

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
9-26-06

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

September 22, 2006

Mr. Robert Miller
Allied Land CX
2421 Blanding Avenue
Alameda, CA 94501

Subject: Fuel Leak Case No. RO0002601, Allied Engineering Corporation, 2421 Blanding Avenue, Alameda, CA

Dear Mr. Miller:

Alameda County Environmental Health Department (ACEH) staff has reviewed the case file and report entitled, "Sampling Report During Tank Removal", dated June 13, 2004 and prepared on your behalf by Geo-logic Consulting Services. It appears that residual petroleum hydrocarbon contamination remains in soil and groundwater at your site. Confirmation soil sampling conducted in during the removal of the Underground Storage Tank (UST) detected petroleum hydrocarbon contamination up to 6400 mg/kg TPHg and 6.4 mg/kg benzene in the former UST tank pit. Additionally, a grab groundwater sample collected from the excavation tank pit tested 8,600 µg/L TPHg and 570 µg/L benzene. Furthermore, soil sampling conducted beneath the dispenser island detected 1,700 mg/kg TPHg and 3.4 mg/kg benzene. Considering the proximity of your site to the estuary, combined with the observation that free phase petroleum hydrocarbon was detected on the surface of the water in the excavation and projected groundwater gradient is toward the estuary. ACEH is concerned that sensitive aquatic habitat may be impacted by off site migration of dissolved petroleum hydrocarbon pollution.

In October 2004, during a Phase I investigation at 2517 Blanding Avenue -Stone Boat Yard-an observation of metal shavings on land belonging to Allied Engineering Corporation was documented in the estuary bank cut. According to the Phase I investigation conducted by Questa Engineering, the zone of probable contamination extends from Mean Lower Low Tide to the top of the bank (approximately 8 vertical feet) and approximately 30 feet along the bank that forms the approximate property line. ACEH is concerned that the presence of metal shavings in the subsurface may be contributing to heavy metal contamination in the estuary, which is a sensitive aquatic habitat. Therefore, ACEH requests that an additional investigation be conducted in the northeast portion of the property to determine the extent of metal contamination in soil and groundwater. The requested investigation for the UST location should be combined with an investigation of the northeast part of the site where the metal filings were observed.

In March 2005, in the interest of moving your case through the regulatory process, ACEH requested that additional soil and groundwater sampling be completed in order to delineate the extent of petroleum hydrocarbon contamination on the subject property. ACEH suggests the use of expedited site assessment techniques to delineate the vertical and horizontal extent of soil and groundwater contamination. Furthermore, ACEH considers the use of expedited site assessment an integral component in the site characterization process. Regrettably, ACEH has not received a response to our request to perform an additional site investigation; therefore, ACEH has determined that your site has not been adequately characterized and you are out of compliance with directives issued by this office.

Consequently, ACEH requests that you prepare a detailed Soil and Groundwater Investigation Work Plan to characterize both the UST location and the metal filings on the northeast portion of the site, where the metal filings were observed. The Work Plan is due to this office **within 45 Days** of the date of this letter or by **October 30, 2006**. Please be advised that this is a formal request for technical reports pursuant to Title 23, CCR, Section 2722(c). Any extensions of the stated deadlines, or modifications of the tasks, must be confirmed in writing by this agency.

If it appears as though significant delays are occurring, or reports are not submitted as requested, we will consider referring your case to the County District Attorney or other appropriate agency, for enforcement. California Health and Safety Code, Section 25299.76 authorizes ACEH enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation. Please note that further delays in investigation, late reports, or enforcement actions may result in your becoming ineligible to receive cost reimbursement from the State's Underground Storage Tank Cleanup Fund.

Based on ACEH staff review of the case file, we request that you address the following technical comments and prepare a work plan detailing work to be performed, and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to steven.plunkett@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **UST Investigation and Expedited Site Assessment.** Based on the concentrations of TPH and TPH constituents detected in the soil, an investigation is required to assess the extent of soil contamination and determine if groundwater contamination is present beneath your site. We recommend that your investigation incorporate expedited site assessment techniques to collect soil samples and depth-discrete groundwater samples prior to the installation of groundwater monitoring wells. Expedited site assessment tools and methods are a scientifically valid and cost-effective approach to fully define the three-dimensional extent of groundwater contamination. Technical protocol for expedited site assessments are provided in the U.S. Environmental Protection Agency's "Expedited Site Assessment tools for Underground Storage Tanks: A Guide for Regulators," (EPA 510-B-97-001), dated March 1997. Other options for additional investigation or remediation may also be appropriate at your site.

