



ENVIRONMENTAL HEALTH DEPARTMENT
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
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November 28, 2011

Constantino Celis
Celis Alliance
2200 Powell St, 12th Floor
Emeryville, CA 94608

Markus Niebanck
City of Emeryville
1333 Park Avenue
Emeryville, CA 94608

(sent via electronic mail to mniebanck@ci.emeryville.ca.us)

Subject: Request for Work Plan; Fuel Leak Case No. RO0000453; (Global ID # T0600101794);
Celis Service Station, 4000 San Pablo Avenue, Emeryville, CA 94608

Dear Messrs. Celis and Niebanck:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the *Monitoring Well Installation at Former Celis Alliance Service Station*, dated August 29, 2007, and the *First Quarter 2010 Groundwater Monitoring*, dated May 26, 2010. Both were prepared and submitted on your behalf by the URS Corporation. For this letter ACEH has also reviewed reports for neighboring sites including the Oak Walk Redevelopment (RO0002733), the SNK Andante Redevelopment (RO0002430), and the San Francisco French Bread Company (SFFBC; RO0000171). ACEH is also familiar with upgradient sites (Oakland National Engravers, RO0000079; and Dunne Quality Paints, RO0000073) that have been demonstrated to have impacted and comingled with contaminants at each of these downgradient sites via preferential pathways including paleochannels.

Progress in site and vicinity understanding and remediation has occurred since submittal of the referenced 2007 report; however, several data gaps are apparent that warrant additional investigation. As a consequence ACEH requests the submittal of a Work Plan to address data gaps identified by this agency, as well as others that may be found by your consultant. Based on ACEH staff review of the case files, we request that you address the following technical comments and send us the reports described below.

TECHNICAL COMMENTS

- 1. Electronic Report and Data Upload Compliance** – A review of the case file and the State's Geotracker database indicates that the site is not in compliance with previous directive letters. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the UST or LUST program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs, including SLIC programs. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites was required in GeoTracker. At present missing data and documents include, but may not be limited to, recent (as well as older) reports, older EDF submittals, GEO_WELL data, well survey data to Geotracker standards, and all bore logs. Compliance is required by the State and is tied to reimbursement funding by the UST Cleanup Fund. Please upload all submittals to GeoTracker as well as to ACEH's ftp server by the date specified below. Please also provide written notification and a copy of the upload list. Electronic reporting is additionally described below in Attachment 1.

- 2. Request for Updated Conduit Survey** – A conduit survey has been previously initiated and the results presented in the *Additional Investigation at Former Celis Alliance Service Station*, dated May 31, 2006. Two utility conduits of potential interest were located in San Pablo Avenue, a sewer main and storm drain; both were described as potential preferential pathways in the report, while shallower electrical (street lighting and traffic signal controls) were not. A utility map of San Pablo Avenue was included as Appendix D of the referenced report. Conversely a utility survey of 40th Street does not appear to have been undertaken as a discussion of utilities, or a map of utilities, in 40th Street has not been found. Additionally, utilities in both streets have not been further investigated to determine if they are acting as preferential pathways, and if they may be allowing the migration of contaminated groundwater to areas not understood or not under observation. This is a standing request from the October 12, 2006 directive letter.

These observations can be important. Previously submitted figures (see for example Figure 3 in the referenced report, and Figures 4 and 7 in the previously cited August 2007 report) appear to suggest conduits in both streets may allow preferential migration of contaminants away from the site vicinity. The detection of gasoline-related contaminants in downgradient well LF-MW-4 at higher concentrations than currently detected upgradient closer to the site can arguably additionally suggest the influence and presence of a utility preferential pathway along 40th Street. As a consequence ACEH requests, by the date identified below, an updated conduit survey to better understand the potential for preferential pathways beneath both streets in the site vicinity.

The purpose of the preferential pathway study is to locate potential migration pathways and conduits and determine the probability of a groundwater plume encountering preferential pathways and conduits that could spread contamination. We request that you perform a preferential pathway study that details the potential migration pathways and potential conduits (utilities, utility laterals, pipelines, foundational, and etc.) for vertical and lateral migration that may be present in the vicinity of the site.

Discuss your analysis and interpretation of the results of the preferential pathway study (including the well survey and utility survey requested below) and report your results in the report requested below. The results of your study shall contain all information required by California Code of Regulations, Title 23, Division 3, Chapter 16, §2654(b).

