



April 19, 2017

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 Groundwater Monitoring and Offsite Access Contact Information; 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 Department of Environmental Health (ACDEH) staff has reviewed the case file including the *Quarterly Groundwater Monitoring Report*, dated August 16, 2016. The report was prepared and submitted on your behalf by Aqua Science Engineers, Inc. (ASE). Thank you for submitting the report.

Based on the review of the case file ACDEH requests that you address the following technical comments and send us the documents requested below.

#### **TECHNICAL COMMENTS**

- 1. LTCP Media Specific Criteria for Groundwater** – To satisfy the media-specific criteria for groundwater, the contaminant plume that exceeds water quality objectives must be stable or decreasing in areal extent, and meet all of the additional characteristics of one of the five classes of sites listed in the policy.

Our review of the case files indicates that insufficient data collection and analysis has been presented to support the requisite characteristics of plume stability or plume classification as follows:

- a. Groundwater Plume Stability** – Since the ozone sparge system was turned off, concentrations of TPHg in groundwater appear to have risen in select downgradient perimeter wells (MW-5R and perhaps MW-6), thus affecting the concentration stability of the groundwater plume, and affecting the downgradient defined extent of the plume. ACDEH notes that there appear to be limited volatiles associated with the downgradient concentrations of TPHg.
- b. Undefined Downgradient Extent** – As commented in previous letters and mentioned above, a review of groundwater concentrations at the site indicates the downgradient extent of the groundwater plume is rendered undefined based on recent increasing, or fluctuating, concentrations.

Therefore, to ensure that worst-case groundwater concentrations, which may return when the region exits drought-like conditions are considered prior to closure, it appears appropriate to utilize tools contained in the LTCP to define worst-case plume lengths downgradient of well MW-5R and MW-6. Based on a literature review by the State Water Board (SWB), Table 1 of the *Technical Justification for Groundwater Media-Specific Criteria* (SWB, April 24, 2012) provides the Average, 90<sup>th</sup> Percentile, and Maximum Plume lengths for TPHg, benzene, and methyl tert butyl ether (MTBE). ACDEH requests the generation of a figure depicting the average, 90<sup>th</sup> percentile, and maximum plume lengths for TPHg and benzene (the site has been shown not to contain significant MTBE concentrations above environmental goals in groundwater) in the multiple downgradient groundwater flow directions. To support your determination of the

downgradient flow direction, please include a rose diagram utilizing all historic groundwater flow directions determined at the site.

Subsequently, consistent with the LTCP, utilize these estimated plume lengths to conduct a search for sensitive receptors within 1,000 feet of the areas defined by the potential plume lengths. This is requested to include dewatering structures, including basements with sump pumps which have the capacity to extract groundwater and discharge it as storm drainage at street level, within the anticipated plume lengths, and within 1,000 feet of the potential length. This may require a door to door survey or a Google Earth Street view survey to search for potential basements or other dewatering structures.

ACDEH requests that a plume delineation and sensitive receptor report be submitted by the date identified below.

2. **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.

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.

- a. **Indoor Air** - Based on the referenced groundwater monitoring report it is apparent the work plan previously approved in the directive letter dated April 18, 2016, has not been completed due to the inability to contact the property owner or tenant at the facility which is located across Washington Avenue from the subject site. As discussed more expansively in the letter, that parcel despite being across the street from the subject site, contains a restaurant with a basement that appears to be at risk for vapor intrusion. As previously discussed, with the assumption that the basement is approximately eight feet in depth, the nearest vapor well SVW-5 (installed to 10 feet bgs) was 7,700 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ), ethylbenzene was 1,600  $\mu\text{g}/\text{m}^3$ , and oxygen was 0.81 percent (%). The previously approved work plan proposed indoor air sampling of the basement located at the Mallard Club in an effort to determine if the basement had been impacted by the documented elevated petroleum vapor concentrations within 12 feet of the basement.

In an effort to provide assistance, please forward the contact information for the property owner and tenant (if different) to ACDEH and ACDEH will issue a letter requesting access directly to them. Please send the information by the date identified below.

3. **Groundwater Monitoring** – Due to the fluctuating or increasing concentrations of TPHg in groundwater, ACDEH is not yet in agreement with the recommendation to move the site to semi-annual quarterly groundwater monitoring at this time. Additionally, due to the exceptionally wet rain year to date, ACDEH requests an immediate collection of groundwater from all wells. This will provide very useful data relative to groundwater rebound and the effect of higher groundwater levels at the site due to the rain year. 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.

### **SUBMITTAL ACKNOWLEDGEMENT STATEMENT**

Please note that ACDEH has updated Attachment 1 with regard to report submittals to ACDEH. ACDEH will now be requiring a Submittal Acknowledgement Statement, replacing the Perjury Statement, as a cover letter signed by the Responsible Party (RP). The language for the Submittal Acknowledgement Statement is as follows:

*I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to ACDEH's FTP server and the SWRCB's Geotracker Website.*

Please make this change to your submittals to ACDEH.

### **TECHNICAL REPORT REQUEST**

Please upload technical reports to the ACDEH 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:

- **May 12, 2017** – Adjacent Property Owner Contact Information;  
Please email your case worker
- **June 30, 2017** – Second Quarter 2017 Quarterly Groundwater Monitoring Report;  
File to be named: RO262\_GWM\_R\_YYYY-MM-DD
- **60 Days After Offsite Access Granted** – Site Investigation Report and Sensitive Receptor Survey  
File to be named: RO262\_SWI\_R\_YYYY-MM-DD
- **September 29, 2017** – Third Quarter 2017 Quarterly Groundwater Monitoring;  
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, ACDEH 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, ACDEH, (Sent via electronic mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Paresh Khatri, ACDEH; (Sent via electronic mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org))  
Mark Detterman, ACDEH, (Sent via electronic mail to: [mark.detterman@acgov.org](mailto: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

Alameda County Department of Environmental Health's (ACDEH) Environmental Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) 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 File Transfer Protocol (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 SCP 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 ([http://www.waterboards.ca.gov/water\\_issues/programs/ust/electronic\\_submittal/](http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)) for more information on these requirements.

#### ACKNOWLEDGEMENT STATEMENT

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to ACDEH's FTP server and the SWRCB's GeoTracker website." 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 6731, 6735, and 7835) 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 licensed 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 case meet this requirement. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

#### UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, late 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 SCP)</b>	<b>REVISION DATE:</b> December 1, 2016
	<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; May 15, 2014, November 29, 2016
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> Electronic Report Upload (ftp) Instructions


The Alameda County Environmental Cleanup Oversight Programs (LOP and SCP) 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) Open File Explorer using the Windows  key + E keyboard shortcut.
    - i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
  - b) On the address bar, type in ftp://alcoftp1.acgov.org.
  - c) Enter your User Name and Password. (Note: Both are Case Sensitive)
  - d) Click Log On.
  - e) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
  - f) 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.