groundwater collected from well MW-1 has previously been cited as documentation that the contaminants are naturally degrading over time via an anaerobic pathway. This appears to be based on Remediation of Natural Attenuation (RNA) chemical parameters last collected in April 2001. Declining concentrations can be attained by other means, not all of which are beneficial. The groundwater plume is also stated to be stable; however, groundwater has also not been sampled from perimeter wells MW-2 to MW-5 since April 2001. ACEH requests that the next scheduled monitoring event, currently on a semi-annual basis, include all wells and also include MTBE analysis on an ongoing basis. While ACEH has previously granted relief from MTBE analysis in 1999, and confirmed this in 2000, those actions were based on an outdated SF RWQCB “Threshold Value” of 200 milligrams per liter (ug/L). The current ESL comparative value is significantly lower and detections during the last sampling event in 1999 were above the value. All wells may not require continued ongoing sampling and this request may be reduced or eliminated in the future; however, it is appropriate to revisit the lateral extent of contamination as well as the concentration of MTBE at the site and vicinity.
6. **ACEH Website Submittal Requirements** – In reviewing the case file it was noticed that electronic reports have not been submitted to the ACEH web database. ACEH no longer accepts paper copies of reports and correspondence. This is discussed further in Attachment 1 (*Responsible Party(ies) Legal Requirements / Obligations*) below. Please review the ACEH website for reports that have not been submitted and submit electronic copies, including a perjury statement from the overseeing responsible party. These documents include, but are not limited to, the *Work Plan to Conduct Soil Vapor Assessment*, dated July 21, 2009, and *Groundwater Monitoring Report November 2009*, dated December 24, 2009. Perjury statements are currently lacking in the *Groundwater Monitoring Report May 2010*, and the referenced *Soil Vapor Assessment* report. Please upload all older reports to ACEH’s ftp server by the date specified below.

TECHNICAL REPORT REQUEST

Please submit the following deliverables and technical reports to ACEH (Attention: Mark Detterman), according to the following schedule:

- **August 23, 2010** – Soil Vapor Report Addendum
- **August 23, 2010** – Submittal of electronic reports to ACEH ftp website
- **September 20, 2010** – Sub-Slab Vapor Work Plan
- **October 18, 2010** – Source Area Investigation Work Plan
- **60 Days After Approval of Work Plan(s)** – Soil & Groundwater Investigation Report(s)
- **December 17, 2010** – Semi-Annual Groundwater Monitoring Report
- **60 Days After Submittal of Site Investigation Report** – Interim Remedial Action 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.

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Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,

Mark E. Detterman, PG, CEG
Hazardous Materials Specialist

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

cc: Tim Berger, Versar, Inc., 7844 Madison Avenue, Suite 167, Fair Oaks, CA 95628
(sent via electronic mail to TBerger@versar.com)

Donna Drogos, ACEH, (sent via electronic mail to donna.drogos@acgov.org)
Mark Detterman, ACEH, (sent via electronic mail to mark.detterman@acgov.org)
Geotracker, e-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.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 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 dehloptoxic@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 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 @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.