

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**  
AGENCY  
ALEX BRISCOE, Agency Director



ENVIRONMENTAL HEALTH DEPARTMENT  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
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December 31, 2015

Dr. Joginder Sikand  
c/o Jasminder & Sonia Sikand  
1066 Rock Harbor Point  
Hercules, CA 94547

Mr. Anis Rahman  
Albany Hill Mini Mart  
800 San Pablo Avenue  
Albany, CA 94706

Subject: Request for Indoor Air Sampling Work Plan and Groundwater Monitoring Modification; Fuel Leak Case No. RO0000262 and Geotracker Global ID T0600102131, Albany Hill Mini Mart, 800 San Pablo Avenue, Albany, CA 94706

Dear Dr. Sikand and Mr. Rahman:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the *Soil and Soil Vapor Assessment Report*, dated July 23, 2015, and the *Quarterly Groundwater Monitoring and Soil Vapor Sampling Report*, dated December 4, 2015. The reports were prepared and submitted on your behalf by Aqua Science Engineers, Inc. (ASE). Thank you for submitting the reports. The vapor assessment report documents the installation of on- and off-site soil vapor wells SVW-2 to SVW-5, the collection of shallow soil samples in the 0 to 5 and 5 to 10 foot depth intervals, and the collection of soil vapor samples at a depth of 5 feet and 10 feet below grade surface (bgs) on- and off-site. The *Quarterly Groundwater Monitoring and Soil Vapor Sampling Report* documented the third quarterly groundwater monitoring event at the site since the ozone sparging system was terminated on March 2, 2015, and an additional soil vapor sampling effort. In general groundwater concentrations at the site and vicinity appear stable; however, Total Petroleum Hydrocarbon concentrations at several wells (MW-6 and MW-9) appear to be increasing and the concentrations may represent rebounding concentration trends. Groundwater sampling over the next several quarters may illuminate these details. The groundwater monitoring report recommends the cessation of groundwater sampling at wells MW-2, MW-3, MW-7, and MW-8 due to the lack of detectable hydrocarbon concentrations for over five years.

Site vapor data present two anomalies that require further evaluation. The initial vapor samples collected in June and July 2015 document extraordinary high oxygen concentrations 15 to 40 percent (%), with the majority over 30 percent). As atmospheric oxygen concentrations are approximately 21%, the increase has been attributed to either oxygen from the former ozone sparging system, or a sampling error due to the very slow rate of filling of the sampling containers. This requires resolution to identify accurate and stable oxygen concentrations of soil beneath the site within the context of the LTCP. Additionally, site investigations have documented unusually elevated hydrocarbon vapor concentrations across Washington Avenue from the site at a depth of 10 feet bgs. A deeper soil vapor well (SVW-5) was installed due to the presence of a basement at the Mallard Club at that location. At this juncture, it has not been established if the higher vapor concentrations at that depth and location are protective of indoor air in the adjacent building, especially in the basement. The LTCP requires vapor sampling five feet below the foundation of a building; however, groundwater has been consistently encountered below 10 feet bgs.

Although the subject site actively dispenses gasoline, the site also contains a minimum of three commercial spaces that are unrelated to fuel dispensing (mini-mart, jewelry shop, and a barber shop or beauty salon), and the site is located in a mixed use area with a residential apartment building immediately west of the property, and a commercial establishment across Washington Avenue that includes a basement as mentioned above. The unusual distribution of soil vapor, with the highest concentrations offsite across the street and immediately adjacent to a basement, requires further evaluation to ensure the residual contamination at that location is not a concern to occupants of the building.

Based on the data submitted with the report, ACEH has re-evaluated site data, in conjunction with case files, and the State Water Resources Control Board's (SWRCBs) LTCP. Based on ACEH staff review of site data, we have

determined that the site appears to meet all General Criteria, the Media-Specific Groundwater Criteria, and the Media-Specific Criteria for Direct Contact and Outdoor Air. It has not been determined if the site vicinity meets the LTCP Media-Specific Criteria for Vapor Intrusion to Indoor Air due to the presence of the basement as mentioned above.

As a consequence, and based on the review of the case file ACEH requests that you address the following technical comments and send us the documents requested below.

