



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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June 18, 2009

Mr. Geoffrey Sears
Wareham Development Corporation
1120 NYE St., Suite #400
San Rafael, CA 94901-8403

Subject: SLIC Case RO0002621 and Geotracker Global ID SL0600195077, Emeryville Industrial Court, 5885 Hollis Street, Emeryville, CA 94608

Dear Mr. Sears:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the document entitled, *Additional Soil and Groundwater Information* dated December 22, 2008 prepared by Leong Environmental. The document was submitted in response to the November 13, 2008 meeting with Conoco Phillips, Wareham Development, their respective consultants and ACEH. The document included cross-sections of the site showing the soil results, the area excavated and residual impacted hydrocarbons contamination. However, it did not contain all of the requested items or a work plan.

ACEH requests that you perform the work requested below, address the following technical comments, and submit the report requested below.

TECHNICAL COMMENTS

1. **Solvent Characterization** – During the November 13, 2008 meeting, we discussed that groundwater analysis for solvents had not been performed in the areas where solvents were used (paints and thinners, inks, paints and solvents, and paints and adhesives). Also, a map depicting the soil and groundwater sampling points was provided and it appears that the area where paints and adhesives were stored contained detectable concentrations of methylene chloride in soil. However, no groundwater samples were analyzed for solvents in this area. These appear to be data gaps that need to be addressed. Please provide a work plan to evaluate these data gaps.
2. **Polyaromatic Hydrocarbon Characterization** – As discussed in the meeting, no deeper soil or groundwater samples were evaluated for benzo (a) pyrene. Benzo (a) pyrene contamination was detected in saturated soil samples at 15 feet below ground surface, the maximum depth explored at this site. However, your consultant stated that benzo (a) pyrene releases generally remain adsorbed to soil and are unlikely to migrate to groundwater. ACEH requested references to support this hypothesis and conclusions about the risk posed by residual benzo (a) pyrene. These items were not included in the response nor was there a

work plan to evaluate this data gap. Please submit a proposal to characterize the extent of the benzo (a) pyrene contamination on the west side of the site in the work plan requested below.

3. **Dissolved Contamination Plume Definition** – ACEH requested that monitoring wells be installed to determine the extent of the petroleum hydrocarbons remaining in groundwater in our November 13, 2008 meeting, and in our January 22, 2007 letter. To date the work has not been performed. Up to 150,000 micrograms per liter ($\mu\text{g/L}$) of total petroleum hydrocarbons as gasoline (TPHg) and 2,500 $\mu\text{g/L}$ benzene were detected in groundwater from TR-25. The extent of contamination has yet to be determined. ACEH requests that you install the previously requested groundwater monitoring network to evaluate your portion of the source area, determine the groundwater flow direction, and define the remaining dissolved plume(s). As discussed in the meeting, we request that Wareham and ConocoPhillips (by copy of this letter) coordinate concurrent groundwater elevation measurements and sampling activities, share the data and depict the data on graphics. Please submit your proposal in the work plan requested below.
4. **Data Sharing** – As directed in the November 13, 2008 meeting, ACEH requested that Wareham Development and ConocoPhillips share data for their sites since both properties overlie the former Unocal bulk fuel plant and share a common source area. Please also send ConocoPhillips and their consultant a copy of the report requested below.

TECHNICAL REPORT REQUEST

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

- **August 31, 2009** – Work Plan

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

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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 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.

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If you have any questions, please call me at (510) 639-1287 or send me an electronic mail message at barbara.jakub@acgov.org.

Sincerely,

A handwritten signature in cursive script that reads "Barbara Jakub". The signature is written in black ink and is positioned above the typed name.

Barbara Jakub, P.G.
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Glenn Leong, Leong Environmental, 2534 42nd Avenue, San Francisco, CA 94116
Terry Grayson, ConocoPhillips, 76 Broadway, Sacramento, CA 95818
James Barnard, Delta Consultants, 11050 White Rock Rd., Suite 110 Rancho Cordova, CA
95670
Donna Drogos, ACEH
Barbara Jakub, ACEH
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.