

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**  
AGENCY  
ALEX BRISCOE, Director



ENVIRONMENTAL HEALTH DEPARTMENT  
ENVIRONMENTAL PROTECTION  
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September 1, 2011

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Dublin, CA 94568

William Karkozian  
Robert Wiebe  
Robert Jeha  
Dublin Town & Country Association  
318 Diablo Road, Ste. 255  
Danville, CA 94526

Subject: Summary of Meeting (August 26, 2011), Interim Remedial Action, and Feasibility Study/Corrective Action Plan for Spills, Leaks, Investigations, and Cleanup (SLIC) Case No. RO0002863 and GeoTracker Global ID T06019764784, Crow Canyon Cleaners, 7272 San Ramon Road, Dublin, CA 94568

Ladies and Gentlemen:

This letter is being sent to memorialize the meeting on August 26, 2011 between Paresh Khatri, Donna Drogos (Alameda County Environmental Health), Jim Roessler (Roessler Investment Group), and Mehrdad Javaherian (Endpoint Consulting, Inc.). The meeting was requested by Mr. Roessler and Mr. Javaherian with the primary objective of discussing the necessity of ACEH's June 9, 2011 request for a Feasibility Study/Corrective Action Plan (FS/CAP) and whether the Interim Remedial Action (IRA) consisting of Soil Vapor Extraction (SVE) can be re-started due to the significant PCE concentration rebound exhibited in soil vapor samples collected at the site, foregoing the FS/CAP preparation.

Please note that the FS/CAP is a requirement of the site cleanup process. Therefore, as discussed in our meeting, preparation of an FS/CAP as described in our June 9, 2011 correspondence is required and is now due by September 30, 2011.

In the interim, Mr. Roessler and Mr. Javaherian requested to continue the formerly implemented IRA and re-start the SVE system. ACEH is not opposed to restarting IRA provided that you address the following technical comments and send us the technical reports described below.

### **TECHNICAL COMMENTS**

1. **Interim Remedial Action** – As mentioned above, Mr. Roessler and Mr. Javaherian requested to re-start the SVE system and continue IRA while the FS/CAP is being prepared. At this time, please submit a brief, but concise Technical Memorandum that justifies re-starting the SVE system. To that end, please address the following:
  - a. In the “Interim Remedial Action Report” dated January 26, 2010, Endpoint stated that “the SVE operation has met its primary objective of PCE concentration reduction in both the source area and near the Montessori School. The system operational data (e.g. mass removal rates and influent samples) indicated that continued operation of the SVE system yields minimal returns in terms of mass removal.” Please justify that SVE is the most cost-effective interim measure and should be re-started while the FS/CAP is being prepared.
  - b. Endpoint refers to the former dry cleaning machine as the source area. Please elaborate in detail the nature and extent of the source area. Include a discussion on whether PCE vapor contamination is primarily in the shallow vadoze zone near the former dry cleaning machine (based on soil vapor samples collected at the site) or whether there is a potential PCE source that is residing directly below the concrete and within the baserock and above the shallow vadose zone soil, which has resulted in PCE vapor detections in sub-slab sampling locations or a combination of both. Adequate comprehension of the source area is necessary to precisely target the contaminated zone, support extraction well locations and screened intervals, and ultimately, cost-effective and successful cleanup of the site. Please include figures/cross-sections that illustrate the source area(s) and support your conclusions.
  - c. During our meeting on August 26, 2011, Mr. Javaherian stated that induced vacuum was measured to determine the radius of influence during the IRA operation. I apologize in advance, but please direct ACEH to the report(s) and page(s) where this and other SVE system analysis information/discussion can be found. If information is not available in previous submittals, please include the information in the Technical Memorandum.
  
