



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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January 26, 2010

Sydney & Barbara Borsuk Trust, Shiela Siegel Trust
C/o Mr. Mark Borsuk
1626 Vallejo Street
San Francisco, CA 94123-5116

Mr. Leland Douglas
Douglas Parking Company
1721 Webster Street
Oakland, CA 94612

Subject: Fuel Leak Case No. RO0000266 and Geotracker Global ID T0600100682, A Bacharach Trust & B Borsuk, 1432 Harrison Street, Oakland, CA 94612

Dear Mr. Borsuk and Mr. Douglas:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the subject site including the recently submitted documents entitled, "*Additional Site Characterization Report, Allright Parking, 1432 Harrison Street, Oakland, California,*" dated December 4, 2009 (Site Characterization Report) and "*Groundwater Monitoring Report – Third Quarter 2009, Allright Parking, 1432 Harrison Street, Oakland, California,*" dated October 16, 2009 (Groundwater Monitoring Report). The Site Characterization Report, which was prepared by Conestoga-Rovers & Associates, presents results from site characterization activities conducted at the site in August and September 2009. Site characterization activities were proposed in a document entitled, "*Additional Site Characterization Report, Allright Parking, 1432 Harrison Street, Oakland, California,*" dated July 1, 2009. As proposed in the July 1, 2009 Work Plan, the scope of work was to include one soil boring adjacent to the former tanks, one soil boring downgradient of the former waste oil tank, collection of soil vapor samples at five locations, installation of one downgradient well to define plume extent, and a sensitive receptor survey. However, due to the presence of utilities and access limitations, several elements of the proposed scope of work were eliminated. The proposed soil boring adjacent to the former tanks was moved outside the area of the former tanks, the soil boring downgradient of the waste oil tank was not advanced, proposed soil vapor sampling probes SV-1 and SV-2 were not installed, and the downgradient well was not installed. In addition, a sensitive receptor survey was not adequately completed.

At this time, we request that you complete the well survey and sensitive receptor survey as discussed in the technical comments below. The need for further characterization activities to address the technical comments below will be evaluated pending results of the well and sensitive receptor surveys. Case closure cannot be considered until the issues described in the technical comments below are further evaluated and addressed.

We request that you address the technical comments below, perform the proposed work, and submit the documents requested below.

TECHNICAL COMMENTS

- 1. Well Survey and Sensitive Receptor Survey.** As part of the proposed sensitive receptor survey, the July 1, 2008 Work Plan proposed to review California Department of Water Resources and Alameda County Public Works records to identify water supply wells within ½ mile of the site. This scope of work does not appear to have been completed. Instead, Section 5.0 of the Site Characterization Report entitled, "Sensitive Receptor Survey," refers to a review of the GeoTracker website. Please note that the GeoTracker website does not identify all water supply wells and is not an adequate reference for a well survey. Please complete the well survey as proposed in the July 1, 2008 Work Plan. No other activities appear to have been conducted for the Sensitive Receptor Survey. A sensitive receptor survey typically identifies sensitive land use such as schools, day care centers, etc. that are adjacent to or downgradient from the site and potentially could be affected. We request that you complete a sensitive receptor survey that identifies sensitive land uses adjacent to and downgradient from the site including the full current and potential future extent of the off-site plume. All sites with basements and/or sumps are to be identified and assessed for current or potential future impact. Please present these results in the Well Survey and Sensitive Receptor Survey Report requested below.
- 2. Boring B-24.** The purposes of boring B-24 were to characterize post-remediation soil concentrations adjacent to the former USTs and to define the vertical extent of contamination. Boring B-24 was proposed in the source area adjacent to the former USTs but was moved southeast of the former USTs. Therefore, boring B-24 may be outside the area of greatest impacts to soil. TPHg and BTEX were detected in the lower three soil samples (29.5, 35, and 49.5 feet bgs) collected in boring B-24. TPHg and benzene were detected in the lowermost sample collected at a depth of 49.5 feet bgs at concentrations of 890 and 1.2 micrograms per kilogram, respectively. The Report hypothesizes that the elevated concentrations of fuel hydrocarbons in the 35 and 49.5 feet bgs soil samples are a result of saturated impacted soil caving from the borehole wall below the water table between 25 and 29.5 feet bgs and being collected in the subsequently deeper soil samples. However, benzene was detected in the lowermost two soil samples at concentrations ranging from 1.2 to 1.6 mg/kg but was detected at a maximum concentration of only 0.15 mg/kg in soil samples collected between 25 and 29.5 feet bgs. Although it is possible that the soil samples collected at depth are not representative, the vertical extent of contamination remains undefined.
- 3. Soil Vapor Sampling Results.** The Site Characterization Report indicates that extensive utilities make the installation of soil vapor probes SV-1 and SV-2 impossible. The purpose of soil vapor probes SV-1 and SV-2 is to assess the potential for vapor intrusion within the downgradient portion of the fuel hydrocarbon groundwater plume. Based on the extent of the downgradient plume, SV-1 and SV-2 can be installed over a large area. Given the large area of the downgradient plume, we do not concur that soil vapor probes cannot be installed in the downgradient portion of the plume. However, we are not requesting installation of soil vapor probes at this time. The need for soil vapor probes in the downgradient portion of the plume will be reviewed at a future date following completion of the sensitive receptor survey.
- 4. Downgradient Plume Extent.** The downgradient extent of the plume remains undefined at this time. A proposed downgradient well was not installed because an access agreement could not be completed with a downgradient property owner. In correspondence dated June 10, 2009, ACEH

