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February 17, 2011

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Subject: Response to UST Cleanup Fund Five Year Review for Fuel Leak Case No. RO0000453;
(Global ID # T0600101794); Celis Service Station, 4000 San Pablo Avenue, Emeryville,
CA 94608

Dear Messrs. Cullen, Trommer, and Russell:

Alameda County Environmental Health (ACEH) does not appear to have been provided the courtesy of the allotted 45-day response period specified for the 5-Year Review process prior to finalization of the Preliminary 5-Year Review Summary Report by the Underground Storage Tank Cleanup Fund (USTCF) for the referenced site. On December 13, 2010 ACEH received a copy of the December 9, 2010 review, after it had been finalized and posted on December 9, 2010 to GeoTracker. This letter is an effort to document our original response from January 6, 2011, and our continuing disagreement. The 45 day response period closed January 21, 2011. The UST Cleanup Fund response to the January 6, 2011 comments was received February 7, 2011.

The Summary Report represents the Preliminary 5-year review of ACEH Local Oversight Program cases by the Fund. The Fund correspondence requests that ACEH respond to the Fund correspondence within 45 days of the date of the letter. Responses to the Fund recommendations for the site are presented below. ACEH staff has reviewed the contents of the correspondence in the context of the appropriateness of recommendations. However, ACEH staff has not reviewed the reports for accuracy of all information presented.

ACEH Case: RO0000453 (incorrectly listed as RO0000285 in the USTCF letter)
USTCF Claim: 17922
Global ID: T0600101794
Site Name: Celis Service Station
Site Address: 4000 San Pablo Avenue, Emeryville, CA

USTCF Recommendations from December 9, 2010 Review Summary:

- The UST Fund staff recommends this Site be considered for Low Risk Closure.

ACEH Response: **ACEH is NOT in agreement with this recommendation.** This site is part of a larger, area-wide comingled groundwater contaminant plume problem that straddles the Oakland / Emeryville border. Up to seven sites appear to be involved. One of the commonalities is the discovery of paleochannels that appear to have allowed preferential migration of significant releases through the area. The paleochannels have been traced (and allowed significant (e.g. free phase) contaminant migration) for over 1,000 feet. Contaminants include gasoline, diesel, mineral spirits, and motor oil. This particular site is now situated in the middle of 40th Street, which was cut through the area in mid 1995 during redevelopment by the City of Emeryville. To the immediate north (north side of 40th) is the Oak Walk redevelopment (a residential redevelopment), which has undertaken significant remedial actions, but which contained no known source for a significant majority of the site (excluding the San Francisco French Bread site at the eastern end of the redevelopment; whose USTs appear to have been in or adjacent to one of the paleochannels). To the immediate south (south side of 40th) is the SNK Andante development (also a residential redevelopment), which also underwent extensive remedial actions due to contaminant migration via a paleochannel, but which did have a number of USTs, but which do not appear to have impacted the site significantly (apparently largely sourced from the San Francisco French Bread site). The Ennis Property, an innocent residential landowner, is directly upgradient (east) of Oak Walk and the property appears to encompass several paleochannels, with significant groundwater impacts within the channels beneath the property. The Oakland National Engravers and Dunne Paints are further upgradient of the Ennis Property and appear to have been the source of significant free phase mineral spirits. Several additional sites further upgradient may be involved (potentially including channelization at California Linen Supply Co, another 5-year review site.). With the exception of the Ennis Property, each of these properties are active LUST / SCP sites.

To the specifics of the Celis site, significant soil impacts remain beneath 40th Street (the site currently appears to be between two paleochannels). The remedial excavation conducted in 1995 extended to a depth of 9.5 feet bgs. Confirmation sampling collected at that time documented significant residual contamination at and below that depth, but was allowed to remain in place. Both the Oak Walk redevelopment on the north and the SNK Andante redevelopment on the south more recently removed portions of contamination associated with Celis; however, it appears contamination beneath the sidewalk and 40th Street remain in-place and continue to impact groundwater downgradient of the site. Residual contaminants as listed in the "Petroleum Hydrocarbon Constituent Concentration" table on page 2 of the USTCF's letter do not reflect these remaining residual concentrations (up to: 1,000 mg/kg TPHg, 18,000 mg/kg TPHd, 15,000 mg/kg TRPH, 3.8 mg/kg benzene, etc.). ACEH must also disagree with comments relative to groundwater concentrations being just below or above groundwater ESLs (as of March 2010 up to 1,200 ug/l TPHg, 1,100 ug/l TPHms, 820 ug/l TPHd, and 49 ug/l MTBE (perhaps not associated with the site?); however, BTEX compounds are currently below appropriate ESLs).

Remaining concerns at the site include potential contaminant use of the identified utility conduit preferential pathways (located but not evaluated), further migration of contaminants along the paleochannels southwest of the site, and appropriate remedial actions to mitigate continued input to groundwater from residual soil contamination.

As a consequence of these differences of opinion ACEH offers the following language for the Summary Report recommendations:

- The UST Fund staff recommends that the identified data gaps be investigated and appropriate remedial actions be assessed and implemented.

Because of the complexity of the site within the larger context of the regional co-mingled plume, ACEH requests the ability to further discuss this site before the USTCF finalizes this letter.

To close, ACEH has attempted to work within the specified regulatory process on this site, but has not been afforded the courtesy by the USTCF. ACEH continues to disagree with the recommendations of the USTCF on a complex site, comingled with up to seven additional sites. ACEH continues to request further discussion of this site.

Should you have any questions, do not hesitate to call me at (510) 567-6876.

Sincerely,

Mark E. Detterman, PG, CEG
Senior Hazardous Materials Specialist

cc: Donna Drogos (sent via electronic mail to donna.drogos@acgov.org)
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