

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



SENT
7-5-05

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

July 1, 2005

Terry Davis
Oakland Real Estate Ltd.
3 Riverway, Suite 1140
Houston, TX 77056

Subject: Fuel Leak Case No. RO0002848, TD Rowe, 8134 Capwell Drive, Oakland, CA 94621 –
Work Plan Approval

Dear Mr. Davis:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the subject site and the report entitled, "Subsurface Investigation Report (Boreholes B5, B6, B7, and Wells MW1, MW2)," dated June 13, 2005, prepared on your behalf by P & D Environmental. The above referenced report presented results from soil and groundwater sampling conducted at the site in April and May 2005. The report also proposed additional investigation of the site consisting of four borings. ACEH concurs with the proposed scope of work provided the technical comments included below are addressed. Based on ACEH staff review of the documents referenced above, we request that you address the following technical comments, perform the proposed work, and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to jerry.wickham@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

- 1. Soil Samples.** All soils from the boreholes are to be examined for staining and odor and are to be screened using a photoionization detector. Soil samples are to be collected from any interval where staining, odor, or elevated PID readings are observed. If no staining, odor, or elevated PID readings are observed, one soil sample is to be collected from each boring immediately above the zone where groundwater is first encountered. All soil samples are to be analyzed for total petroleum hydrocarbons (TPH) as gasoline, TPH as diesel, and TPH as motor oil by modified EPA method 8015 and for BTEX and fuel oxygenates using EPA method 8260. Results from the soil samples are to be presented in the Soil and Groundwater Investigation Report requested below.
- 2. Location of Deep Boring.** The proposed location of the soil boring that will be extended to the bottom of a sand and gravel layer below the sand and gravel layer encountered in Boring B7 is approximately 60 feet east (upgradient) of boring B7. The purpose of this deeper boring is to assess whether petroleum hydrocarbons and fuel oxygenates have migrated vertically into a lower water-bearing unit. ACEH is concerned that a boring located upgradient from the tank pit will not provide information to assess whether contaminants in the tank pit have migrated vertically into a lower interval. Therefore, ACEH requests that this fourth boring be moved to a location downgradient from the tank pit. Results from this soil boring are to be presented in the Soil and Groundwater Investigation Report requested below.

3. **Grouting of Soil Borings.** All soil borings are to be drilled using dual tube direct push technology and are to be pressure grouted from the bottom-up while retracting the outer casing.

TECHNICAL REPORT REQUEST

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

- **November 3, 2005** – 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.

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.

Terry Davis
July 1, 2005
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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.

Sincerely,



Jerry Wickham, P.G.
Hazardous Materials Specialist

cc: Mark Levine
Oakland Real Estate Ltd.
3 Riverway, Suite 1140
Houston, TX 77056

Paul King
P & D Environmental
4020 Panama Court
Oakland, CA 94611

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
01-19-05

January 19, 2005

Mark Levine
Oakland Real Estate Ltd.
3 Riverway, #1285
Houston, TX 77056

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

Subject: Fuel Leak Case No. RO0002848, TD Rowe, Former Delivery Truck UST System
at 8134 Capwell Drive, Oakland, California – Workplan Request

Dear Mr. Levine:

Alameda County Environmental Health (ACEH) has reviewed the case file for the above-referenced site. Based on the information and analysis presented, we are unable to close your case at this time. The case file includes the following reports prepared by ACC Environmental Consultants, Inc.:

1. August 9, 1999, *Underground Storage Tank Removal Report*
2. August 10, 2004, *Workplan – Additional Subsurface Investigation*
3. September 9, 2004, *Additional Subsurface Investigation Report*
4. September 28, 2004 *Opinion Letter*

DCM Construction Services, Inc., removed two gasoline underground storage tanks (USTs) from the site on April 16, 1999. Soil samples collected following removal contained up to 5,900 mg/kg TPHg, 8.3 mg/kg toluene, 66 mg/kg ethylbenzene, 420 mg/kg xylenes, and 57 mg/kg MTBE. Separate phase hydrocarbons were observed and up to 99,000 ug/L TPHg, 220 ug/L benzene, 500 ug/L toluene, 1,500 ug/L ethylbenzene, and 14,000 ug/L xylenes were detected in groundwater from the tank pit. In response, approximately 150 tons of contaminated soil and 950 gallons of contaminated groundwater were removed from the tank excavation.

