



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

January 21, 2016

MacArthur Boulevard Associates  
c/o Mr. John Jay, Management Agent (*Sent via E-mail to: [johnjay@jayphares.com](mailto:johnjay@jayphares.com)*)  
10700 MacArthur Boulevard, Suite 200  
Oakland, CA 94605

Subject: Case File Review for SLIC Case No. RO0002580 and GeoTracker Global ID SL18344764,  
Young's Cleaners, 10700 MacArthur Boulevard, Oakland, CA 94605

Dear Mr. Jay:

Alameda County Environmental Health (ACEH) staff has reviewed the Spills, Leaks, Investigations, and Cleanups (SLIC) case file for the above referenced site including the recently submitted documents entitled, "Proposed System O&M and Verification Sampling Schedule," dated January 12, 2016 (Proposed System O&M Report) and "Groundwater Monitoring Report – 2nd Semester 2015," dated January 12, 2016. The Proposed System O&M Report, which was prepared on your behalf by AEI Consultants, proposes continued operation of the soil vapor extraction and treatment (SVET) and sub-slab depressurization (SSD) systems, monthly operations and maintenance visits, and collection of systems operation data. ACEH concurs with the proposed ongoing operation of the SVET and SSD systems.

The Proposed System O&M Report also proposes soil vapor sampling after shutting down the SVET and SSD systems in March 2016 for 30 days to allow vapor beneath the concrete slab to equilibrate. During the sub-slab and soil vapor sampling event in September 2015, trichloroethene (TCE) was detected in the sub-slab vapor probes at concentrations of 410 to 520 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ) with an average concentration of 469  $\mu\text{g}/\text{m}^3$ . Using the California Department of Toxic Substances of California (DTSC) default attenuation factor of 0.05 for commercial buildings (DTSC October 2011) and the maximum TCE concentration, the estimated indoor air concentration of TCE would be 26  $\mu\text{g}/\text{m}^3$ . Guidance from the DTSC Human and Ecological Risk Office (HERO August 2014) indicates that an urgent response (within a few days) is needed when TCE concentrations in indoor air exceed 24  $\mu\text{g}/\text{m}^3$  for commercial buildings. An accelerated response is necessary when TCE concentrations exceed 8  $\mu\text{g}/\text{m}^3$ . Based on the DTSC default attenuation factor for sub-slab to indoor air and September 2015 sampling results, shut down of the SVET and SSD system could result in TCE concentrations in indoor air that exceed accelerated or urgent response levels during the 30 day shutdown period. Therefore, we cannot concur with shut down of the SVET and SSD systems unless the building is not occupied for the shutdown period or other measures are taken to assure that indoor air TCE concentrations do not pose a risk to building occupants during the shutdown. In order for shut down of the SVET and SSD systems to be considered, additional measures must be proposed to prevent potential exposure to TCE during the 30-day shut down period.

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### **TECHNICAL REPORT REQUEST**

Please submit technical reports to the Alameda County Environmental Health ftp site using the designations indicated below according to the following schedule:

- **July 25, 2016** – Remedial System Operations and Groundwater Monitoring Report  
File to be named: REM\_R\_yyyy-mm-dd RO2580

I will be retiring from ACEH on January 22, 2016 and Ms. Dilan Roe will be the case worker responsible for this case after January 22, 2016. Therefore, if you have any questions in the future regarding this case, please call Dilan Roe (510) 567-6767 or send her an electronic mail message at [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org). Case files can be reviewed online at the following website: <http://www.acgov.org/aceh/index.htm>.

Sincerely,

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

Attachment: Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Ken Phares, Jay-Phares Corporation, 10700 MacArthur Boulevard, Suite 200, Oakland, CA 94605  
(Sent via E-mail to: [kphares@ix.netcom.com](mailto:kphares@ix.netcom.com))

Jeremy Smith, AEI Consultants, 2500 Camino Diablo, Suite 100, Walnut Creek CA 94597 (Sent via E-mail to: [jasmith@aeiconsultants.com](mailto:jasmith@aeiconsultants.com))

Peter McIntyre, AEI Consultants, 2500 Camino Diablo, Suite 100, Walnut Creek CA 94597 (Sent via E-mail to: [pmcintyre@aeiconsultants.com](mailto:pmcintyre@aeiconsultants.com))

Dilan Roe, ACEH (Sent via E-mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))

Jerry Wickham, ACEH (Sent via E-mail to: [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org))  
GeoTracker, eFile

## Attachment 1

### 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> May 15, 2014
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 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.