



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

November 1, 2012

Mr. Charles Lucasey
Lucasey Manufacturing Corporation
P.O. Box 14023
Oakland, CA 94614-2023

Subject: Case File Review for SLIC Case RO0002902 and GeoTracker Global ID T0600133151, Lucasey Manufacturing, 2744 East 11th Street, Oakland, CA 94601

Dear Mr. Lucasey:

Alameda County Environmental Health (ACEH) staff has reviewed the Spills, Leaks, Investigations, and Cleanups (SLIC) case file for the above-referenced site, including the documents entitled, "*Human Health Risk Assessment/Evaluation*," dated March 2, 2012 (HHRA) and correspondence dated October 8, 2012 (Closure Evaluation) that reviewed site conditions using criteria in the State Water Resources Control Board Low-threat Closure Policy (LTCP). Both documents were prepared by Environmental Resources Management.

The Closure Evaluation provides a brief summary of how site conditions may compare to the general and media-specific criteria in the LTCP, which was adopted by the State Water Resources Control Board on May 1, 2012 and became effective August 17, 2012. The evaluations presented in the October 8, 2012 Closure Evaluation are cursory in nature and do not provide supporting information or rationale. Previous reports are referred to for supporting information; however, no specific documents are cited in the Closure Evaluation. As a result, the basis for several of the conclusions in the Closure Evaluation is not clear or appears questionable as discussed in the technical comments below. In order to support the conclusions presented, we request that you address the technical comments below in a written response to comments no later than January 11, 2013.

TECHNICAL COMMENTS

- 1. Risk Evaluation.** The "*Human Health Risk Assessment/Evaluation*," dated March 2, 2012 (HHRA) assumes that the depth to the bottom of the enclosed floor space is 15 cm, which implies that all residences have slab on grade or perimeter footing foundations. Please review the construction of the downgradient residences within the area potentially affected by the plume to assess whether this assumption is valid (no basements or subgrade spaces). If the construction of the residences is not known, please add a request for this information (basements or other subgrade structures) to the door to door well survey form requested in technical comment 7. Please present the results of this assessment in the Response to ACEH Technical Comments and Draft Door to Door Well Survey requested below.

- 2. Free Product.** Although free product has been described in boring logs and free product removal was previously proposed for the site, well installations and monitoring conducted in 2010 indicated that free product was not present at the site in quantities that would be recoverable. Due to the length of time that has passed since the free product monitoring was concluded in October 2010, we request that you conduct measurements in the existing monitoring wells to confirm that free product has not accumulated since 2010. Provided that the free product monitoring data collected in 2010 can be confirmed, the site meets the LTCP general criteria that free product has been removed to the extent practicable. Please perform one round of free product monitoring and present the results in the Response to ACEH Technical Comments requested below.
- 3. Secondary Source Removal.** The LTCP describes a secondary source as “petroleum-impacted soil or groundwater located at or immediately beneath the point of release from the primary source.” Unless site attributes prevent secondary source removal, petroleum-release sites are required to undergo secondary source removal to the extent practicable. A former underground storage tank appears to have been the primary source and the contaminated soil, free product, and groundwater in the surrounding area is the secondary source. Since a secondary source clearly exists and there is no evidence of any removal actions, the site does not appear to meet the general criteria in the LTCP for secondary source removal. The Closure Evaluation indicates there is no evidence of soil, free product, or groundwater acting as a long-term source releasing contamination to the surrounding area. Please provide the basis for this conclusion in the Response to ACEH Technical Comments requested below.
- 4. Nuisance.** The Closure Evaluation states that any repair work in the street adjacent to and downgradient of the site would be conducted at a shallower depth than documented impacted soil and groundwater. We request further information to evaluate this conclusion. We request that you provide depths of all utilities within the area of contamination both on-site and off-site with a comparison to the known depth of contamination at the site. Please provide a map and table to support this information in the Response to ACEH Technical Comments requested below.
- 5. Media-Specific Criteria for Groundwater – Plume Size.** The Closure Evaluation indicates that the plume is less than 200 feet in size. Please indicate how this conclusion was reached based upon the existing data. A review of existing site data indicates that the plume is not fully delineated to the northeast (upgradient) or southwest (downgradient).
- 6. Media-Specific Criteria for Groundwater – Stable or Decreasing Plume.** The Closure Evaluation indicates that the plume is stable or decreasing in size. Please provide further explanation as to how this conclusion was reached since it does not appear that groundwater concentrations have been monitored over time. If this conclusion is based on assumptions given the presumed age of the release and nature of the contamination, please identify this conclusion as an assumption rather than a statement of fact and identify the conditions supporting the assumption in the Response to ACEH Technical Comments requested below.
- 7. Media-Specific Criteria for Groundwater – Water Supply Wells.** The Closure Evaluation indicates that the plume is over 1,000 feet from water supply wells. This conclusion appears to be based upon a well survey performed for a different fuel leak site located approximately 2,000 feet northwest of the site and on research conducted for four water supply wells in the

