

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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Alameda, CA 94502-6577
(510) 567-6700
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November 27, 2006

Mr. Zachary Wasserman
Emery Properties LLC
669 Second Street
San Francisco, Ca 94107

Mr. Jeremy Ross
Peets Coffee
1400 Park Avenue
Emeryville, CA 94608

Mr. William Lewerenz
Emeryville Properties LLC
3963 Woodside Ct.
Lafayette, Ca 94549-3413

Dear Messrs Wasserman, Ross and Lewerenz

Subject: Fuel Leak Case No. [REDACTED] Chromex, 1400 Park Avenue, Emeryville, CA

Alameda County Environmental Health (ACEH) staff has reviewed the case file and the most recent report in our files entitled, "Groundwater Monitoring Report, March 1998". Currently, your site has an open UST case in the ACEH Local Oversight Program (LOP). To continue the site closure process, ACEH requests that additional groundwater monitoring and sampling be completed at the site.

In May 1995, ACEH made a determination that "No Further Work" would be required in connection with the former chromium vault. However, no such determination was made regarding the disposition of the Underground Storage Tanks (UST) at the subject site. In order to facilitate the regulatory process, ACEH requests that additional groundwater monitoring and sampling be completed at the site. Our request is based on the conclusion that the most recent groundwater monitoring data available in our files dates back to March of 1998. Furthermore, additional groundwater analytical data for dissolved phase petroleum hydrocarbon constituents will provide an improved understanding of petroleum hydrocarbon contamination onsite and immediately downgradient of the site. Considering the length of time since the site closure request was proposed, and in the interest of moving your site through the regulatory process we offer the following observations in the Technical Comments below.

Based on ACEH staff review of the case file, we request that you address the following technical comments and prepare a work plan detailing work to be performed, and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to steven.plunkett@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Monitoring Well Rehabilitation and Redevelopment.** ACEH requests that prior to monitoring well sampling, all onsite monitoring wells should be rehabilitated and/or redeveloped; thus allowing the collection of a representative sample of formation groundwater. Furthermore, well

redevelopment should include surging the well screen interval to remove fines from the filter pack material. Note that well redevelopment may require additional well volumes to be removed assuring that water quality parameters are satisfied. In addition, before the collection of groundwater samples all monitoring well locations are to be surveyed using a known datum by a licensed professional surveyor. Please describe and present the results of the well redevelopment, rehabilitation and survey activities in the report requested below.

2. **Groundwater Sampling.** Groundwater monitoring has not been conducted at the site since 1998. Please sample all site monitoring wells in order to determine current groundwater conditions throughout the site. The water samples are to be analyzed for TPHg and TPHd by EPA Method 8015M or 8260, BTEX, EDB, EDC, MtBE, TAME, ETBE, DIPE, TBA and EtOH by EPA Method 8260 and total lead.

If water quality data indicate that groundwater conditions are similar to historical conditions it is likely that the site will be moved toward closure. However, if current groundwater quality data indicate that elevated concentrations of petroleum hydrocarbons exist further monitoring and investigation may be warranted. Please present the results from groundwater monitoring and sampling in the report requested below.

3. **Geotracker EDF Submittals.** Pursuant to CCR Sections 2729 and 2729.1, beginning July 1, 2005 for LUST cases, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the LUFT program, must be transmitted electronically to the SWRCB Geotracker website via the internet. Additionally, all permanent monitoring points utilized to collect groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level and latitude and longitude accurate to within 1-meter accuracy, using NAD 83, and transmitted electronically to the SWRCB Geotracker website. Beginning July 1, 2005, electronic submittal of a complete copy of all reports (LUFT or SLIC) is required in Geotracker (in PDF format). Please upload all analytical data collected after July 1, 2005 to the SWRCB's Geotracker database website in accordance with the above-cited regulation.

TECHNICAL REPORT REQUEST

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

- **January 15, 2007 – 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) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy 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 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, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board 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." An officer or legally authorized representative of your company must sign this letter. 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 and 7835.1) require 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.

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.

Mr. Zachary Wasserman
November 27, 2006
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Should you have any questions, please call me at (510) 383-1767.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven Plunkett", with a long horizontal line extending to the right.

Steven Plunkett
Hazardous Materials Specialist

cc: Mr. David Allen
Aqua Science Engineers, Inc.
208 W. Pintado Road, Suite C
Danville, CA 94526

Donna Drogos, ACEH
Steven Plunkett, ACEH
File