

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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September 11, 2007

Mr. Nissan Saidian
5733 Medallion Court
Castro Valley, CA 94522

Subject: Fuel Leak Case No. RO0000085 and Geotracker Global ID T0600101487, Oakland Truck Stop, 8255 San Leandro Street, Oakland, CA 94621

Dear Mr. Saidian:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the recently submitted document entitled, "Revised Remedial Action Plan for Underground Storage Tank and Dispenser Removal and Soil and Groundwater Remediation," dated August 16, 2007 and received by ACEH on August 20, 2007. The report was prepared on your behalf by Aqua Science Engineers and presents a revised remedial action plan (RAP) for the site. Installation and operation of an ozone sparging system was previously proposed for the site in a RAP dated April 7, 2004. The revised RAP proposes site remediation through excavation, dewatering, and product removal activities. These activities are proposed in conjunction with UST and dispenser removal.

Free-phase diesel fuel is present within an extensive area beneath the dispensers. Highly elevated concentrations of fuel hydrocarbons and oxygenates are also present in the southern portion of the site where the USTs are located.

We have several technical comments on the proposed site remediation, which require modifications to the revised RAP. Therefore, we request that you address the following technical comments, perform the proposed work, and send us the RAP (Second Revision) described below.

TECHNICAL COMMENTS

1. **Cleanup Goals.** The revised RAP proposes that Environmental Screening Levels (*Screening for Environmental Concerns at Sites with Contaminated Soil and Groundwater*, San Francisco Bay Regional Water Quality Control Board Interim Final - February 2005) for commercial land use where groundwater is not a current or potential drinking water resource be used as cleanup goals for the proposed remediation. Please note that groundwater in the area of the site has a potential domestic and municipal supply beneficial use (East Bay Plain Groundwater Basin Beneficial Use Evaluation Report, California Regional Water Quality Control Board, San Francisco Bay Region, June 1999). Therefore, comparison to Environmental Screening Levels (ESLs) for commercial sites where groundwater is not a current or potential source of drinking water is not appropriate. Although factors such as current groundwater use in the area and distances to nearby receptors may be considered in

remedy selection and the time required to achieve cleanup goals, the application of cleanup goals that are not protective of the designated beneficial uses is not appropriate. Please note that the site is adjacent to an open steam channel and aquatic habitat criteria are also applicable. In the RAP (Second Revision) requested below, please revise the proposed cleanup goals to be consistent with the designated beneficial uses for groundwater at the site.

2. **Confirmation Soil Samples from Bottom of Excavation.** Collection of confirmation soil samples from the bottom of the excavations is discussed on page 11 of the revised RAP but is not discussed in the more detailed discussion of confirmation soil sampling on page 16. Please expand the detailed discussion of confirmation soil sampling from the bottom of the excavations in the RAP (Second Revision) requested below.
3. **Proposed Areas for Overexcavation.** The proposed areas of excavation are generally acceptable; however, we request that the UST excavation be expanded to the southeast. Shoring and the southeastern limit of the UST excavation are currently shown at a distance of approximately 25 feet northwest of the southeastern property boundary. Elevated concentrations of fuel hydrocarbons and oxygenates have been detected in soil and groundwater in soil borings BH-C, BH-I, BH-D, BH-E, and MW-9, which are located southeast of the shoring. We request that you expand the UST excavation to the southeast in order to remove more of the known soil contamination in this area. Temporary re-routing of access to the neighboring property to the west may be required. Please propose moving the shoring and expansion of the excavation to the southeast in the revised RAP requested below.
4. **Reuse of Soil for Backfill.** The revised RAP proposes that stockpiled soils be used as backfill when the concentrations of fuel hydrocarbons and oxygenates in soil do not exceed ESLs for commercial land use where groundwater is not a drinking water resource. As discussed in technical comment 1, groundwater at the site has potential domestic and municipal supply and aquatic habitat beneficial uses. In the RAP (Second Revision) requested below, please modify the proposed criteria for soil reuse to be in accordance with the designated beneficial uses. We also request that the frequency of sampling for soil that appears suitable reuse as backfill be increased from one discrete soil sample per 100 cubic yards to one discrete soil sample per 50 cubic yards.
5. **Quarterly Monitoring.** Quarterly groundwater monitoring is to be continued for the site. Please present your results in the quarterly monitoring reports requested below.
6. **Geotracker EDF Submittals.** A review of the SWRCB Geotracker website indicates that a copy of the revised RAP and more recent quarterly monitoring reports were not submitted to Geotracker for your site. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). In order to remain in regulatory compliance, please upload copies (in PDF format) of the revised RAP and recent groundwater monitoring reports to the Geotracker website.

TECHNICAL REPORT REQUEST

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

- **November 13, 2007** – Remedial Action Plan (Second Revision)
- **45 days after end of each quarter** - Quarterly Monitoring Reports

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

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. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

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. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for 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 monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was 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 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
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: David Allen, Aqua Science Engineers, Inc., 55 Oak Ct., Suite 220
Danville, CA 94526

Robert Kitay, Aqua Science Engineers, Inc., 55 Oak Ct., Suite 220
Danville, CA 94526

Joseph Zadik, Tenant, Oakland Truck Stop, 8255 San Leandro Street, Oakland, CA 94621

Donna Drogos, ACEH
Jerry Wickham, ACEH
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