indicated that, "we have no objection to proceeding with proposed field work for 1432 Harrison without installation of the proposed downgradient well at 1515 Harrison Street," and that the need for "plume definition downgradient from existing wells MW-4 and MW-5 may be re-evaluated in the future." The need for downgradient assessment will be re-evaluated pending the completion of the sensitive receptor survey discussed in technical comment 1.

5. **Plume Stability.** The concentrations of TPHg and benzene continue to increase in groundwater from downgradient well MW-5. The Site Characterization Report speculates that the increased concentrations observed in well MW-5 may be a result of slower lateral diffusion or may be the result of plume migration from a source other than 1432 Harrison Street. We note that a sharp increase in benzene concentrations in groundwater from MW-5 began in 2004, approximately three years after SVE and air sparging began in the source area. We also note that the SVE and air sparging caused a groundwater mound to form in the area of the former USTs. Based on these facts, it appears much more plausible that the air sparging and resultant groundwater mounding caused changes in plume migration that resulted in the increased concentrations observed in well MW-5.
6. **Speculative Conclusion Regarding Rebound in Well MW-2.** Recommendation 8 in the Site Characterization Report speculates that USTs abandoned in place at 1424 Harrison Street may be the cause of the documented rebound in dissolved hydrocarbons concentrations observed in well MW-2. The basis for this statement appears highly speculative. In future reports, please limit the degree of speculation and conjecture in presenting conclusions and recommendations.
7. **Site Development and Recommendations.** The Recommendations section in the Site Characterization Report indicates that site development will require excavation to a depth of 25 feet bgs. The Recommendation section also indicates that residual hydrocarbons appear to the outside the proposed excavation. A limited investigation of the former UST area is recommended prior to excavation with limited excavation of impacted soils occurring concurrent with the development excavation. This proposal may be acceptable to move forward with site development contingent upon a review of approved building plans. Please describe the expected schedule for site development in the Well Survey and Sensitive Receptor Survey Report requested below.
8. **Redevelopment of Monitoring Well MW-1.** The October 16, 2009 Groundwater Monitoring Report recommends redevelopment of well MW-1 to remove sediment in the bottom of the well. We have no objection to this proposal. The October 16, 2009 Groundwater Monitoring Report attributes the infilling of the well to "deposition of fine-grained material into the well during groundwater extraction." We are not aware of well MW-1 being used for groundwater extraction. Please provide further details including the purpose, dates, method, and volume of groundwater extraction conducted using monitoring well MW-1.
9. **Groundwater Monitoring.** Please continue groundwater monitoring on the established semi-annual sampling schedule.

TECHNICAL REPORT REQUEST

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

- **April 29, 2010** – Well Survey and Sensitive Receptor Survey Report

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/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

Mr. Mark Borsuk
RO0000266
January 26, 2010
Page 5

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, 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 (Sent via E-mail to: lgriffin@oaklandnet.com)

Bryan Fong, Conestoga-Rovers & Associates, 5900 Hollis Street, Suite A, Emeryville, CA 94608 2032 (Sent via E-mail to: bfong@croworld.com)

Donna Drogos, ACEH (Sent via E-mail to: donna.drogos@acgov.org)
Jerry Wickham, ACEH

Geotracker, File

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: March 27, 2009
	PREVIOUS REVISIONS: December 16, 2005, October 31, 2005
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: 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

- 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 My Le Huynh.
 - 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 @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.