area of the Lucasey site. The plume likely extends beneath a residential neighborhood. In order to confirm that there are no water supply wells within the area potentially affected by the plume, we request that you conduct a door to door well survey for the area downgradient of the Lucasey site. A form that requests information from owners or tenants on whether wells, abandoned wells, or sumps are present is to be developed and distributed to the residences within 200 feet of the likely extent of the plume. Please submit a draft copy of the proposed door to door survey form and a list of addresses for the downgradient residences for ACEH approval prior to distribution.

- 8. Media-Specific Criteria for Direct Contact and Outdoor Air Exposure.** Please see technical comment #3 regarding the potential for utility workers to encounter impacted soil at the site. We concur with the conclusion in the Closure Evaluation indicating that benzene concentrations in soil are below those listed in Table 1 of the LTCP. However, the contamination encountered at the site is highly weathered heavy fuel oil or bunker fuel oil. For heavy fuel oils, the chemicals of concern in Table 1 of the LTCP for direct contact are generally naphthalene and polycyclic aromatic hydrocarbons (PAHs). A comparison of site data to the screening criteria for naphthalene and PAHs is more relevant than a comparison of screening criteria for benzene. However, soils at the site do not appear to have been analyzed for naphthalene and PAHs. Therefore, the site does not meet the media-specific criteria in Table 1 for direct contact and outdoor air exposure under the LTCP. The LTCP also indicates that a site can be considered low-threat if potential exposure is controlled through the use of institutional controls such as a deed restriction. The use of a deed restriction to control potential future exposure is a possible alternative to meet the direct contact criteria for the site.
- 9. Notification of Potential Case Closure.** Public participation is a requirement for the corrective action and case closure process. Prior to closure of this case, a Notification of Potential Case Closure will need to be distributed to nearby landowners and residents as well as any other interested persons. Following review and approval of the requested items identified in the technical comments below and evaluation of the door to door well survey results, ACEH may request that you submit a Draft Notification of Potential Case Closure.
- 10. GeoTracker.** A review of the case file and the State's Geotracker database indicates that the site is not in compliance with the State Water Resource Control Board (SWRCB) Electronic Report Regulations (Chapter 30, Division 3 of Title 23 & Division 3 of Title 27, CCR). Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, 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 UST or LUST program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs, including SLIC programs. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites was required in GeoTracker. At present, missing data and documents include, but may not be limited to analytical data in EDF format, boring logs, location data, maps, and reports. Please see Attachment 1 for limited additional details, and the state GeoTracker website for full details. Please upload all required submittals to GeoTracker **by January 11, 2013.**

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACEH ftp site (Attention: Jerry Wickham), and to the State Water Resources Control Board's GeoTracker website according to the following schedule and file-naming convention:

- **January 11, 2013** – Response to ACEH Technical Comments and Draft Door to Door Well Survey
File to be named: MISC_R_YYYY-MM-DD RO2902

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.

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org. Case files can be reviewed online at the following website: <http://www.acgov.org/aceh/index.htm>. If your email address does not appear on the cover page of this notification ACEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

Sincerely,

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

Attachment: Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

Cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 2032 (*Sent via E-mail to: lgriffin@oaklandnet.com*)

John Moe, ERM, 1777 Botelho Drive, Suite 260, Walnut Creek, CA 94596 (*Sent via E-mail to: John.Moe@erm.com*)

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

GeoTracker, eFile

Attachment 1

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).

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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	REVISION DATE: July 20, 2010
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
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

- **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
 - 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 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.