ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
COLLEEN CHAWLA, Director

DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP)
For Hazardous Materials Releases
1131 HARBOR BAY PARKWAY, SUITE 250
ALAMEDA, CA 94502
(510) 567-6700
FAX (510) 337-9335

June 26, 2018

Ms. Elaine Kirk
Marks Management Co.
c/o Banker, Marks, & Kirk
1721 Broadway, Suite 202
Oakland, CA 94612
(Sent via electronic mail to: EKirk.marks@earthlink.net)

Mr. William H. Banker, Jr.
San Pablo Avenue Venture
c/o William Banker
530 The Glade
Orinda, CA 94563
(Sent via electronic mail to: BillBanker@comcast.net)

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

Dear Ms. Kirk and Mr. Banker:

Alameda County Department of Environmental Health (ACDEH) has reviewed the case file, including the *First Quarter 2018 Groundwater Monitoring Report,* dated January 26, 2018. The report was prepared and submitted on your behalf by Gribi Associates (Gribi). Thank you for submitting the report. The report included a Request for Closure based on the summary of data.

As discussed briefly in the communication of May 25, 2018, and in the meeting of June 1, 2018 with Tom Graf, our review of site data indicates through multiple lines of evidence that groundwater may be encountered in an unconfined water table condition in a clay water bearing zone, rather than in a confined condition as has been discussed in site documents. A review of existing bore logs indicates that there does not appear to be a specific, confined, granular water-bearing unit beneath the site. Data that support this interpretation includes well logs documenting clay throughout the bores, the measurement of groundwater in site wells as high as 5.82 feet below grade surface (bgs), and the submergence of multiple vapor probes installed to a depth of 5.5 feet bgs. Coupled with rising groundwater benzene concentrations in wells MW-1 and MW-2 since interim remediation was conducted, to concentrations above 100 micrograms per liter (µg/l; recently up to 270 µg/l benzene from a low of 4.5 µg/l), the data indicates that the site may not have a vapor bioattenuation zone beneath the foundation depth, and due to insufficient data collection does not yet meet the Vapor Intrusion Criteria of the Low Threat Closure Policy (LTCP) in source areas close to and beneath the building.

Should an unconfined water table condition be present beneath the site, all wells would appear to be screened too deep (screens at approximately 13 to 23 feet) to collect groundwater concentrations at the top of the water table as all screens would be submerged. Thus the effects of a residual source above the screen interval would be unmonitored in groundwater. As also discussed in the January 8, 2018 directive letter, the detection of 43,000 µg/l TPHg in January 2015 in well MW-4, indicated the presence of potentially significant residual concentrations of contaminants beneath the site, including potential non-mobile Non Aqueous Phased Hydrocarbons (NAPL) in soil in the vicinity of the well (*Technical Justification for Vapor Intrusion Media-Specific Criteria*, State Water Resource Control Board, March 1, 2012). The residual contaminants are likely to continue to degrade groundwater beneath the site for a period of time, and in the context of the Vapor Intrusion Criteria, represent a continued and again increasing risk of vapor intrusion to the building.

Review of the results of ozone injection wells appears to indicate that the process was successful, especially in well MW-3, in decreasing the concentration of volatile compounds in groundwater beneath the site. However, since the system was turned off volatile concentrations have increased, especially in wells MW-1 and MW-2 that are proximal to the building (and to a potential source), thus increasing the risk of vapor intrusion to future occupants of the repurposed building.

The detection of tetrachloroethene (PCE), trichloroethene (TCE), and 1,1,1,2-Tetrachloroethane (1,1,1,2,-TCE) in one or more vapor wells beneath a former truck dealership and repair facility indicates the potential for solvents to have been used at the site. It appears appropriate to verify the presence, or absence, of these and related chemicals beneath the site in the existing Site Cleanup Program for non-petroleum contaminants, and the potential risk to future occupants of the repurposed building. Consequently a separate directive letter will be issued for this work.

Finally, as also discussed briefly in the May 25, 2018 communication, the extent of the Total Petroleum Hydrocarbon as diesel (TPHd) groundwater plume for the southern underground storage tank (UST) is undefined. It has been postulated that the West MacArthur Boulevard undercrossing potentially captures this groundwater plume; however, this has not been substantiated through the investigation of the depth of the undercrossing and dewatering structures, the location of dewatering structures, the capture zone of the dewatering structures, identification of discharge effluent treatment systems or disposal conveyance, and the generation of cross-sections to illustrate and verify this potential condition. It appears appropriate to adequately investigate and assess this hypothesis.

Thus based on ACDEH 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. **Data Gap Investigation Work Plan and Focused Site Conceptual Model –** Please prepare Data Gap Investigation Work Plan to address the technical comments listed above. Please support the scope of work in the Data Gap Investigation Work Plan with a focused SCM and Data Quality Objectives (DQOs) that relate the data collection to each LTCP criteria. For example please clarify which scenario within each Media-Specific Criteria a sampling strategy is intended to apply to.

   In order to expedite review, ACDEH requests the SCM be presented in a tabular format that highlights the major SCM elements and associated data gaps, which need to be addressed to progress the site to case closure under the LTCP. Please sequence activities in the proposed Data Gap Investigation scope of work to enable efficient data collection in the fewest mobilizations possible.

