



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-93

December 5, 2008

Mr. Stuart Depper  
P.O. Box 337  
Junction City, CA 96048-0337

Subject: Fuel Leak Case No. RO0000458 and Geotracker Global ID T0600100262, Glovatorium, 3820 Manila Avenue, Oakland, CA 94611

Dear Mr. Depper:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site including the recently submitted document entitled, "*Multi-Phase Extraction Pilot Test Report, Former Glovatorium, 3820 Manila Avenue, Oakland, CA,*" dated November 14, 2008. The Pilot Test Report, which was prepared for Loeb & Loeb LLP by SOMA Environmental Engineering, presents the results of a pilot test conducted from September 2 through October 24, 2008 to evaluate the effectiveness of multi-phase extraction (MPE) for site cleanup. The Pilot Test Report includes conclusions and recommendations regarding continuation of pilot testing.

We request that you address the following technical comments, perform the proposed work, and send us the reports requested below.

#### **TECHNICAL COMMENTS**

1. **Free Product Removal and Risk-Based Closure.** Section 1.0 of the Pilot Test Report discusses free product removal and ACEH requirements for case closure. For clarification purposes, free product removal is one requirement for the site but is not the only objective for site remediation. The MPE system must be effective in treating soil, soil vapor, and groundwater within affected areas to the extent necessary to support case closure.
2. **Soil Borings.** We concur that additional soil borings are required to provide data on contaminant distribution and an estimate of contaminant mass. These data are to be used to define locations for additional extraction wells. Please include plans for additional soil borings in the Work Plan requested below.
3. **Well Replacement.** The Pilot Test Report recommends converting existing wells SOMA-2, SOMA-4, B-9, and B-10 into 4-inch diameter extraction wells with longer screen intervals starting one foot bgs. We concur that the existing wells require replacement in order to effectively treat the vertical extent of contamination at the site. In the Work Plan requested below, please include plans for well replacement. The Work Plan is to include a discussion of the rationale for placement of screen intervals and discussion of the potential for short-circuiting with the surface for wells with screen intervals beginning less than 5 feet bgs.

4. **Additional MPE Extraction Wells.** We concur with the conclusion that additional extraction wells will be required based on the estimated radius of influence for MPE. The location and number of additional MPE extraction wells is to be based upon results from the additional site investigation activities discussed in technical comment 2.
5. **Utilizing Well LFR-2.** The Pilot Test Report recommends utilizing monitoring well LFR-2 as a test well for MPE. In the Work Plan requested below, please provide a scope of work for utilization of well LFR-2. The proposal is to include a discussion of the construction of well LFR-2 and a review of previous results in this area including previous attempts at soil vapor sampling in this area.
6. **Extending Pilot Test.** We concur with the recommendation to extend the pilot test period using the existing system. The pilot test period is to be extended until the rate of mass removal drops below levels that are economically feasible or until the system improvements and additions discussed in technical comments 3 through 5 are completed. Please present the results of the extended pilot testing in a report no later than May 15, 2009.

#### **TECHNICAL REPORT REQUEST**

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

- **February 18, 2009** – Work Plan
- **May 15, 2009** – First Semi-Annual Groundwater Monitoring Report and Extended MPE Pilot Test Report
- **October 15, 2009** – Second Semi-Annual 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) 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

Mr. Stuart Depper  
RO0000458  
December 5, 2008  
Page 3

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/cleanup/electronic\\_reporting](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." 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.

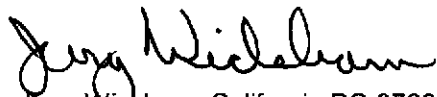
#### AGENCY OVERSIGHT

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) 567-6791 or send me an electronic mail message at [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org).

Mr. Stuart Depper  
RO0000458  
December 5, 2008  
Page 4

Sincerely,



Jerry Wickham, California PG 3766, CEG 1177, and CHG 297  
Senior Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341,  
Oakland, CA 94612-2032

Albert Cohen  
Loeb & Loeb LLP  
10100 Santa Monica Boulevard, Suite 2200  
Los Angeles, CA 90067-4164

Mansour Sepehr  
SOMA Environmental Engineering, Inc.  
2680 Bishop Drive, Suite 203  
San Ramon, CA 94583

Bruce Page  
Bruce Page Consulting, Inc.  
439 Kearney Street  
El Cerrito, CA 94530

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>ISSUE DATE:</b> July 5, 2005
	<b>REVISION DATE:</b> December 16, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> Electronic Report Upload (ftp) Instructions

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.

#### 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 Alicia Lam-Finneke.
- 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 at acgov.org. (e.g., [firstname.lastname@acgov.org](mailto: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)