

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-93

March 4, 2009

Mr. William Dinino
MPG Holding Inc.
7301 Topanga Canyon Road, Suite 202
Canoga Park, CA 91303

Mr. Robert Saunders
Oakland Alameda Coliseum
7000 Coliseum Way
Oakland, CA 94621

Mr. Nelson Tsui
1714 Franklin Street
Oakland, CA 94612

Coliseum Way 8000 Inc.
c/o Qing Ping Ding
1411 Harbor Bay Parkway
Alameda, CA 94502-7054

Mr. Robert Lepsic
County of Alameda
399 Elmhurst Street
Hayward, CA 94544

Mr. Mark Gomez
City of Oakland
250 Frank Ogawa Plaza, Suite 5301
Oakland, CA 94612-2034

Subject: Fuel Leak Case No. RO0000094 and Geotracker Global ID T0600100859, Malibu Grand Prix, 8000 South Coliseum Way, Oakland, CA 94621

To Responsible Parties:

I have been assigned as the case worker for the fuel leak case at the above referenced site. Please send future correspondence for the site to my attention. Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the subject site. Previous site investigation activities have identified two environmental concerns for the site:

- **Fuel leaks from two former underground storage tanks (USTs) located in the southern portion of the site.** Prior to 1989, the Malibu Grand Prix facility maintained two 6,000-gallon underground storage tanks (USTs) containing marine mix gasoline. The two USTs were removed on March 29, 1989 and February 1, 1990, respectively. Free-phase fuel was observed floating on water in the tank excavations during both tank removals. During the tank removal on March 29, 1989, soil samples collected from the tank excavation contained benzene at concentrations ranging from 7.3 to 33 milligrams per kilogram (mg/kg) and total petroleum hydrocarbons as gasoline (TPHg) at concentrations ranging from 50 to 150 mg/kg. During the tank removal on February 1, 1990, soil samples collected from the tank excavation contained benzene at concentrations ranging from 0.07 to 0.31 mg/kg and TPHg at concentrations ranging from 26 to 79 mg/kg. Subsequent site investigations from 1990 to 1996 that included soil and groundwater sampling detected fuel hydrocarbons and oxygenates in soil and groundwater over a wide area beneath the site. Benzene and TPHg were detected in groundwater samples collected from monitoring wells at the site at concentrations up to 2,700 and 20,000 micrograms per liter ($\mu\text{g/L}$), respectively.
- **Imported fill material that contains a tar-like substance.** The fill material is present throughout the site and appears to have been placed on the site between 1955 and 1975. Known chemicals of concern in the imported fill include polychlorinated biphenyls, phenanthrene, naphthalene, pyrene, and lead.

William Dinino
Robert Saunders
Nelson Tsui
Qing Ping Ding
Robert Lepsic
Mark Gomez
RO0000094
March 4, 2009
Page 2

The most recent report for the site in ACEH files is a report entitled, "*Groundwater Monitoring Report, First Quarter 2006, Former Malibu Grand Prix, 8000 South Coliseum Way, Oakland, California,*" dated April 18, 1996. The two most recent technical reports, other than monitoring reports, appear to be reports entitled, "*Soil Remediation Report, Former Malibu Grand Prix, 8000 South Coliseum Way, Oakland, California,*" dated June 23, 1995 and "*Site Management Plan, 8000 South Coliseum Way, Oakland, California,*" dated August 22, 1994 (Site Management Plan). The Soil Remediation Report describes excavation of gasoline-contaminated soil in the areas of the two former USTs). A recommendation to aerate the contaminated soil and reuse the soil on site is presented in the Soil Remediation Report. However, the Soil Remediation Report does not describe the final soil disposal, reuse, or treatment.

The Site Management Plan proposes actions to mitigate exposure to chemicals of concern in the fill material. Subsequent to submittal of the August 22, 1994 Site Management Plan and June 23, 1995 Soil Remediation Report, ACEH requested submittal of a Risk Management Plan, deed restriction to limit future use of the site, and documentation of soil disposal, treatment, and/or reuse. These requests were presented in repeated correspondence dated July 14, 1997, October 28, 1998, May 4, 1999, January 20, 2000, and June 9, 2000. There are no reports or other correspondence subsequent to the June 9, 2000 ACEH correspondence to indicate that the requested items were submitted.

Based upon our review of the case file, a coherent and comprehensive site conceptual model has not been developed for the site. As discussed in the technical comments below, it does not appear that ecological risks were adequately evaluated for the site. In order to evaluate whether all applicable health and environmental risks, including ecological risks have been evaluated for the site, we request that you prepare a Site Conceptual Model that summarizes the site conditions, identifies potential current and future receptors, describes the distribution of chemicals, describes the potential for chemical migrations from the site, and identifies any data gaps.

