



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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October 12, 2012

John Legallet
Telegraph Business Properties
1401 Griffith Street
San Francisco, CA 94214
(Sent via E-mail to: ecmgrp@aol.com)

Subject: Fuel Leak Case No. RO0000279 and Geotracker Global ID T0600100672, Telegraph Business Properties, 5427 Telegraph Avenue, Oakland, CA 94609

Dear Mr. Legallet:

Thank you for the recently submitted document entitled, *Subsurface Investigation Workplan Addendum and Site Conceptual Model* dated August 8, 2012 and received August 27, 2012, which was prepared by ECM Group for the subject site. Alameda County Environmental Health (ACEH) staff has reviewed the case file including the above-mentioned work plan for the above-referenced site. The work plan proposes three soil borings and two sub-slab vapor sampling points.

The above-mentioned report does not include the preferential pathway study that was requested so appropriate sub-slab vapor sampling locations could be determined nor does it evaluate the recent data submitted for an adjacent site to determine appropriate off-site boring and vapor sampling locations. Therefore, an adequate evaluation could not be performed. ACEH requests that you address the following technical comments and send us the revised report as requested below.

TECHNICAL COMMENTS

1. **Preferential Pathway Study** – In the letter dated July 30, 2012, ACEH requested a preferential pathway study to be included in the site conceptual model (SCM)/ work plan. Sample locations for soil vapor are best chosen after all utilities and conduits are identified. In the July 11, 2012 SCM meeting, ACEH identified one of the data gaps as the location of the piping lines in the buildings. Both the lines from the building to the waste tanks and the Stoddard Solvent tanks appear to run into the building and may have been left in place. These can act as a conduit for vapor migration. Other conduits such as sewer, water or gas lines may act as conduits too. As requested previously, please identify the location of these lines before final soil vapor sample location selection. Submit the preferential pathway study in the addendum requested below and relocate your proposed borings based on the results of the utility study, if needed.
2. **Downgradient Work Performed by Others** – ACEH notified the responsible party and consultant on August 17, 2012, that a report for the Keller Plaza Apartments immediately to the south of Telegraph Business Properties was submitted to ACEH. This report

documented PCE concentrations in borings at 150, 120 and 16 ppb PCE and TCE concentrations of 53 ppb. The borings that ECM proposes in their work plan are located in proximity to the borings that were performed for the Keller Plaza Apartments. ECM's off-site borings should be relocated to further define the extent of PCE and TCE in soil and groundwater. Please adjust the locations of your borings and place additional borings, as needed based on this new information.

3. **Site Conceptual Model** – The SCM that was presented did not include isoconcentration contour maps showing the solvent and PCE data in soil or groundwater. Please present these in the work plan requested below. Use the data obtained from the Keller Plaza Apartments investigation in your maps to determine appropriate locations for your proposed boring locations. Please also update the cross-sections to show volatile organic compound concentrations.

4. **Sub-Slab Vapor Sampling** – ACEH prefers that Helium be used as a tracer gas as other chemicals can interfere with the volatile organics that are being tested. Please also analyze for methane, ethane, ethylene and oxygen. Additionally, as discussed in the SCM meeting, an evaluation of vapor intrusion into the Keller Apartment buildings should be performed. The buildings are unoccupied at this time and should be more easily accessible than after redevelopment/rehabilitation. Please present your proposal to evaluate soil vapor in the Keller Apartment Building in the addendum requested below.

TECHNICAL REPORT REQUEST

Please upload technical reports to ACEH's ftp site and to the State Water Resources Control Board's Geotracker website, in accordance with the specified file naming convention below.

- **December 12, 2012** – Work Plan Addendum with preferential pathway study and SCM Updates (File to be named: WP_ADD_R_YYYY-MM-DD)

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Should you have any questions or concerns regarding this correspondence or your case, please call me at (510) 639-1287 or send me an electronic mail message at barbara.jakub@acgov.org.

Sincerely,

Barbara J. Jakub, P.G.
Hazardous Materials Specialist

Enclosure: Responsible Party(ies) Legal Requirements/Obligations
ACEH Electronic Report Upload (ftp) Instructions

cc: Jim Green, ECM Group, P.O. Box 802, Benicia, CA 94510 (*Sent via E-mail to: jgreen@ecmgrp.com*)
Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032
(*Sent via E-mail to: lgriffin@oaklandnet.com*)
Donna Drogos, ACEH (*Sent via E-mail to: donna.drogos@acgov.org*)
Barbara Jakub, ACEH (*Sent via E-mail to: barbara.jakub@acgov.org*)
GeoTracker
File

Attachment 1
Responsible Party(ies) Legal Requirements/Obligations

REPORT/DATA REQUESTS

These reports/data are being requested pursuant to Division 7 of the California Water Code (Water Quality), Chapter 6.7 of Division 20 of the California Health and Safety Code (Underground Storage of Hazardous Substances), and Chapter 16 of Division 3 of Title 23 of the California Code of Regulations (Underground Storage Tank Regulations).

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (Local Oversight Program [LOP] for unauthorized releases from petroleum Underground Storage Tanks [USTs], and Site Cleanup Program [SCP] for unauthorized releases of non-petroleum hazardous substances) require submission of reports in electronic format pursuant to Chapter 3 of Division 7, Sections 13195 and 13197.5 of the California Water Code, and Chapter 30, Articles 1 and 2, Sections 3890 to 3895 of Division 3 of Title 23 of the California Code of Regulations (23 CCR). Instructions for submission of electronic documents to the ACEH FTP site are provided on the attached "Electronic Report Upload Instructions."

Submission of reports to the ACEH FTP site is in addition to requirements for electronic submittal of information (ESI) to the State Water Resources Control Board's (SWRCB) Geotracker website. In April 2001, the SWRCB adopted 23 CCR, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1 (Electronic Submission of Laboratory Data for UST Reports). Article 12 required electronic submittal of analytical laboratory data submitted in a report to a regulatory agency (effective September 1, 2001), and surveyed locations (latitude, longitude and elevation) of groundwater monitoring wells (effective January 1, 2002) in Electronic Deliverable Format (EDF) to Geotracker. Article 12 was subsequently repealed in 2004 and replaced with Article 30 (Electronic Submittal of Information) which expanded the ESI requirements to include electronic submittal of any report or data required by a regulatory agency from a cleanup site. The expanded ESI submittal requirements for petroleum UST sites subject to the requirements of 23 CCR, Division, 3, Chapter 16, Article 11, became effective December 16, 2004. All other electronic submittals required pursuant to Chapter 30 became effective January 1, 2005. Please visit the SWRCB website for more information on these requirements: (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, 7835, 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, 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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: July 25, 2012
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (petroleum UST 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
 - 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 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.