The soil borings should be advanced adjacent to and immediately downgradient of the former UST location. The Work Plan requested below is to include a detailed plan to characterize petroleum hydrocarbon contamination in soil and groundwater within the shallow soil and water bearing zones and possible deeper water-bearing zones.

2. **Defining the Horizontal and Vertical Extent of Contamination.** The horizontal and vertical extent of soil and groundwater contamination has not been defined for the site. Please present plans in the Work Plan requested below to conduct a soil and groundwater investigation to define the horizontal and vertical extent of soil and groundwater contamination in the vicinity of the former UST.
3. **Hydrogeologic Cross Sections.** We request that you use detailed hydrogeologic cross sections to appropriately represent the three-dimensional extent of soil and groundwater contamination on site and immediately downgradient of the site. The Soil and Groundwater

Investigation Report requested below is to include one cross section in the direction of groundwater flow and one cross section approximately perpendicular to the direction of groundwater flow. Each cross section should include the following:

- a. Surface topography. The cross sections should be extended off-site where necessary to show significant breaks in slope.
 - b. Soil descriptions for all borings and wells along the line of section.
 - c. Screen and filter pack intervals for each monitoring well.
 - d. Sampling locations and results for soil and grab groundwater samples.
 - e. Site features such as the tank pit, dispensers, etc.
 - f. Where appropriate, monitoring well location and soil boring locations should be projected back to the strike of the cross section line.
4. **Soil and Groundwater Sample Analysis.** All soil and groundwater samples to be collected during the investigation are to be analyzed for TPHg and TPHd by EPA Method 8015M or 8260, BTEX, EDB, EDC, MIBE, TAME, ETBE, DIPE, TBA and EtOH by EPA Method 8260 and total lead. Please present the results from the soil and groundwater sampling in the Soil and Groundwater Investigation Report requested below.
5. **Site Investigation and Evaluation for Metal Contamination.** Based on an observation of metal filings detected in soil on the subject property, and reported during a Phase I Environmental Site Assessment, an investigation is required to assess the extent of soil contamination and determine if groundwater contamination is present beneath your site. Please submit a detailed proposal to define the extent of soil and groundwater contamination associated with the metals filings in the work plan requested below.
6. **Geotracker EDF Submittals -** A review of the case file and the State Water Resources Control Board's (SWRCB) Geotracker website indicate that electronic copies of analytical data have not been submitted for your site. Pursuant to CCR Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the LUFT program, must be transmitted electronically to the SWRCB Geotracker website via the internet. Additionally, beginning January 1, 2002, all permanent monitoring points utilized to collect groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level and latitude and longitude accurate to within 1-meter accuracy, using NAD 83, and transmitted electronically to the SWRCB Geotracker website. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). In order to remain in regulatory compliance, please upload all analytical data (collected on or after September 1, 2001), to the SWRCB's Geotracker database website in accordance with the above-cited regulation. Please perform the electronic submittals for applicable data and submit verification to this Agency by October 30, 2006.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Mr. Steven Plunkett), according to the following schedule:

- **October 30, 2006 – Work Plan for Soil and Groundwater Investigation.**
- **120 Days After Completion of Work Plan – Soil and Groundwater Investigation 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

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. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

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. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for 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 monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was 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.

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

Mr. Robert Miller
September 19, 2006
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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.

Should you have any questions, do not hesitate to call me at (510) 383-1767.

Sincerely,



Steven Plunkett
Hazardous Materials Specialist

cc: Joel Greger
Geo-logic Consulting Services
1140 5th Avenue
Crockett, CA 94525

Donna Drogos, ACEH
Steven Plunkett, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
03-29-05

March 28, 2005

Mr. Robert Miller
Allied Land CX
2421 Blanding Ave.,
Alameda, CA 94501

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

**Re: Fuel Leak Investigation, Site No. Allied Engineering, RO0002601,
2421 Blanding Ave., Alameda, CA**

Dear Mr. Miller:

Alameda County Environmental Health (ACEH) staff reported a release from your former gasoline underground storage tank (UST) system removed from your property on January 7, 2004. This office subsequently listed the subject site on our database of fuel leak sites. Our office acts as the lead agency to oversee the investigation and cleanup of petroleum hydrocarbon releases.