The previous proposal to limit exposure to contaminated soil and groundwater through the use of institutional controls such as capping the site with pavement, preparing a site management plan, and placing a deed restriction on the property will be reviewed pending the results of the Site Conceptual Model. We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

REQUEST FOR INFORMATION

The ACEH case file for this site can be viewed online at the following website: <http://ehgis.acgov.org/dehpublic/dehpublic.jsp>. Please review the list of reports in the case file. We request that you submit a copy of any other reports available to you that are not listed in the case file and that document investigation activities or other environmental work related to this site, including any Phase I or Phase II investigation reports completed as part of a potential property transfer. Specifically, the "*Site Management Plan, 8000 South Coliseum Way, Oakland, California,*" dated August 22, 1994 includes several references to a report entitled, "*Phase I Environmental Site Assessment, Malibu Grand Prix Site,*

William Dinino
Robert Saunders
Nelson Tsui
Qing Ping Ding
Robert Lepsic
Mark Gomez
RO0000094
March 4, 2009
Page 3

8000 South Coliseum Way, Oakland, California," dated March 1994 and prepared by Woodward-Clyde Consultants. The March 1994 Phase I Environmental Site Assessment, which apparently includes historical information, is not in ACEH files. Please submit a copy of this report and other environmental reports not in ACEH files no later than May 29, 2009.

TECHNICAL COMMENTS

- 1. Groundwater Discharges from Fill Material to Surface Water.** It does not appear that the potential for contaminated groundwater to discharge from the fill material into the adjacent creeks north and west of the site has been adequately evaluated. Although the Quarterly Groundwater Report for Fourth Quarter 1992 presents results from water samples collected in 1992 from adjacent creeks during high and low tide, these water samples do not appear to be adequate to evaluate groundwater discharges from the fill material given the effects of dilution in the surface water. In addition, the surface water samples were only analyzed for TPHg and benzene and not the additional chemicals of concern for the fill material. In the Site Conceptual Model requested below, please present an evaluation of potential groundwater discharges from the fill material to surface water and present recommendations for future investigation tasks to complete evaluation of groundwater discharges to surface water. Examples of data to be specifically evaluated for potential groundwater discharges to surface water are groundwater sample results from well MW-19 and soluble threshold limit concentrations results for lead in soil. Well MW-19 was located along South Coliseum Way, approximately 90 feet from the creek southwest of the site. No groundwater samples were collected between well MW-19 and the creek. The groundwater sample collected from well MW-19 on December 20, 1995 contained benzene and TPHg at concentrations of 2,700 and 20,000 µg/L, respectively. In addition, elevated concentrations of several polycyclic aromatic hydrocarbons were detected in the groundwater sample from well MW-19. Based on the high concentrations of PAHs in the groundwater sample, the laboratory analyst indicated that the chromatograph pattern best fit the pattern of a solvent waste. No further evaluation for solvents or the source of contamination appears to have been conducted. Composite soil samples collected from excavated soil that was stockpiled on site were analyzed for lead using the Waste Extraction Test. The average concentration of soluble lead was 9.2 milligrams per liter (mg/L), which exceeds the soluble threshold limit concentration of 5 mg/L for lead.
- 2. Preferential Pathways and Fuel Plumes Potentially Discharging to Creek.** Based on review of boring logs for the site, the thickness of fill material encountered in the area of the former USTs is highly variable. Review of aerial photographs from nearby sites shows tidal channels traversing the region prior to placement of fill. The potential for former tidal channels or shoreline features to be preferential pathways for contaminant migration has not been evaluated. We request that you review historic aerial photographs for the site to identify the locations of former tidal channels, shorelines, or other features that may act as preferential pathways. Please present a map showing the locations of former tidal channels in relation to site features and your evaluation of potential preferential pathways for contaminant migration in the Site Conceptual Model requested below. In particular, the potential

William Dinino
Robert Saunders
Nelson Tsui
Qing Ping Ding
Robert Lepsic
Mark Gomez
RO0000094
March 4, 2009
Page 4

for any preferential pathways from the fuel plumes to result in discharge to the adjacent creek are to be evaluated.

3. **Ecological Impacts from Fill Material Exposed along Creeks.** Paving of the site for use as a parking lot has been proposed to prevent future exposure to soil and groundwater contamination in the fill material beneath future paved areas. In the Site Conceptual Model requested below, please describe the method for limiting exposure to fill material outside the paved areas, particularly the banks of the adjacent creeks.
4. **Hydrogeologic Cross Sections.** We request that you prepare a minimum of two hydrogeologic cross sections for the site. One of the cross sections is to be oriented roughly parallel to South Coliseum Way in the area of the two USTs. At a minimum, a second cross-section should be oriented southwest-northeast and extend from boring SB-18 to SB-4 in the northern corner of the site. The cross sections are to show the lateral and vertical extent of soil layers encountered, the location of the tank pits, dispensers, buildings, where groundwater was first encountered in borings and the static water levels, screen intervals for monitoring wells and grab groundwater samples, observations of free product, staining, and odor, and analytical results for soil and groundwater samples. Please present the cross sections in the Work Plan requested below.
5. **Recommendations for Future Site Actions.** We request that the Site Conceptual Model include identification of data gaps and recommendations for future site actions.

TECHNICAL REPORT REQUEST

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

- **May 29, 2009** – 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

William Dinino
Robert Saunders
Nelson Tsui
Qing Ping Ding
Robert Lepsic
Mark Gomez
RO0000094
March 4, 2009
Page 5

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](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.

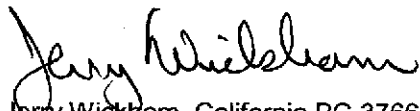
William Dinino
Robert Saunders
Nelson Tsui
Qing Ping Ding
Robert Lepsic
Mark Gomez
RO0000094
March 4, 2009
Page 6

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

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)