Subsequent to over-excavation and groundwater extraction, soil with up to 84 mg/kg TPHg and 57 mg/kg MTBE was left in place, and up to 4,900 ug/L TPHg, 40 ug/L benzene, 3.1 ug/L toluene, 11 ug/L ethylbenzene and 54 ug/L xylenes have been detected in groundwater. The site is located in a commercial area, and Figure 1 in ACC's *Additional Subsurface Investigation Report* shows a channel between San Leandro Bay and San Leandro Creek to be located within 400 ft southwest of the site. ACEH is unable to close this case because additional site characterization, including further definition of residual petroleum hydrocarbon contamination, is required for us to evaluate the risk posed by this site to human health, safety or the environment. Please submit a workplan for soil and groundwater investigation which addresses the technical comments below.

TECHNICAL COMMENTS

1. Delineation of Soil Contamination

No vertical profiling of residual soil contamination has been performed. In accordance with 23 CCR 2725(a), we require that you define the likely vertical extent of contamination. We request that you propose investigation tasks to evaluate the potential presence of contaminated soil

beneath the former USTs. To initiate vertical delineation of the source area, we recommend that you collect and analyze soil samples from a boring within or immediately downgradient of the former UST location to at least 10 ft below the total depth of impact, as identified by field screening of samples. Please submit your sampling and analysis plan in the workplan requested below.

2. Delineation of Groundwater Plume

Insufficient data has been collected to confirm the groundwater flow direction at the site. Accordingly, ACC collected groundwater samples from locations approximately 20 ft and 40 ft west of the former USTs; however, it is not clear that sampling was performed in the downgradient direction. We request that you propose investigation tasks to evaluate the groundwater flow direction at the site. In addition, after considering your findings relative to vertical distribution of soil contamination (Comment 1, above), the vertical extent of groundwater contamination also needs to be defined. ACEH requires that groundwater sampling be depth-discrete with a maximum screening interval of 5 ft. Please submit your sampling and analysis plan in the workplan requested below.

3. Intrinsic Biodegradation of Residual Contamination

ACC states that biodegradation of petroleum hydrocarbons is occurring at the site. Insufficient data has been presented to support this conclusion. Please propose additional data collection to confirm this hypothesis. Please submit your sampling and analysis plan in the workplan requested below.

4. Conduit Study

Due to the relatively shallow depth to groundwater (approx. 4 to 7 ft) and the potential presence of storm drains and other subsurface utilities downgradient of the site, we request that you perform a preferential pathway survey, and consider any potential influences on contaminant migration prior to developing a sampling and analysis plan. The objectives of the conduit study are to 1) locate potential migration pathways, and 2) evaluate the potential for contaminant migration via the identified pathways. We request that you perform a conduit study that details the potential migration pathways and potential conduits (including sewers, storm drains, other subsurface utilities, etc.) that may be present in the vicinity of the site. Provide a map showing the location and depths of all utility lines and trenches within and near the plume area. Please include an analysis and interpretation of your findings, and report your results in the workplan requested below.

5. Well Survey

ACEH requests that you locate all wells (monitoring and production wells: active, inactive, standby, decommissioned, abandoned and dewatering, drainage and cathodic protection wells) within 2,000 ft of the subject site. We recommend that you obtain well information from both Alameda County Public Works Agency and the State of California Department of Water Resources, at a minimum. We require that you provide location addresses and copies of DWR driller's reports for all wells identified in your survey. Please report the results of your survey in the workplan requested below.

REPORT REQUEST

Please submit your *Soil and Water Investigation Workplan*, which addresses the comments above by **April 18, 2005**. ACEH makes this request pursuant to California Health & 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 a reportable unauthorized release from a petroleum UST system, and require your compliance with this request.

Professional Certification and Conclusions/Recommendations

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that workplans 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.

Perjury Statement

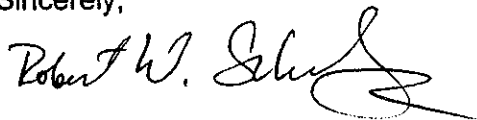
All workplans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or 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.

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 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 call me at (510) 567-6719 or contact me via email at robert.schultz@acgov.org with any questions regarding this case.

Sincerely,



Robert W. Schultz, R.G.
Hazardous Materials Specialist

cc: Paul King, P&D Environmental, 55 Santa Clara Avenue, Suite 240, Oakland, CA 94610
Donna Drogos, ACEH
Robert W. Schultz, ACEH