- a. Utility Survey** - An evaluation of all utility lines, utility laterals, and trenches (including sewers, storm drains, pipelines, trench backfill, foundation backfill, etc.) within and near the site and plume area(s) is required as part of your study. Please reduce, and synthesize available information and maps, and generate appropriate (vicinity and / or site specific) maps and cross-sections illustrating the location and depth of all utility lines and trenches within and near the site and plume areas(s) as part of your study.
 - b. Well Survey** - The preferential pathway study is requested to include a well survey of all wells (monitoring and production wells: active, inactive, standby, decommissioned (sealed with concrete), abandoned (improperly decommissioned or lost); and dewatering, drainage, and cathodic protection wells) within a ¼ mile radius of the subject site.
- 3. Request for Work Plan for Lateral Definition of the Groundwater Plume** – At present the majority of wells being monitored at the site and vicinity are west of the identified potential conduits in San Pablo Avenue. Well WCEW-1 (redesignation of EW-1 by The San Joaquin Company) located at the northeast corner of San Pablo Avenue and 40th Street, appears to be the only well monitoring groundwater near the former site (well MW-5 monitors an area upgradient of the Celis site, in vicinity of an identified paleochannel). All other wells are located west of potential utility conduits which may in part be responsible for lower concentrations west of the utilities. Groundwater concentrations of gasoline related contaminants in WCEW-1 appear to be undergoing notable decreases that in part may be related to redevelopment activities at the Oak Walk Redevelopment (*Groundwater Quality Monitoring Report, September 2010*, The San Joaquin Company, November 11, 2010); however, significant gasoline related contamination appears to remain beneath that redevelopment (see Figures 20 and 21 of the referenced report). Because the plumes depicted in these figures are in part upgradient of the Celis site, they may be partially related to the SFFBC USTs; however, the lack of southerly lateral definition of contaminants illustrated on these figures can be inferred to be

associated with the Celis site. This may leave the SNK Andante Redevelopment at risk to migration of contaminants in groundwater related to residual soil concentrations beneath the Celis (in 40th Street, or in groundwater from the SFFBC) site. Additionally, the unresolved utility preferential pathway conduit data gap may also in part allow migration of undocumented contaminants from these plumes to migrate further offsite in unknown ways.

ACEH also observes that a partial transect has been provided by the installation of wells MW-3 and MW-4 to the southwest, but notes that a distance of approximately 130 feet exists between these wells, and that former well MW-2 from the East Baybridge Redevelopment was previously located between the two wells and at one time contained significant concentrations. While it is anticipated that concentrations may have reduced since the last sampling event at that well (December 1995), the position of the well can suggest preferential pathways such as the continuation of the identified paleochannels. As a consequence ACEH requests, by the date identified below, a work plan to investigate the lateral and downgradient extent of fuel hydrocarbon releases associated with the Celis site, inclusive of the effect of utility conduits on plume migration. This is a standing request from a previous letter. The use of conductivity survey profiles may in part be appropriate; they have been useful in identifying paleochannel conduits beneath the California Linen site (RO0000337) at 989 41st Street, Oakland.

- 4. Request for Coordinated Groundwater Contaminant Plume Monitoring and Sampling** – The last groundwater monitoring event occurred in March 2010, with the recommendation to await developments associated with the work at the Oak Walk site. Remedial actions at that site were finished in early 2009. In order to understand current and future conditions, to determine the effect remedial work at that site may have had at the Celis site, and to determine if contaminant rebound, if any, may be present, ACEH requests the resumption of groundwater monitoring at the subject site using the identified analytical suite, on an initial quarterly basis. After one year of monitoring, ACEH requests that the interval be reevaluated.

Because the paleochannels have allowed the comingling of many sites, ACEH is requiring that groundwater monitoring and sampling for this site be coordinated on the same day with groundwater monitoring, sampling, and reporting for vicinity sites (Oak Walk Redevelopment Site [RO0002733], San Francisco French Bread Company [RO0000171], SNK Andante [RO0002533], Dunne Quality Paints [RO0000073], and Oakland National Engravers [RO0000079]). By copy of this letter this requirement is provided to all the referenced sites. ACEH is requiring that groundwater monitoring, sampling, and reporting continue at these sites in accordance with the schedule below. Please submit groundwater monitoring reports by the dates identified below.

- 5. Request for Email Addresses** – If your email address is not listed on the first page of this letter, or in the list of cc's below, ACEH is requesting your email address to help expedite communications and to help lower overall costs. Please provide that information in your next submittal.

TECHNICAL REPORT REQUEST

Please submit the following deliverable to ACEH (Attention: Mark Detterman), according to the following schedule:

- **December 2, 2011** – Geotracker & ACEH ftp Website Submittal Compliance and notification of such
- **January 30, 2012** – Work Plan and Conduit Survey
- **February 10, 2012** – Fourth Quarter 2011 Semi-Annual Groundwater Monitoring Report
- **May 4, 2012** – First Quarter 2012 Groundwater Monitoring Report
- **August 3, 2012** – Second Quarter 2012 Groundwater Monitoring Report
- **November 9, 2012** – Third Quarter 2012 Groundwater Monitoring Report, with sampling interval reevaluation

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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.

Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,

Mark E. Detterman, P.G., C.E.G.
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations
Electronic Report Upload (ftp) Instructions

cc: Dunne Quality Paints; (RO0000073):

Terry Turner, Dunne Quality Paints, 707 Glenside Circle, Lafayette, CA 94549
Chad McNamee, 6820 Thornhill Drive, Oakland, CA 94611
Martin Samuels, Green City Lofts, 3076 Delmont Avenue, Oakland, CA 94605
Martin Samuels, Green City Lofts, 4601 W. Walnut Street, Soquel, CA 95073
Martin Samuels, Green City Lofts, 2715 Porter Street, Suite 207, Soquel, CA 95073
Green City Lofts Home Owner Association; 1007 41st Street, Oakland, CA 94608
Timothy Bodkin, Bureau Veritas, 2430 Camino Ramon, Suite 122, San Ramon, CA 94583
(sent via electronic mail to timothy.bodkin@us.beuraveritas.com)

Oakland National Engravers; (RO0000079):

Terry McGrath, McGrath Properties, 130 Webster Street, Suite 200, Oakland, CA 94607
(sent via electronic mail to terry@mcgrathproperties.com)
Deborah Castles, McGrath Properties, 130 Webster Street, Suite 200, Oakland, CA 94607
(sent via electronic mail to deborah@mcgrathproperties.com)
Syed Rehan, AMEC Geomatrix, Inc., 2101 Webster Street, 12th Floor, Oakland, CA 94612
(sent via electronic mail to syed.rehan@amec.com)

San Francisco French Bread Company; (RO0000171):

Peter Sher, San Francisco French Bread Company, 7801 Edgewater Drive, Oakland, CA 94621
John Tibbetts, Oak's Club Room, 4097 San Pablo Avenue, Emeryville, CA 94608

Celis Service Station; (RO0000453):

Jacob Henry, URS Corporation, 1333 Broadway, Suite 800, Oakland, CA 94612
(sent via electronic mail to Jacob_Henry@URSCorp.com)

SNK Andante Project (RO0002530):

Mr. Don Peterson, SNK Captex Andante LLC, 1103 40th Street, Emeryville, CA 94608
Dai Watkins, The San Joaquin Co., 1120 Hollywood Avenue, Suite 3, Oakland, CA 94602
(sent via electronic mail to daiw@sanjoco.com)

Oak Walk Redevelopment; (RO0002733):

Marilyn Ponte, Bay Rock Residential LLC, 1300 Clay Street, Suite 620, Oakland, CA 94612

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(sent via electronic mail to marilyn@bay-rock.com)

John Tibbetts, Oak's Club Room, 4097 San Pablo Avenue, Emeryville, CA 94608

Dai Watkins, The San Joaquin Co., 1120 Hollywood Avenue, Suite 3, Oakland, CA 94602

(sent via electronic mail to daiw@sanjoco.com)

Magnolia Terrace Residential (RO0003004):

Darin Lounds, Executive Director, Housing Consortium of the East Bay, 1440 Broadway, Suite 700, Oakland, CA 94612; (sent via electronic mail to dlounds@hceb.org)

Brianne Steinhauser, Housing Consortium of the East Bay, 1440 Broadway, Suite 700, Oakland, CA 94612 (sent via electronic mail to: bsteinhauser@hceb.org)

Linda Gardener, Alameda County Housing and Community Development Department, 224 W. Winton Avenue, Room 108, Hayward, CA 94544; (sent via electronic mail to: Linda.Gardner@acgov.org)

Concerned Property Owners:

David Ennis, PO Box 10985, South Lake Tahoe, CA 96158-3985

Regulatory Contacts:

Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Suite 3341, Oakland, CA 94612-2032 (sent via electronic mail to lgriffin@oaklandnet.com)

Donna Drogos, ACEH, (sent via electronic mail to donna.drogos@acgov.org)

Mark Detterman, ACEH, (sent via electronic mail to mark.detterman@acgov.org)

Geotracker, Electronic File

Responsible Party(ies) Legal Requirements / Obligations

REPORT REQUESTS

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.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/).

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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	REVISION DATE: July 20, 2010
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: 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

- **Please do not submit reports as attachments to electronic mail.**
- Entire report including cover letter must be submitted to the ftp site as **a single portable document format (PDF) with no password protection.**
- 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)

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 deh.loptoxic@acgov.org
 - 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, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) Click on Page located on the Command bar on upper right side of window, and then scroll down to Open FTP Site in Windows Explorer.
 - 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 deh.loptoxic@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.