



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
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October 22, 2009

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872 Coral Drive  
Rodeo, CA 94572

Nissan Saidian  
5733 Medallion Court  
Castro Valley, CA 94522

John Rutherford  
Desert Petroleum  
3781 Telegraph Road  
Ventura, CA 93003-3420

Subject: Conditional Work Plan Approval for Fuel Leak Case No. RO0000022 and GeoTracker Global ID T0600102128, Alaska Gasoline, 1310 Central Avenue, Alameda, CA 94501

Dear Messrs. Sappal, Saidain, and Rutherford:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the recently submitted document entitled, "Site Investigation Work Plan," dated September 16, 2009, which was prepared by Matriks for the subject site. Elevated concentrations of petroleum hydrocarbons were detected in UST and dispenser confirmation soil samples as well as borings installed in the vicinity of the former USTs. Specifically, TPH-g was detected at a concentration of 5,900 milligrams per kilogram (mg/kg) in a soil sample collected from boring BH-2 at four feet below the ground surface (bgs), benzene was detected at a concentration of 27 mg/kg in a soil sample collected from boring BH-1 at 4 feet bgs, MtBE was detected at a concentration of 1.8 mg/kg in a soil collected from boring BH-2 at 4 feet bgs, and total oil and grease (TOG) was detected a concentration of 3,300 mg/kg in a soil sample collected from boring BH-9 at 4 feet bgs. To that end, ACEH requested that a scope of work be prepared to adequately characterize the source area(s) at the site. In response, Matriks proposes to install four borings at the site.

ACEH generally concurs with the proposed scope of work and the proposed scope of work may be implemented provided that the modifications requested in the technical comments below are addressed and incorporated during the field implementation. Submittal of a revised Work Plan is not required unless an alternate scope of work outside that described in the Work Plan and technical comments below is proposed.

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

#### **TECHNICAL COMMENTS**

1. **Contaminant Source Area Characterization** – As mentioned above, Matriks proposes to install four borings at the site. Based on a review of Figure 3 of the above-mentioned work plan, Matriks proposes to install boring BH-S on the north site of Central Avenue between previously installed borings BH-B and BH-C. Boring BH-T will be installed just north of the former UST excavation, boring BH-U will be installed in the west corner of the triangular shaped property, and BH-V will be installed in the vicinity of previously installed boring BH-J.

Based on those locations, it appears that only proposed boring BH-T is located in the vicinity of the contaminant source area and borings BH-S and BH-V are located in areas where elevated soil and/or groundwater contamination was detected previously. Adequate justification for the locations of borings BH-U and BH-V was not provided in the work plan and ACEH does not see any potential utility from data obtained from those locations since it is proposed in an area that was previously investigated. Since the intent of the investigation is to characterize the contaminant source area, ACEH requests that boring BH-V is relocated approximately 10 feet to the north northwest of boring BH-K (in line with previously installed boring along the south side of Encinal Avenue) and boring BH-U is relocated approximately twenty feet closer to the former UST excavation from its currently proposed location. ACEH also requests that three additional borings are installed within the contaminant source area, with one boring located on the center of the western edge outside of the former UST excavation boundary, another boring located on the north side of Encinal Avenue, approximately forty feet south southeast of previously installed boring BH-L, and the third boring located midway between previously installed borings BH-4 and BH-7. Proposed locations for borings BH-S and BH-T appear appropriate.

Should you disagree with ACEH's rationale for boring relocations and additional borings, please submit justification that Matriks' proposed boring locations will adequately characterize the contaminant source area. Otherwise, please implement the proposed scope of work that incorporates the above-mentioned comments and submit a report due by the date specified below.

2. **Feasibility Study/Corrective Action Plan** – As stated in our April 10, 2008 correspondence, once the contaminant source areas are adequately characterized, a Feasibility Study/Corrective Action Plan (FS/CAP) prepared in accordance with Title 23, California Code of Regulations, Section 2725 will be due. The FS/CAP must include a concise background of soil and groundwater investigations performed in connection with this case and an assessment of the residual impacts of the chemicals of concern (COCs) for the site and the surrounding area where the unauthorized release has migrated or may migrate. The FS/CAP should also include, but not limited to, a detailed description of site lithology, including soil permeability, and most importantly, contamination cleanup levels and cleanup goals, in accordance with the San Francisco Regional Water Quality Control Board (SFRWQCB) Basin Plan for all COCs and for the appropriate groundwater designation. Please note that soil cleanup levels should ultimately (within a reasonable timeframe) achieve water quality objectives (cleanup goals) for groundwater in accordance with the SFRWQCB Basin Plan. Please specify appropriate cleanup levels and cleanup goals in accordance with 23 CCR Section 2725, 2726, and 2727 in the FS/CAP.

At least three viable alternatives for remedying or mitigating the actual or potential adverse effects of the unauthorized release(s) besides the 'no action' and 'monitored natural attenuation' remedial alternatives must be evaluated in the FS/CAP. Each alternative shall be evaluated not only for cost-effectiveness but also its timeframe to reach cleanup levels and cleanup goals, and ultimately the Responsible Party must propose the most cost-effective corrective action.

### **NOTIFICATION OF FIELDWORK ACTIVITIES**

Please schedule and complete the fieldwork activities by the date specified below and provide ACEH with at least three (3) business days notification prior to conducting the fieldwork.

### **TECHNICAL REPORT REQUEST**

Please submit technical reports to ACEH (Attention: Paresh Khatri), according to the following schedule:

- **February 19, 2010** – Soil and Water Investigation Report
- **Due within 90 Days of Soil & Water Investigation Report submittal** – Feasibility Study/Corrective Action Plan
- **Due within 30 Days of Sampling** – Semi-annual Monitoring Report (1<sup>st</sup> Quarter 2010)
- **Due within 30 Days of Sampling** – Semi-annual Monitoring Report (3<sup>rd</sup> Quarter 2009)

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](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

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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.

If you have any questions, please call me at (510) 777-2478 or send me an electronic mail message at [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org).

Sincerely,

Paresh C. Khatri  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: David Janney, Matriks Corporation, 321 Court Street, Woodland, CA 95695  
Donna Drogos, ACEH (Sent via E-mail to: [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))  
Paresh Khatri, ACEH (Sent via E-mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org))  
GeoTracker  
File

|   |  |
|---|--|
| <b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b> | <b>ISSUE DATE:</b> July 5, 2005                                |
|   | <b>REVISION DATE:</b> March 27, 2009                           |
|   | <b>PREVIOUS REVISIONS:</b> December 16, 2005, October 31, 2005 |
| <b>SECTION:</b> Miscellaneous Administrative Topics & Procedures              | <b>SUBJECT:</b> 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

- 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](mailto:dehloptoxic@acgov.org)  
Or
    - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of My Le Huynh.
  - 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](mailto: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.