



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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February 18, 2010

Mr. Donald Lindsey
Timber Del Properties, LLC
2424 Central Avenue
Alameda, CA 94501

Mr. Carl Searway
3032 Dakota Street
Oakland, CA 94602

Subject: SLIC Case No. RO0002584 and Geotracker Global ID SL0600150413, Searway Property, 649 Pacific Avenue, Alameda, CA 94501 – Technical Comments on Work Plan

Dear Mr. Lindsey and Mr. Searway:

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 document entitled, "*Sub-Slab Attenuation Factor Determination Work Plan*," dated January 7, 2010 (Work Plan). The Work Plan, which was prepared on behalf of Mr. Lindsey by Trinity Source Group, Inc., proposes following the methods of McHugh et al (2008) to determine a site-specific attenuation factor for the building floor slabs at the above referenced site. In general, the proposed method may be suitable to estimate the site-specific attenuation factor if properly implemented. If VOC concentrations beneath the building continue to decrease, the estimation of a site-specific attenuation factor may be used to evaluate the conditions under which operation of the sub-slab depressurization system operation may be terminated at a future date.

Technical comments 1 through 5 will require revision of the Work Plan or will require justification of the proposed methods. Therefore, we request that you address the technical comments below and prepare a Revised Sub-Slab Attenuation Factor Determination Work Plan.

TECHNICAL COMMENTS

1. **Scope of Proposed Sub-slab and Indoor Air Sampling.** The Work Plan proposes the collection of soil vapor samples from three sub-slab vapor probes, one indoor air sampling location, and one outdoor ambient air sample. All three sub-slab vapor samples (VS-5, VS-19, and VS-3) are located within the Kelly Moore Paints store. VOCs have also been detected in sub-slab vapor samples at locations within the adjacent East Ocean Seafood Restaurant, which appears to be located within a different building than the Kelly Moore Paints store. The different buildings may have different floor slabs, ventilation, floor coverings, and other conditions that may affect vapor attenuation. We also note that potential vapor entry points in the foundation of the Kelly-Moore Paints store were inspected and sealed as part of the diagnostic test procedures conducted on October 17, 2007 but foundation penetrations in the East Ocean Seafood Restaurant were not sealed with the exception of the northwestern corner of the East Ocean Seafood Restaurant,. Due to these differences, the estimation of an attenuation factor based solely on results from the Kelly-Moore Paints store may not be representative of conditions in the East Ocean Seafood Restaurant. Therefore, we request that you add a minimum of one sub-slab vapor sample and one indoor air sample within the East Ocean

Seafood Restaurant. Based on previous results, the highest concentrations of VOCs beneath the sub-slab of the East Ocean Seafood Restaurant are present in the area of VS-11. Please include plans to collect a minimum of one additional sub-slab vapor sample from VS-11 and one additional indoor air sample from the area near VS-11.

2. **Sub-Slab Sampling and Analytical Methods.** The Work Plan proposes that sub-slab vapor samples will be collected without purging using disposable syringes and Tedlar bags. This method differs from the method previously used to collect sub-slab vapor samples at the site and the methods described in the guidance document prepared by the U.S. Environmental Protection Agency entitled, "*Draft Standard Operating Procedures (SOP) for Installation of Sub-Slab Vapor Probes and Sampling Using EPA Method TO-15 to Support Vapor Intrusion Investigations.*" In the Revised Work Plan requested below, please provide justification for using the proposed sub-slab vapor sampling and analytical methods including a comparison of the expected concentrations of the chemicals of concern to the reporting limits of the proposed analytical methods.
3. **Analysis of Indoor and Outdoor Air Samples.** The Work Plan indicates that the indoor air and outdoor air samples will be analyzed for radon only. We request that the indoor air and outdoor air samples also be analyzed for VOCs and Stoddard Solvent. Please include this modification to the Revised Work Plan requested below. We note that revised indoor air sampling methods will be required in order to analyze the samples for VOCs and Stoddard Solvent.
4. **Indoor Air Sampling and Analytical Methods.** The Work Plan proposes the collection of indoor air samples using a syringe and Tedlar bag for radon analysis. In the Revised Work Plan requested below, please provide justification for the proposed method versus a longer time weighted sampling method that may be less affected by temporal variability.
5. **Factors Affecting Indoor Air Sampling Results.** We request that you expand the discussion of the methods that will be used to assure that the indoor air samples collected will be representative of typical exposure and that the factors affecting indoor air quality have been considered. Such factors include but are not limited to the operation of the heating, ventilation, and air conditioning, (HVAC) systems, the proximity of the indoor sampling locations to ductwork or potential vapor entry points, and occupancy of the buildings prior to and during sampling. For example, will the HVAC system be operated 24 hours in advance of sampling and during sampling? In general, the HVAC system should be operated under normal conditions and unnecessary building ventilation should be avoided prior to and during sampling. An inspection of the building and sampling locations should be conducted prior to indoor air sampling to identify products or features that may affect the sampling results.
6. **Groundwater Monitoring.** Please continue groundwater monitoring at the site on a semi-annual basis and present the results in the reports requested below.

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TECHNICAL REPORT REQUEST

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

- **April 30, 2010** – Revised Sub-Slab Attenuation Factor Determination Work Plan
- **August 15, 2010** – Semi-Annual Groundwater Monitoring and Sub-slab Vapor Depressurization System Performance 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 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).

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.

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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.

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.

Sincerely,

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

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: David Reinsma, Trinity Source Group, 500 Chestnut Street, Suite 225, Santa Cruz, CA 95060 (*Sent via E-mail to: dar@tsgcorp.net*)

Debra Moser, Trinity Source Group, 500 Chestnut Street, Suite 225, Santa Cruz, CA 95060 (*Sent via E-mail to: djm@tsgcorp.net*)

Donna Drogos, ACEH (*Sent via E-mail to: donna.drogos@acgov.org*)
Jerry Wickham, ACEH
Geotracker, File

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: March 27, 2009
	PREVIOUS REVISIONS: December 16, 2005, October 31, 2005
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

- 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
 - Or
 - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of My Le Huynh.
 - 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 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.