## **TECHNICAL COMMENTS**

- 1. LTCP Media Specific Criteria for Vapor Intrusion to Indoor Air** – The LTCP describes conditions, including bioattenuation zones, which if met will assure that exposure to petroleum vapors in indoor air will not pose unacceptable health risks to human occupants of existing or future site buildings, and adjacent parcels. Appendices 1 through 4 of the LTCP criteria illustrate four potential exposure scenarios and describe characteristics and criteria associated with each scenario.

With regard to the likely basement across Washington Avenue, limited data is currently available. Four soil samples have been collected in the 0 to 5 foot depth interval adjacent to the associated building, and document that total TPH concentrations are less than 100 milligrams per kilogram (mg/kg). One soil sample (BH-O at 9.5 feet) in the 5 to 10 foot depth interval indicates that total TPH concentrations are over 100 mg/kg (377 mg/kg TPHg and TPHd combined); however, another soil sample (SVW-5-10) documents TPH concentrations <100 mg/kg (<1.0 mg/kg) in close proximity to BH-O. Presuming the basement is approximately 8 - 9 feet bgs would require a vapor sample to be collected at a depth of approximately 13 - 14 feet bgs to meet LTCP evaluation criteria. This is likely below the depth historic groundwater has been encountered at the site. Due to the difficulty in gaining closer offsite access to the building as documented in the referenced reports, it appears appropriate to request the collection of indoor air basement vapor sample (and ambient air sample) as recommended in the referenced groundwater monitoring and soil vapor sampling report in an effort to determine the risk of vapor intrusion into the basement with multiple lines of evidence. ACEH is additionally in agreement with the recommendation to recollect a soil vapor sample at SVW-5. Finally, due to the anomalously elevated oxygen concentrations in a number of wells, it appears appropriate to request the resampling of additional wells to confirm a continued reduction of oxygen concentrations and hydrocarbon concentration consistency. Therefore ACEH requests the resampling of vapor wells SVW-4 and SVW-3.

With regards to indoor air sampling, please ensure that your public participation strategy is consistent with protocols described in the Department of Toxic Substances Control's (DTSC) *Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air (Vapor Intrusion Guidance)*, dated October 2011, including a building survey and ambient air sampling, and the DTSC *Vapor Intrusion Public Participation Advisory* (March 2012).

Please submit a work plan using standard protocols employed at the site to collect soil vapor samples from permanent wells and indoor air samples, as detailed above. Please submit a work plan by the date identified below.

- 2. Groundwater Monitoring** – ACEH is in agreement with the recommendation to cease groundwater sampling at wells MW-2, MW-3, MW-7, and MW-8. ACEH requests that Depth to Water continue to be collected from these wells in order to construct groundwater flow direction maps. Please continue to conduct quarterly groundwater monitoring for a minimum of one year after system shut-off. Please continue to include naphthalene in the analytical suite in order to evaluate the dissolved-phase plume with respect to the LTCP. Please submit groundwater monitoring reports by the dates 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:

- **March 11, 2016** – Indoor Air and Soil Vapor Sampling Work Plan  
File to be named: RO262\_WP\_R\_YYYY-mm-dd
- **March 25, 2016** – Fourth Quarter 2015 Quarterly Groundwater Monitoring and Remedial Progress Report  
File to be named: RO262\_GWM\_REM\_R\_YYYY-mm-dd
- **May 27, 2016** – First Quarter 2016 Quarterly Groundwater Monitoring Report and Remedial Progress Report  
File to be named: RO262\_GWM\_REM\_R\_YYYY-mm-dd
- **August 26, 2016** – Second Quarter 2016 Quarterly Groundwater Monitoring Report and Remedial Progress Report; File to be named: RO262\_REM\_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 is not listed on the first page of this letter, or in the list of cc's listed below, ACEH is requesting your email address to help expedite communications and to help lower overall costs.

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

Sincerely,

Mark Detterman, PG, CEG  
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations and Electronic Report Upload (ftp) Instructions

cc: Robert Kitay, Aqua Science Engineers, Inc, 55 Oak Court, Suite 220, Danville, CA 94526,  
(sent via electronic mail to [rkitay@aquascienceengineers.com](mailto:rkitay@aquascienceengineers.com))

Dilan Roe (sent via electronic mail to [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Mark Detterman (sent via electronic mail to [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org))  
Geotracker, Electronic File

## 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/](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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>REVISION DATE:</b> May 15, 2014
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010
<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

- **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](mailto: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](mailto: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.