2. **Fact Sheet List of Recipients** – Following the submittal of the above-mentioned FS/CAP, a Fact Sheet describing the selected remedial alternative must be prepared and sent out to the affected stakeholders in the vicinity of the subject site, including parents of the children attending the Montessori School. In an effort to expedite review of the FS/CAP and to move this case forward, please submit a List of Recipients, by September 23, 2011, who will be receiving the updated Fact Sheet. ACEH expects that this list would be different than the previously compiled List of Recipients as it is expected that some children will leave the Montessori School and new children will be enrolled. Therefore, to aid in our review, please

submit the Previous List of Recipients along the newly revised list by the date specified below.

3. **Cleanup Goals** – During our August 26, 2011 meeting, ACEH raised concerns regarding Endpoint's Site-Specific School Cleanup goal of 2,600 µg/m<sup>3</sup> for PCE. Endpoint stated that this cleanup goal is appropriate based on the three to four year duration that children will spend at the school. However, it does not appear that this goal accounts for the school teachers who may spend more than three to four years at the facility (i.e. 1,400 µg/m<sup>3</sup> for PCE, commercial exposure scenario). Therefore, as stated in Endpoint's June 21, 2010 "Addendum Letter to Vapor Well Installation and Monitoring Work Plan" and as discussed in our August 26, 2011 meeting, the "...cleanup goal for screening of detected vapor concentrations at the site will correspond to the residential soil vapor intrusion environmental screening level...of 410 µg/m<sup>3</sup> [for PCE and] will be used as the preliminary clean up goal" to be protective of human health and the environment.
  
4. **Updated Contact Information for Responsible Parties** – ACEH has e-mail contact information for most of the Responsible Parties. ACEH is requesting that each responsible party confirm or update their contact information in an e-mail to [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org) so that we can contact maintain contact with all parties. In your e-mail message, please include your name, address, telephone number, and e-mail address. Please submit the information by September 16, 2011.

#### **TECHNICAL REPORT REQUEST**

Please submit technical reports to ACEH (Attention: Paresh Khatri), according to the following schedule:

- **September 16, 2011** – Technical Memorandum (IRA)
- **September 23, 2011** – List of Fact Sheet Recipients (Previous & Revised)
- **September 30, 2011**– Feasibility Study/Corrective Action Plan

Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, please call me at (510) 777-2478 or send me an electronic mail message at [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org).

Sincerely,

Paresh C. Khatri  
Sr. Hazardous Materials Specialist

Enclosure: Responsible Party(ies) Legal Requirements/Obligations  
ACEH Electronic Report Upload (ftp) Instructions

cc: Mehrdad Javaherian, Endpoint Consulting, Inc., 98 Battery Street, Suite 200, San Francisco, CA 94111 (Sent via E-mail to: [mehrdad@endpoint-inc.com](mailto:mehrdad@endpoint-inc.com))  
James Roessler, Roessler Investment Group, 360 Post Street, Suite 602 San Francisco, CA 94108 (Sent Via E-mail to: [jim@roesslerinvestmentgroup.com](mailto:jim@roesslerinvestmentgroup.com))  
Bud Duke, DTSC, Sacramento Schools Unit , Brownfields and Environmental Restoration, Program, Department of Toxic Substances Control, 8800 Cal Center Drive, Sacramento, CA 95826 (Sent via e-mail to: [BDuke@dtsc.ca.gov](mailto:BDuke@dtsc.ca.gov))  
Cheryl Dizon (QIC 8021), Zone 7 Water Agency, 100 North Canyons Pkwy, Livermore, CA 94551 (Sent via e-mail to: [cdizon@zone7water.com](mailto:cdizon@zone7water.com))  
Donna Drogos, ACEH (Sent via E-mail to: [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))  
Paresh Khatri, ACEH (Sent via E-mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org))  
GeoTracker  
File

## 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.swrcb.ca.gov/ust/electronic\\_submittal/report\\_rqmts.shtml](http://www.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml)).

### 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> July 20, 2010
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 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 [dehloptoxic@acgov.org](mailto:dehloptoxic@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.
  - 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 [dehloptoxic@acgov.org](mailto: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.