2. **Groundwater Monitoring –** Please continue to conduct semi-annual groundwater monitoring schedule, using the months of January and July of a given year for sampling events. Please submit a groundwater monitoring report by the date identified below.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACDEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with the specified file naming convention below, according to the following schedule:

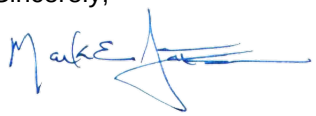
- **August 27, 2018 –** Data Gap Work Plan
  File to be named: RO2520_WP_R_yyyy-mm-dd

- **October 19, 2018 –** Third Quarter Semi-Annual 2018 Groundwater Monitoring Report
  File to be named: RO2520_GWM_R_yyyy-mm-dd

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.

Thank you for your cooperation. If you have any questions, please call me at (510) 567-6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,



Mark E. Detterman, PG, CEG
Senior Hazardous Materials Specialist
Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations and Electronic Report Upload (ftp) Instructions

cc: James Gribi, Gribi Associates, 1090 Adams Street, Suite K, Benicia, CA 94510, (Sent via electronic mail to: JGribi@gribiassociates.com)

Tom Graf, GrafCon, P.O. Box 1105, Tiburon, CA 94920, (Sent via electronic mail to: Tom@grafcon.us)

Kevin Brown, 3800 San Pablo LLC, 1201 Pine Street, #151, Oakland, CA 94507 (Sent via electronic mail to: kb@hollidaydevelopment.com)

Dilan Roe, ACDEH, (Sent via electronic mail to: dilan.roe@acgov.org)
Paresh Khatri, ACDEH; (Sent via electronic mail to: paresh.khatri@acgov.org)
Mark Detterman, ACDEH, (Sent via electronic mail to: mark.detterman@acgov.org)
Electronic File; GeoTracker

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	**REVISION DATE:** December 14, 2017
	ISSUE DATE: July 25, 2012
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	**SUBJECT:** Responsible Party(ies) Legal Requirements / Obligations

REPORT & DELIVERABLE REQUESTS

Alameda County Department of Environmental Health (ACDEH) Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) require submission of all reports in electronic form to the State Water Board's (SWB) GeoTracker website in accordance with California Code of Regulations, Chapter 30, Division3, Title 23 and Division 3, Title 27.

Leaking Underground Fuel Tank (LUFT) Cases

Reports and deliverable requests are 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 (RP) in conjunction with an unauthorized release from a petroleum underground storage tank (UST) system.

Site Cleanup Program (SCP) Cases

For non-petroleum UST cases, reports and deliverables requests are pursuant to California Health and Safety Code Section 101480.

ELECTRONIC SUBMITTAL OF REPORTS

A complete report submittal includes the PDF report and all associated electronic data files, including but not limited to GEO_MAP, GEO_XY, GEO_Z, GEO_BORE, GEO_WELL, and laboratory analytical data in Electronic Deliverable Format™ (EDF). Additional information on these requirements is available on the State Water Board's website (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)

- Do not upload draft reports to GeoTracker
- Rotate each page in the PDF document in the direction that will make it easiest to read on a computer monitor.

GEOTRACKER UPLOAD CERTIFICATION

Each report submittal is to include a GeoTracker Upload Summary Table with GeoTracker valid values[1] as illustrated in the example below to facilitate ACDEH review and verify compliance with GeoTracker requirements.

GeoTracker Upload Table Example

Report Title	Sample Period	PDF Report	GEO_MAPS	Sample ID	Matrix	GEO_Z	GEO_XY	GEO_BORE	GEO_WELL	EDF
2016 Subsurface Investigation Report	2016 S1	✓	✓	Effluent	SO	☐	☐	☐	☐	✓
2012 Site Assessment Work Plan	2012	✓	✓			☐	☐	☐	☐	☐
2010 GW Investigation Report	2008 Q4	✓	✓	SB-10	W	✓	☐	☐	☐	✓
				SB-10-6	SO	☐	☐	☐	☐	✓
				MW-1	WG	✓	✓	✓	✓	✓
				SW-1	W	✓	✓	✓	✓	✓

[1] GeoTracker Survey XYZ, Well Data, and Site Map Guidelines & Restrictions, CA State Water Resources Control Board, April 2005

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	**REVISION DATE:** NA
	ISSUE DATE: December 14, 2017
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	**SUBJECT:** Responsible Party(ies) Legal Requirements / Obligations

ACKNOWLEDGEMENT STATEMENT

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to the State Water Board's GeoTracker website." This letter must be signed by the Responsible Party, or legally authorized representative of the Responsible Party.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6731, 6735, and 7835) 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 licensed or certified professional and include the professional registration stamp, signature, and statement of professional certification. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: http://www.bpelsg.ca.gov/laws/index.shtml.

UNDERGROUND STORAGE TANK CLEANUP FUND

For LUFT cases, RP's non-compliance with these regulations may result in ineligibility to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse the cost of cleanup. Additional information is available on the internet at: https://www.waterboards.ca.gov/water_issues/programs/ustcf/

AGENCY OVERSIGHT

Significant delays in conducting site assessment/cleanup or report submittals may result in referral of the case to the Regional Water 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.