



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
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July 10, 2009

Rod Freitag (Sent via E-mail to: [rfreitag@acgov.org](mailto:rfreitag@acgov.org))  
Alameda County General Services  
1401 Lakeside Drive, 11<sup>th</sup> Floor  
Oakland, CA 94601

Subject: Fuel Leak Case No. RO0000401 and GeoTracker Global ID T0600100049, ALCO Park Garage, 165 13<sup>th</sup> Street, Oakland, CA 94612

Dear Mr. Freitag:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the recently submitted document entitled, "Data Gap Workplan for Updated Site Conceptual Model," dated March 10, 2009, which was prepared by Professional Service Industries, Inc. (PSI) for the subject site. PSI proposes to update the preferential pathway evaluation, update the sensitive receptor survey, evaluate the extent of soil and groundwater contamination at Site No. 1, evaluate the extent of extent of soil and groundwater contamination at Site No. 2, evaluate the location of monitoring well MW-6 in relation to the former UST pit at Site No. 3, and revise the monitoring program from annually to quarterly for a period of one year.

ACEH is concerned that the proposed scope of work may not address some of the data gaps identified in our June 19, 2008 correspondence. Therefore, ACEH requests that you address the following technical comments described below and send us a work plan addendum.

#### **TECHNICAL COMMENTS**

1. **Soil and Groundwater Characterization** – In our June 19, 2008 correspondence, ACEH mentioned that at Site No. 1, four borings were installed around the UST complex on October 27, 1992. Benzene was detected at 0.019 mg/kg at 15 feet below the ground surface (bgs) and 0.41 mg/kg at 21 feet bgs in soil samples collected from SB-1. Based on the increasing concentrations detected with depth, the vertical extent of benzene in soil appears undefined at this time. PSI proposes to install two direct push borings approximately 40 feet northeast and approximately 60 feet east of boring SB-1. ACEH concurs that the boring locations may provide lateral delineation of soil and groundwater contamination. However, ACEH is not certain that data from the borings will provide vertical delineation (to and below the first encountered water) in the vicinity of the former USTs (i.e. source area). Please justify that the proposed boring location will adequately define the vertical and lateral extent of source area soil and groundwater contamination or propose a scope of work to address the above-mentioned concerns and submit a work plan addendum due by the date specified below.

2. **Groundwater Contaminant Plume Monitoring** – PSI proposes to “[c]hange the groundwater monitoring frequency from annual to quarterly for a period of one year (frequency to be re-evaluated at the end of the year).” However, justification or rationale for the change in monitoring and sampling frequency was not presented in the work plan. Please provide justification in the work plan addendum that an increase in sampling frequency from annually to quarterly is necessary. Since groundwater monitoring has been conducted at the site from circa 1990, semi-annual groundwater sampling appears to be a more appropriate frequency. Please submit justification to support quarterly groundwater monitoring and/or address the above-mentioned concerns in a work plan addendum due by the date specified below or implement semi-annual groundwater sampling.
  
3. **GeoTracker Compliance** – A review of the case file and the State Water Resources Control Board’s (SWRCB) GeoTracker website indicates that the subject work plan has not been uploaded to GeoTracker, rendering the site to non-compliance status. In addition, although most reports have been uploaded, the associated electronic data files for some reports have not been uploaded. At this time, please upload all missing electronic data files by the date requested below. Electronic reporting is described below.

#### **NOTIFICATION OF FIELDWORK ACTIVITIES**

Please schedule and complete the fieldwork activities by the date specified below and provide ACEH with at least three (3) business days notification prior to conducting the fieldwork, including routine groundwater sampling.

#### **TECHNICAL REPORT REQUEST**

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

- **August 25, 2009** – GeoTracker Upload Compliance
  
- **September 8, 2009** – Soil and Water Investigation Work Plan Addendum
  
- **Due within 30 Days of Sampling** – Semi-annual Monitoring Report (3<sup>rd</sup> Quarter 2009)
  
- **Due within 30 Days of Sampling** – Semi-annual Monitoring Report (1<sup>st</sup> Quarter 2010)

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](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.

#### 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

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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](mailto:paresh.khatri@acgov.org).

Sincerely,

Paresh C. Khatri  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Brand Burfield, Professional Service Industries, Inc., 4703 Tidewater Avenue, Suite B, Oakland, CA 94601 (*Sent via e-mail to: [brand.burfield@psiusa.com](mailto:brand.burfield@psiusa.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](mailto:lgriffin@oaklandnet.com)*)  
Donna Drogos, ACEH (*Sent via e-mail to: [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org)*)  
Paresh Khatri, ACEH (*Sent via e-mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org)*)  
GeoTracker  
File

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