Technical Comments:

We have recently reviewed the information in our file and determined that up to 6,400 ppm TPHG, 6.4 ppm Benzene were left in place in soil; up to 8,600 ppb TPHG, and 570 ppb Benzene, and 8.4 ppb EDC were detected in groundwater; free product was present in groundwater; petroleum odors were noted from the tank excavation. A soil and groundwater investigation is necessary at this site to progress toward case closure.

Please investigate the extent of soil and groundwater contamination at your site. This type of investigation usually involves drilling one or more soil borings and collecting soil samples for chemical analyses. Groundwater monitoring wells may be needed and groundwater sampled to properly characterize groundwater contamination. Other options for additional investigation may be appropriate to define contamination at your site.

Please submit a work plan detailing your proposal to define the extent of soil and groundwater contamination by April 28, 2005. This report is being requested pursuant to the Regional Water Quality Control Board's (Regional Board) authority under Section 13267 of the California Water Code.

REQUEST FOR INFORMATION

ACEH's case files for the subject site contains only the "Sampling Report during Tank Removal" dated January 13, 2004. No other document regarding the above referenced site has been submitted to this office. We request that you

submit copies of any other reports you have documenting additional investigation activities or other work related to this UST system/site by **April 28, 2005**.

LANDOWNER NOTIFICATION REQUIREMENTS

Pursuant to California Health & Safety Code Section 25297.15, the active or primary responsible party for a fuel leak case must inform all current property owners of a site of cleanup actions or requests for closure. Furthermore, ACEH may not consider any cleanup proposals or requests for case closure without assurance that this notification requirement has been met. ACEH hereby requires that you:

1. Notify all current record owners of fee title to the site of the proposed action;
2. Submit a letter to ACEH which certifies that the notification requirement in 25297.15(a) of the Health and Safety Code has been met;
3. Forward to ACEH a copy of your complete mailing list of all record fee title holders to the site; and
4. Update your mailing list of all record fee title holders, and repeat the process outlined above prior to submittal of any additional *Corrective Action Plan* or your *Request for Case Closure*.

Your written certification to ACEH should state, at a minimum, the following:

1. *In accordance with section 25297.15(a) of the Health & Safety Code, I, (name of primary responsible party), certify that I have notified all responsible landowners of the enclosed proposed action. (Check space for applicable proposed action(s)):*

cleanup proposal (Corrective Action Plan)

site closure proposal (Request for Case Closure)

local agency intention to make a determination that no further action is required

local agency intention to issue a closure letter

- OR -

2. *In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (name of primary responsible party), certify that I am the sole landowner for the above site.*

(Note: Complete item 1 if there are multiple site landowners. If you are the sole site landowner, skip item 1 and complete item 2.)

We request that you send us the notification requested above by **April 28, 2005**.

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to this office 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

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.

UST CLEANUP FUND

Please be advised that you might be eligible for reimbursement of the costs of investigation from the California UST Cleanup Fund (Fund). In some cases, a deductible amount may apply. Enclosed is a fact sheet concerning the Fund. If you believe you meet the eligibility requirements, I strongly encourage you to call the Fund for an application.

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 follow up. Enforcement follow up may include administrative action or monetary penalties of up to \$10,000 per day for each day of violation of the California Health and Safety Code, Division 20, Chapter 6.75. , Section 25299.76.

Technical Report Request:

Please submit the following technical reports to ACEH (Attention: Amir K. Gholami):

April 11, 2005 Workplan

April 11, 2005 copies of any other reports you have beside above

Should you have any questions, please do not hesitate to call me at (510) 567-6876.

Sincerely,

A handwritten signature in black ink that reads "Amir K. Gholami". The signature is written in a cursive style with a horizontal line extending to the right.

Amir K. Gholami, REHS
Hazardous Materials Specialist

C: Joel G. Greger, Geo-Logic 1140 - 5th Ave., crockett, CA 94525
D. Drogos, A. Gholami