ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

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November 12, 2008

Chuck and Norma Lemoine
1367 52nd Avenue
Oakland, CA 94601

Michael, Maria, & Peter Alders
1714 San Jose Avenue
Alameda, CA 94501-4048

Donna Proffitt
Bank of America
4820 Irvine Blvd.
Irvine, CA 94620

Subject: Fuel Leak Case No. RO0000334 and Geotracker Global ID T0600102114, Lemoine Cold Storage, 630 29th Avenue, Oakland, CA 94601

To Responsible Parties for the Site:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the recently submitted document entitled, "*Second Quarter 2008 Groundwater Monitoring Report*," dated June 25, 2008. The report, which was prepared by Bureau Veritas presents the results of quarterly groundwater sampling at the site.

The groundwater sampling data indicate that a plume of dissolved petroleum hydrocarbons extends more than 200 feet in a westerly to southwesterly direction from the former UST area. Total petroleum hydrocarbons as gasoline (TPHg) and benzene were detected in groundwater at concentrations up to 26,000 and 9,700 micrograms per liter (µg/L), respectively. The concentrations of TPHg and benzene exceed Environmental Screening Levels (San Francisco Regional Water Quality Control Board revised May 2008) for both drinking water and non-drinking water resources. Minimal remediation has been attempted at the site to date.

Chlorinated volatile organic compounds (VOCs) are present in groundwater samples collected both on-site and off-site. The source of VOCs is unknown at this time. Based upon our review of the case file, we request that you address the technical comments below, perform the proposed work, and send us the reports described below.

TECHNICAL COMMENTS

1. **VOCs in Groundwater.** Chlorinated VOCs including trichloroethene (TCE), cis-1,2-dichloroethene (DCE), and vinyl chloride were detected at elevated concentrations in groundwater from several monitoring wells. During the June 2008 groundwater sampling event, the highest concentration of TCE (110 µg/L) was detected in groundwater from off-site well MW-12 while the highest concentrations of cis-1,2-DCE and vinyl chloride (940 and 70 µg/L, respectively) were detected in groundwater from on-site well MW-8. The "*Second Quarter 2008 Groundwater Monitoring Report*," concluded that the source of VOCs in

groundwater is, "unknown and appears to originate from an off-site area." We concur with the conclusion that the source of VOCs in groundwater is unknown but do not concur with the conclusion that the source appears to be from an offsite area. The highest concentrations of chlorinated VOCs were detected in on-site well M-8 and chlorinated VOCs were not detected in upgradient wells MW-9 and MW-10. The source of chlorinated VOCs needs to be identified. Therefore, we request that you conduct a soil vapor survey in both on-site and off-site areas to locate the source of chlorinated VOCs. The use of temporary hand driven probes or limited access drilling equipment is recommended in areas where previous investigations have not been conducted due to access issues. Please submit a proposed scope of work for soil vapor sampling in the Work Plan requested below.

2. **Extent of TPH Plume.** Total petroleum hydrocarbons as gasoline (TPHg) were detected in groundwater from downgradient well MW-13 at a concentration of 7,000 µg/L. The contour map of TPHg concentrations (Figure 3) in the "*Second Quarter 2008 Groundwater Monitoring Report*," shows well MW-13 area as an isolated area with an elevated TPHg concentration that is not connected to the on-site TPHg plume. We do not concur with this interpretation as there is no data to support this interpretation. It appears more likely that groundwater containing greater than 7,000 µg/L of dissolved TPHg extends from the on-site UST area to well MW-13. In addition, the vertical extent of contamination does not appear to be defined. A clayey sand layer with a hydrocarbon odor was encountered in the lower 2 feet of the MW-13 boring. The clayey sand layer was apparently not observed in borings for the other downgradient wells. Therefore, there is a potential for a coarse-grained layer below the base of the existing monitoring wells to be a migration pathway. We request that you propose a scope of work to define the vertical extent of contamination in the Work Plan requested below. The scope of work should include borings with depth-discrete grab groundwater sampling in the downgradient area and in the central portion of the TPH plume.

3. **Contamination in Utility Corridors.** The historic document entitled, "*Risk Assessment and Feasibility Study*," dated February 16, 2001 discussed a storm water line along 19th Avenue and a sanitary sewer beneath East 7th Street. Two soil borings (B-9 and B-10) were advanced in the trench for the sanitary sewer. A strong petroleum hydrocarbon odor was noted in the sand layer directly above the sanitary sewer line in both borings. TPHg was detected in grab groundwater samples from borings B-9 and B-10 at concentrations of 51,000 and 210 µg/L, respectively. Borings B-9 and B-10 are both located upgradient from the former UST. We request that you show the location and depth of the sanitary sewer and storm water lines on a site map and a cross section to help assess whether the utility corridors may be migration pathways and to assess whether the existing monitoring well network provides sufficient monitoring data for the utility corridors. In particular, please show the locations of sanitary sewer lines within the on-site building and their connection to sanitary sewer lines in 7th Street or 29th Avenue. Please present this information in the Work Plan requested below.

4. **Potential Vapor Intrusion.** VOCs have been detected in groundwater at concentrations that exceed Environmental Screening Levels (San Francisco Bay Regional Water Quality Control Board revised may 2008) for potential intrusion to indoor air under commercial or industrial land use. Previous sampling of indoor air was conducted at the site in 1998 for benzene.

Higher concentrations of benzene were detected in indoor air than in outside ambient air during the 1998 indoor air sampling. No analyses for chlorinated VOCs appear to have been conducted during the 1998 indoor air sampling. Please include plans in the Work Plan requested below to conduct soil vapor and/or subslab sampling to evaluate potential indoor vapor intrusion for existing buildings at the site. This sampling is to be conducted in conjunction with soil vapor sampling requested in technical comment 1 above.

5. **Hydrogeologic Cross Sections.** We request that you prepare a minimum of two hydrogeologic cross sections that depict the lateral and vertical extent of soil layers encountered, where groundwater was first encountered in borings and the static water levels, screen intervals in the monitoring wells, observations of staining and odor, analytical results for soil and groundwater samples, and utility lines. Please include the cross sections in the Work Plan requested below.

TECHNICAL REPORT REQUEST

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

- **January 28, 2009** – Work Plan
- **February 17, 2009** – Fourth Quarter 2008 Groundwater Monitoring Report
- **May 18, 2009** – First Quarter 2009 Groundwater Monitoring Report
- **August 17, 2009** – Second Quarter 2009 Groundwater Monitoring Report
- **November 17, 2009** – Third Quarter 2009 Groundwater Monitoring 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).

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.

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

Jeremy Wilson, Bureau Veritas, 6920 Koll Center Parkway, Suite 216, Pleasanton, CA 94566

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	**ISSUE DATE:** July 5, 2005
	REVISION DATE: December 16, 2005
	PREVIOUS REVISIONS: October 31, 2005
SECTION: Miscellaneous Administrative Topics & Procedures	**SUBJECT:** Electronic Report Upload (ftp) Instructions

Effective **January 31, 2006**, 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 Alicia Lam-Finneke.
   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 at 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)