



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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May 8, 2009

Robert Neal
Owens Brockway Glass Container
P.O. Box 1019
Oakland, CA 94604

Subject: Fuel Leak Case No. RO0000289 and GeoTracker Global ID T0600102223, Owens Brockway Glass, 3600 Alameda Avenue, Oakland, CA 94601

Dear Mr. Neal:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the recently submitted document entitled, "Site Conceptual Model," dated April 3, 2009, which was prepared by CKG Environmental, Inc (CKG) for the subject site. The report identifies data gaps in the western fuel storage area and the central fuel storage area at the site. ACEH generally concurs with the identified data gaps, however, based on a review of the data in the SCM, additional data gaps at the site may exist, which were not identified in the SCM and a scope of work to address those data gaps was not presented.

ACEH requests that you address the following technical comments and send us the technical work plan and reports requested below.

TECHNICAL COMMENTS

1. **Data Gaps in SCM** – CKG has identified lack of soil and groundwater assessment in the vicinity of destroyed well MW-3 and lack of TPH-d and TPH-mo data in portions of the western fuel storage area. Additionally, CKG identified potential contaminant migration along utility corridors as a data gap. In the central fuel storage area, CKG identified "the lack of soil and groundwater assessment for the distribution and source of TPHd to be a data gap in this area."

In addition to the data gaps identified by CKG, other data gaps appear to exist, which were not identified by CKG. For example, significantly elevated concentrations of hydrocarbons have been detected in groundwater samples collected from monitoring wells MW-6 and MW-7. Monitoring well MW-19 is located in what appears to be in the down-gradient direction of MW-7, however, no monitoring point exists down-gradient of monitoring well MW-6 and the extent of groundwater appears undefined at this time. This is of particular concern due to the proximity of the Oakland estuary in relation to the contaminant plume. This appears to be a data gap, which needs to be addressed along with the data gaps identified by CKG.

According to CKG, "COCs in subsurface soil may be expected to desorb in utility trenches, and adsorb to soil. For the most part the contaminants do not include a lot of volatile constituents so volatilization to indoor air is not considered probable." Soil sample analytical

results detected significantly elevated concentrations of benzene in shallow soil at the site. Specifically, concentrations of benzene up to 310 mg/kg were detected at 4 feet bgs in a soil sample collected from product recovery well 1. Therefore, the concentrations of benzene detected at the site appear to pose a significant risk to human health and the environment and contaminant volatilization from subsurface soil to indoor and outdoor air appears to be a completed exposure pathway. Without current analytical data, the potential exposure pathway cannot be discounted by citing the fine-grained shallow soils present at the site. There may be utility corridors with coarse-grained, permeable material installed at depths of existing contamination that may run from the street through contaminated soil to the buildings located at the site. Hence, this appears to be a data gap, which also needs to be addressed.

2. **Feasibility Study/Corrective Action Plan** – Since “[f]loating product associated with the fuel oil release exists and past efforts to remove it have been unsuccessful,” a Feasibility Study/Corrective Action Plan (FS/CAP) prepared in accordance with Title 23, California Code of Regulations, Section 2725 appears appropriate. The FS/CAP must include a concise background of soil and groundwater investigations performed in connection with this case and an assessment of the residual impacts of the chemicals of concern (COCs) for the site and the surrounding area where the unauthorized release has migrated or may migrate. The FS/CAP should also include, but not limited to, a detailed description of site lithology, including soil permeability, and most importantly, contamination cleanup levels and cleanup goals, in accordance with the San Francisco Regional Water Quality Control Board Basin Plan and appropriate ESL guidance for all COCs and for the appropriate groundwater designation. Please note that soil cleanup levels should ultimately (within a reasonable timeframe) achieve water quality objectives (cleanup goals) for groundwater in accordance with San Francisco Regional Water Quality Control Board Basin Plan. Please propose appropriate cleanup levels and cleanup goals in accordance with 23 CCR Section 2725, 2726, and 2727 in the FS/CAP.

The FS/CAP must evaluate at least three viable alternatives for remedying or mitigating the actual or potential adverse effects of the unauthorized release(s) besides the “no action” and “monitored natural attenuation” remedial alternatives. Each alternative shall be evaluated for cost-effectiveness and the Responsible Party must propose the most cost-effective corrective action. The FS/CAP will be due following the SCM and site characterization completion.

TECHNICAL REPORT REQUEST

Please submit technical reports to ACEH (Attention: Paresh Khatri), according to the following schedule:

- **Due within 30 Days of Sampling** – Semi-annual Monitoring Report (2nd Quarter 2009)
- **July 7, 2009** – Soil and Water Investigation Work Plan
- **60 Days from Concurrence with Soil & Water Investigation Report** – Feasibility Study/Corrective Action Plan
- **Due within 30 Days of Sampling** – Semi-annual Monitoring Report (4th Quarter 2009)

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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.

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UNDERGROUND STORAGE TANK CLEANUP FUND

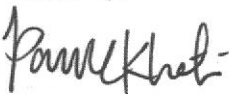
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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 paresh.khatri@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: Christina J. Kennedy, CKG Environmental, Inc., P.O. Box 246, St. Helena, CA 94574
Mark Tussing, Owens-Brockway Glass Container, Inc., Four O-I Plaza, One Michael Owens Way,
Perrysburg, OH 43551-2999
Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA
94612-2032
Donna Drogos, ACEH
Paresh Khatri, 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

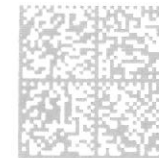
- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

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.



ALAMEDA COUNTY
HEALTH CARE SERVICES AGENCY
Environmental Health Services Administration
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