



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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July 31, 2008

Mojdeh Mehdizadeh
c/o Mohammed H. Mehdizadeh
678 La Corso Drive
Walnut Creek, CA 94598

Rockridge Heights, LLC
c/o Gary Feiner
34 Schooner Hill
Oakland, CA 94618

Subject: Fuel Leak Case No. RO0000139 and Geotracker Global ID T0600100882, Mehdizadeh Property, 5175 Broadway, Oakland, CA 94611

Dear Mr. Mehdizadeh and Mr. Feiner:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the recently submitted document entitled, "Revised Site Conceptual Model and Corrective Action Plan," dated July 23, 2008, which was prepared by Pangea Environmental Services, Inc. (Pangea) for the subject site. A development project consisting of commercial and residential units with sub-grade parking is currently proposed. Pangea selected excavation of impacted soils from 9 to 15 feet bgs and installation of a bio-sparging system as the most cost-effective remediation alternative for the site provided that the proposed development ensues. However, should alternative site development plans be proposed that do not include sub-grade parking, Pangea selected Dual Phase Extraction (DPE) with Air Sparging (AS) as the most cost-effective remediation alternative for the site.

ACEH generally concurs with the proposed remedial alternatives based on the potential site development scenarios. However, prior to CAP approval, ACEH requests that you address the following technical comments and send us the technical reports described below.

TECHNICAL COMMENTS

1. **Alternative 1: Excavation with Bio-Sparging** – Pangea states that hydrocarbon impacted soil is present at the site between 9 and 15 feet bgs. Pangea proposes to excavate soil to a depth of 15 feet to remove the impacted soil between 9 and 15 feet bgs for off-site disposal and reuse approximately half of the overburden soil (0 to 9 feet bgs) to backfill the excavation to approximately 10 feet bgs for the proposed sub-grade parking structure planned in the site redevelopment proposal. According to the RWQCB, petroleum hydrocarbon impacted soil must be adequately characterized prior to proposed reuse¹. Adequate characterization of the stockpiled soil proposed for reuse does not appear to have been proposed. In addition,

¹ Technical Reference Document, *Characterization and Reuse of Petroleum Hydrocarbon impacted soil as Inert Waste*, Draft, San Francisco Bay Regional Water Quality Control Board, October 20, 2006.

based on a review of depth to groundwater measurements collected from site groundwater monitoring wells, the depth to groundwater ranges from approximately 8 to 12 feet bgs. The RWQCB states that soil proposed for re-use onsite must be "placed at least five feet above the highest anticipated level of ground water." Since the soil is anticipated to be placed between 10 and 15 feet bgs, the proposed soil reuse appears to be within the shallow water bearing zone, which appears to violate the RWQCB's soil reuse guidelines. Therefore, the costs associated with Alternative 1 may need to be re-calculated to reflect the added costs of soil disposal and imported fill. Please address the above mentioned comments and submit a revised CAP by the due date specified below.

2. **Potential Groundwater & Soil Vapor Migration** – Groundwater sample analytical results have identified free product at the site. Soil vapor sample analytical results have confirmed that a significant soil vapor plume exists on and off-site. In addition to the proposed soil excavation, Pangea proposes to install bio-sparge treatment cells and possibly bio-sparge wells. ACEH is concerned that low flow air sparging may cause possible groundwater and vapor plume migration. A discussion justifying that low flow air sparging will not cause groundwater and vapor plume migration, including spreading free product, was not presented in the CAP.

There also is a concern that low flow air sparging may cause hydrocarbons to be generated by transforming from adsorbed and/or dissolved phase to vapor phase without being completely decayed. It is unclear how potentially migrating contaminant vapors that may be generated from low flow air sparging will be distinguished from elevated and/or soil vapor concentrations previously detected at the site. Also permanent soil vapor monitoring points were not proposed. Please address the above mentioned comments and submit a revised CAP by the due date specified below.

Please note that soil vapor extraction in conjunction with low flow air sparging has not been proposed. Should contaminant generation and migration occur as a result of low flow air sparging and an extraction system is deemed necessary after the completion of the low flow air sparge system, additional costs may be incurred, which have not been considered in the FS evaluation. The UST Cleanup Fund may not reimburse any additional costs for future SVE.

TECHNICAL REPORT REQUEST

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

- **September 29, 2008** – Revised CAP
- **October 30, 2008** - Quarterly Monitoring Report (3rd Quarter 2008)
- **January 30, 2009** - Quarterly Monitoring Report (4th Quarter 2008)
- **April 30, 2009** - Quarterly Monitoring Report (1st Quarter 2009)
- **July 30, 2009** - Quarterly Monitoring Report (2nd 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).

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.

Mr. Mehdizadeh and Mr. Feiner
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UNDERGROUND STORAGE TANK CLEANUP FUND

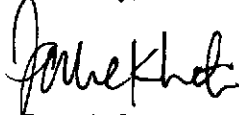
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

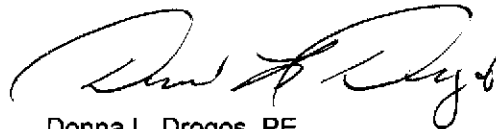
If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 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 pareskhatri@acgov.org.

Sincerely,



Paresh C. Khatri
Hazardous Materials Specialist



Donna L. Drogos, PE
Supervising Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Bob Clark-Riddell, Pangea Environmental Services, Inc., 1710 Franklin Street, Suite 200,
Oakland, CA 94612
Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA
94612-2032
Donna Drogos, ACEH
Paresh Khatri, 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)