



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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August 19, 2015

Raj Mulkh & Bhatia Kulwinder, et. al.
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28456 Century Street
Hayward, CA 94545-4800
(Sent via email to: vintnersdist.com)

Hollis Phillips
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San Francisco, CA 94104
(Sent via email to:
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Jim Smith
BP Contracts Manager
201 Helios Way, Sixth Floor
Houston, TX, 77079
(Sent via email to:
Jim.Smith2@bp.com)

Subject: Request for Brief Data Gap Work Plan; Fuel Leak Case No. RO0000076 and GeoTracker
Global ID T0600100110, ARCO #04931, 731 W Macarthur Blvd, Oakland, CA 94609

Dear Responsible Parties:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the *Site Investigation Report*, dated June 26, 2015. The document was prepared and submitted by ARCADIS, U.S., Inc. (ARCADIS). The referenced report documents the installation of soil bore SB-7 downgradient and across the street from the subject property to define the downgradient extent of the groundwater plume, a sensitive receptor survey (wells, basements, and etc.) and the installation of vapor wells SV-7 and SV-8 in proximity to the upgradient property line in order to investigate the potential for vapor intrusion to an offsite residential structure that is known to contain a partial basement.

ACEH has evaluated the additional data and recommendations presented in report to determine if the site is eligible for closure as a low risk site under the State Water Resource Control Board's Low Threat Closure Policy (LTCP). Based on ACEH staff review, ACEH is in partial agreement with the report, and the site now appears to meet the LTCP Media-Specific Criterias for Groundwater as well as the Direct Contact and Outdoor Air; however, with the additional data the site does not meet the Media-Specific Criteria for Vapor Intrusion to Indoor Air (see Geotracker for details). Specifically, the presence of a partial basement at the immediately adjacent residential structure, the collection of a soil vapor sample at a depth of 5 feet below grade surface (bgs) rather than at 5 feet below the foundation depth, the assumed 5 foot bioattenuation zone, the presence of less than 4% oxygen (1.3%) in this zone, coupled with an elevated benzene detection limit (non detectable at < 180 micrograms per cubic meter [$\mu\text{g}/\text{m}^3$] and not less than the $85 \mu\text{g}/\text{m}^3$ LTCP criteria) at a vapor well location approximately 15 to 20 feet from the residence, does not support selection of Scenario 4a of the LTCP at the site.

Therefore, at this juncture ACEH requests that you prepare a brief Data Gap Work Plan that is supported by a focused Site Conceptual Model (SCM) for data collection to address the Technical Comments provided below.

TECHNICAL COMMENTS

- 1. LTCP Media Specific Criteria for Vapor Intrusion to Indoor Air** – As discussed above, our review of the case files indicates that the site data collection and analysis fail to support the requisite characteristics of one of the four scenarios. At this time it appears appropriate to submit a brief Data Gap Work Plan, utilizing existing, previously accepted, standard protocols used at the site to, at a

minimum, collect an additional round of soil vapor from the vapor wells, consistent with DTSC guidelines, and to investigate the quality (contaminant concentrations) of soil in the apparently limited bioattenuation zone between 5 and 10 feet bgs in proximity to the vapor wells. An additional scope of work, including determining the exact depth of the adjacent residential foundation, and installation of a deeper vapor well that is a minimum of five feet below the adjacent foundation, or other site specific items, is not intended to be precluded by this requested minimum scope of work.

- 2. Data Gap Investigation Work Plan and Focused Site Conceptual Model** – Please prepare a Data Gap Investigation Work Plan to address the technical comments listed above. Please support the scope of work in the Data Gap Investigation Work Plan with a focused SCM for data collection and Data Quality Objectives (DQOs) that relate the data collection to each LTCP criteria. For example please clarify which scenario within each Media-Specific Criteria a sampling strategy is intended to apply to.

In order to expedite review, ACEH requests the focused SCM for data collection be presented in a tabular format that highlights the major SCM elements and associated data gaps, which need to be addressed to progress the site to case closure under the LTCP. Please see Attachment A "Site Conceptual Model Requisite Elements". Please sequence activities in the proposed revised data gap investigation scope of work to enable efficient data collection in the fewest mobilizations possible. Please submit the Data Gap Work Plan by the date identified below.

- 3. Groundwater Monitoring** – Groundwater monitoring has not occurred at the site since August 2014, and it appears appropriate to conduct an annual groundwater monitoring event at the site. It appears that groundwater concentrations are typically higher in August of a given recent year, thus it is appropriate to conduct the event in August or early September 2015 to capture worst case groundwater concentrations. Please include all wells, and submit a report by the date identified below.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with the specified file naming convention below, according to the following schedule:

- **October 12, 2015** - Data Gap Work Plan
File to be named: WP_R_yyyy-mm-dd
- **December 11, 2015** - 2015 Annual Groundwater Monitoring Event
File to be named: GWM_R_yyyy-mm-dd
- **60 Days After Work Plan Approval** – Site Investigation Report;
File to be named: SWI_R_yyyy-mm-dd

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.

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>. If your email address does not appear on the cover page of this notification, ACEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

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

Sincerely,

Mark E. Detterman, PG, CEG
Senior Hazardous Materials Specialist

Ladies & Gentlemen
RO0000076
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Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations
Electronic Report Upload (ftp) Instructions

cc: Dilan Roe (Sent via electronic mail to dilan.roe@acgov.org)
Mark Detterman (sent via electronic mail to mark.detterman@acgov.org)
Electronic File, GeoTracker

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: May 15, 2014
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 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.