

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

October 12, 2006

Mr. Ignacio Dayrit  
City of Emeryville  
1333 Park Ave.  
Emeryville, CA 94608

Dear Mr. Dayrit:

Subject: Fuel Leak Case RQ000453, Celis Service Station, 4000 San Pablo Ave.  
Emeryville, CA 94608

Alameda County Environmental Health (ACEH) has reviewed the case file for the subject site including the May 31, 2006 Additional Investigation at Former Celis' Alliance Service Station, prepared by URS Corporation. We have also reviewed reports for the neighboring sites including the Oak Walk property, located between 40<sup>th</sup>, 41<sup>st</sup> and San Pablo Ave., Emeryville; former Oakland National Engravers (ONE) at 1001 42<sup>nd</sup> St., Oakland and the former Dunne Paint Company aka Green City development, located at 1007 41<sup>st</sup> St., Oakland. The URS report includes a summary of the releases from these and other sites plus an interpretation of the distribution of contaminants. It appears that the plume(s) from these sites have commingled via preferential pathways that include coarse-grained soils, buried stream channels, and utility conduits.

The Oak Walk property has proposed limited remediation and development of its site. This remediation, which includes soil and groundwater removal, will remove some of the contamination from the Celis release, but much contamination remains beneath 40<sup>th</sup> St. from both the Celis and San Francisco French Bread (SSFB) sites. Corrective actions and ultimately closure of your site is linked with corrective actions at the Oak Walk site, which is linked with corrective actions at the ONE and Green City sites. Therefore, it is critical that you and your consultants work co-operatively with these other sites to complete the investigation, cleanup, and/or monitoring of all the releases. Based upon the following technical comments, we do not concur with your recommendation for site closure once the Oak Walk site is completed. Please address the following technical comments and submit the technical report requested below.

#### TECHNICAL COMMENTS

1. **Items of concern-** The following outstanding issues exist at this site:

- MW-2 located on the 3999 San Pablo Ave. site reported elevated TPHg, BTEX likely from the Celis site and/or the SFFB site.
- Soil contamination was excavated only to the depth of groundwater, 9.5' bgs, therefore impacted saturated soil and groundwater remains beneath the site.
- The presence of utilities, storm drain and sewer main, not only prevented additional sampling but provides a preferential pathway, which has not been investigated.

- The apparent north-south migration of TPH contamination indicates additional potential of preferential pathway migration
- The initial scope of the investigation was to collect soil and groundwater samples from eight Geoprobe borings to 20', however, due to the presence of utilities only three of the borings were completed and only two yielded groundwater.
- High benzene in soil was left within 40<sup>th</sup> St., which is likely from both the Celis and SFFB site releases.
- There is a lack of groundwater monitoring data at the site and both adjacent and down-gradient of the site.

Based upon these issues, we request that additional monitoring wells be installed to determine the plume extent and provide a historic trend to support future trend conclusions. We request that your wells and monitoring schedule be coordinated with that of the Green City, ONE, and Oak Walk properties. This request is also made of the Green City, ONE, and Oak Walk properties by copy of this letter.

#### TECHNICAL REPORT REQUEST

- **November 1, 2006**- Work plan for monitoring well installation
- **45 days after approval of Work Plan – SWI Report**

#### ELECTRONIC SUBMITTAL OF REPORTS

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. Please do not submit reports as attachments to electronic mail. 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. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. 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 monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information at ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at [barney.chan@acgov.org](mailto:barney.chan@acgov.org).

We notice that not all reports have been submitted to the Geotracker database. Please insure that all reports to date since the compliance date of July 1, 2005 are submitted immediately.

### 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

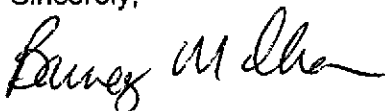
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

### 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) 567-6765.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

C: files, D. Drogos

Mr. Constantino Cellis, c/o Mr. Ignacio Dayrit, City of Emeryville, 1333 Park Ave.,  
Emeryville, CA 94608

Mr. George Muehleck, URS Corporation, 1333 Broadway, Suite 800, Oakland, 94612

Mr. Martín Samuels, Green City Development Group, 3675 Del Monte Ave.,  
Oakland, CA 94608

Mr. Terry Turner, Dunne Quality Paints, 707 Glenside Circle, Lafayette, CA 94599

Mr. Jon Rosso, Clayton Group Services, A Bureau Veritas Company, 6920 Koll Center  
Parkway, Suite 216, Pleasanton, CA 94566

Mr. Edward Kozel, 20 Oak Knoll Drive, Healdsburg, CA, 95448-3108

✓ Mr. David Russell, The Grow Group, Pan American Building, 200 Park Ave., New York,  
NY 10166

Ms. Deborah Castles, AEGIS, 130 Webster St., Suite 200, Oakland, CA 94607

Mr. Peter Schellinger, Bay Rock Residential, LLC, 5801 Christie Ave., Suite 455  
Emeryville, CA 94608

Mr. John Tibbetts, 4097 San Pablo Ave., Emeryville, CA 94608

Mr. Dave Ennis, P.O. Box 10985, South Lake Tahoe, CA 96158-3985

Mr. Dai Watkins, The San Joaquin Co. Inc., 1120 Hollywood Ave., Suite 3,  
Oakland, CA 94602

Mr. Xingang Tong, 464 19<sup>th</sup> St., Suite 206, Oakland, CA 94612

Mr. Robert Kitay, ASE, 208 W. El Pintado Road, Danville, CA, 94526

Mr. John Cavanaugh, ERM, 1777 Botelho Drive, Suite 260, Walnut Creek,  
CA, 94596

Mr. John Wolfenden, SFRWQCB