



ENVIRONMENTAL HEALTH DEPARTMENT  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
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November 28, 2011

Ms. Elaine Kirk  
Marks Management Co.  
505 Sansome Street, # 1400  
San Francisco, CA 94111

Subject: Request for a Revised Work Plan; Fuel Leak Case No. RO00002520 (Global ID #T06019788682), Maz Glass; 3800 San Pablo Avenue, Emeryville, CA 94608

Dear Ms. Kirk:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the *Work Plan for Well Installation and Groundwater Assessment*, dated April 2, 2009. The report was prepared and submitted on your behalf by Enviro Soil Tech Consultants (ESTC). The work plan was submitted in response to an ACEH directive letter dated January 30, 2009. Thank you for submitting the work plan. The site appears to have been the location of two generations of USTs. Two former heating oil USTs were located in the western parking lot on the site and were removed in 2002. Additionally, two former gasoline USTs were apparently located in the eastern parking lot and were removed in 1981; however, the exact location currently remains uncertain. The work plan proposed a multi-phased scope of work consisting of the installation of approximately 60 soil vapor points in two areas of the site, followed by the installation of an unspecified number of Geoprobe soil bores, followed by the installation of an unspecified number of CPT bores, followed by the installation of five or six wells. Based on ACEH staff review of the case file, we request that you address the following technical comments and send us the reports described below.

#### **TECHNICAL COMMENTS**

1. **Request for a Revised Work Plan** – The work plan addresses several elements of the January 30, 2009 directive letter request from ACEH; however, ACEH perceives the work plan as an overview of potential future work at the site, and consequently requests added details and a revised scope of work, as requested below:
  - a. **Request for Soil and Groundwater Investigation** – While ACEH agrees that a soil vapor investigation is important, ACEH perceives that a site soil and groundwater investigation should precede the vapor intrusion investigation. This would narrow the scope of the vapor intrusion investigation. In order to quickly delineate the lateral and vertical extent of soil and groundwater contamination, both onsite and offsite, and to generate site-specific soil and grab groundwater data, ACEH judges that the site would benefit from the installation of several soil bore transects perpendicular to the groundwater flow direction, and the select targeting, with additional bores, of additional areas on the site. ACEH notes that the grab groundwater collected from soil bore B-5 contained the highest detectable concentrations of TPHg (780,000 µg/l) and the third highest benzene concentration (240 µg/l). Because this is essentially the southernmost soil bore, lateral delineation to the south is necessary.

In regards to select targeted areas, a Google Maps review of the site indicates that a rough pavement patch exists in the northeastern portion of the eastern parking lot. This would normally be a suspect former tank pit, although other locally known information may also exist. An additional target area would also include the potential location of two USTs as

depicted in the diagram associated with the UST removal permit (attached). This diagram indicates two USTs in the southeast interior corner of the western parking lot, and the potential UST location has not been eliminated. Additional targeted areas would include the areas noted in Technical Comment 3 of the January 30, 2009 ACEH directive letter. As a consequence, ACEH requests a revised work plan to incorporate an initial soil and groundwater investigation by the date specified below.

- b. **Soil Vapor Investigation** – One of the principal concerns of ACEH is the potential for vapor intrusion into the existing building at the site. As a consequence, ACEH perceives that a focused soil vapor survey, tightly associated with the building would quickly assess the risk for vapor intrusion to the building and would also minimize intrusiveness to building occupants. The revised work plan requested above can additionally propose the installation of a number of 5-foot depth vapor intrusion soil bores, at locations to be determined based on the preliminary results of the soil and groundwater investigation, and in conjunction with ACEH approval.

Because the soil vapor survey proposed did not include standard protocols for vapor sampling, please ensure these are included in the revised work plan. Please be aware that the protocols should conform to the DTSC *Final Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air (Vapor Intrusion Guidance)*, dated October 2011, and the Draft DTSC *Advisory – Active Soil Gas Investigation*, dated March 2010.

- c. **Groundwater Monitoring Well Installation** – ACEH is in preliminary agreement that a number of wells may be required at this site due to the spacing between several source areas (5 to 6 were suggested in the work plan); however, this number is best defined once additional subsurface data (soil and groundwater) from onsite and offsite locations is available. As noted above, the revised work plan can additionally propose the installation of a number of groundwater monitoring wells, at locations to be determined based on the preliminary results of the soil and groundwater investigation, and in conjunction with ACEH approval.
- d. **Preferential Pathway Study** - Thank you for the initial review of potential utility conduits (consisting of the location of utility manholes on site diagrams) that was submitted with the work plan. Because these potential conduits can be important, and to preclude miscommunication, ACEH wishes to re-confirm that a significantly more robust preferential pathway review is requested to be conducted and submitted with the revised work plan. Because of the potential for utilities, as well as their laterals, to act as preferential pathways, ACEH requests that future site plans depict the location of these structures, both on- and off-site, as well as their depth of burial. This is requested to include utility laterals to the site from utility mains in the streets, as well as locations beneath the existing building. To help understand the site and vicinity, please also include an extended site map using an aerial photographic base map to depict both the site and vicinity. Additional details on the scope of this pathway request are contained in the January 30, 2009 ACEH directive letter.

2. **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:

- **January 13, 2012** – Revised Work Plan with Preferential Pathway Study
- **90 Days After Approval of Revised Work Plan** – Soil and Groundwater Investigation Report

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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](mailto:mark.detterman@acgov.org).

Sincerely,

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

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

cc: Frank Hamedi-Fard, Enviro Soil Tech Consultants, 131 Tully Road, San Jose, CA 95111 (sent via electronic mail to: [info@envirosoiltech.com](mailto:info@envirosoiltech.com))

Donna Drogos, ACEH, (sent via electronic mail to [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))  
Mark Detterman, ACEH, (sent via electronic mail to [mark.detterman@acgov.org](mailto: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/](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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>REVISION DATE:</b> July 20, 2010
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
<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

- **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](mailto: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](mailto: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.

