



May 13, 2016

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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Mr. Peter Robertson
Sailsbury Avenue Associates, LLC
2917 MacArthur Blvd., #3F
Oakland, CA 94602

Ms. Maria Campos
1467 Fruitvale Avenue
Oakland, CA 94601

Mr. & Mrs. John Madler
Address Unknown

(sent via electronic mail to britpete@aol.com)

Subject: Conditional Vapor Intrusion Work Plan Approval; Fuel Leak Case No. RO0002945 and Geotracker Global ID T0619778840, Chevron #9-8861 (Independent), 2145 35th Avenue, Oakland, CA 94601

Dear Mr. Robertson, Ms. Campos, and Mr. & Ms. Madler:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file for the above referenced site including the *Workplan for Sub-Slab Soil gas and Crawl Space Air Sampling*, dated March 22, 2016. The work plan was prepared and submitted on your behalf by Eagle Environmental Construction (EEC). Thank you for submitting the work plan.

The referenced work plan proposed the installation of two sub-slab soil vapor points beneath the adjacent offsite downgradient apartment building with a crawl space. The work was requested by ACDEH in order to verify the protectiveness of the in-place concrete slab beneath the apartment building (likely from an earlier building) that may provide some mitigation of petroleum hydrocarbon vapors from the referenced site; as more fully described in the January 5, 2016 directive letter. Methane gas concentrations, from the biodegradation of hydrocarbon vapors, and the potential for a methane build-up beneath the slab, will also be investigated. The work plan additionally proposed the collection of a crawl space vapor sample beneath the apartment building.

Based on ACEH staff review of the case, the proposed scope of work is conditionally approved for implementation provided that the technical comments contained in this directive letter are incorporated during the proposed field investigation. Submittal of a revised work plan or a work plan addendum is not required unless an alternate scope of work outside that described in the work plan, addenda, or technical comments is proposed. We request that you perform the proposed work and send us the reports requested below. Please provide 72-hour advance written notification to this office (e-mail preferred to: mark.detterman@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Work Plan Conditional Approval** – The referenced work plan proposes a series of actions with which ACDEH is in general agreement with; however, ACDEH requests several modifications to the approach. Please submit a report by the date specified below.
 - a. **Sub-Slab Vapor Point Locations** – The work plan proposes to place both sub-slab vapor points “...as close to the wall of the building as possible”. Due to building edge effects (dilution through venting) ACDEH requests the relocation of at least one of the proposed sample locations (SS2 preferred) near the center of the slab beneath the apartment building, similar to the proposed crawl space sample location.
 - b. **Use of Dry Bentonite** – ACDEH understands the need for dry bentonite in the vapor point locations; however, has also experienced tracer gas infiltration into vapor points that over-utilized dry bentonite and under-utilized hydrated bentonite. Please be cognizant of the need to fully seal the vapor point with hydrated bentonite.

- c. Shroud Tracer Gas Concentrations** – Please additionally determine the shroud tracer gas concentration. Department of Toxic Substances Control (DTSC) guidance provides protocols to determine, if in the event that tracer gas is detected in the vapor sample, if the leakage rate in the sample is acceptable (<5%). This is intended to minimize the need for resampling events.
 - d. Sub-Slab Vapor Concentration Goal for TPHg** – Please note that if Environmental Screening Levels (ESLs) are utilized to identify appropriate sub-slab vapor goals, the Tier 1 ESL should be used. For Total Petroleum Hydrocarbons as gasoline (TPHg) this would be 50,000 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$), rather than 300,000 $\mu\text{g}/\text{m}^3$. This may have been inadvertently mis-cited.
 - e. Vapor Point Destruction** – The work plan indicates that once the sub-slab vapor point has been completed, the vapor point will be decommissioned. To clarify, ACDEH requests the vapor points be left intact until after it is determined that an additional vapor sampling event is not required.
- 2. Groundwater Monitoring** – Groundwater at the subject site has not been monitored and sampled since December 2013. Under the Low Threat Closure Policy (LTCP), the subject site has a bioattenuation zone of approximately eight feet. Current plans propose a foundation that extends to approximately 2.5 feet below grade surface. This provides a limited buffer (approximately 5.5 feet) between the bottom of the proposed foundation and the highest depth of groundwater, and this limited buffer has only been documented during drought years at the site. In order to attempt to capture non-drought groundwater depths, and any changes in contaminant concentrations due to non-drought water levels, ACDEH requests that all wells be incorporated into a semi-annual groundwater monitoring schedule for a limited time period. Modifications to the number of wells and interval can be evaluated thereafter. Please submit a groundwater monitoring report by the date identified below.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACDEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with the specified file naming convention below, according to the following schedule:

- **August 12, 2016** – Vapor Investigation and Groundwater Monitoring Report
File to be named: SWI_GWM_R_yyyy-mm-dd

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.

Online case files are available for review 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, ACDEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

If you have any questions, please call me at (510) 567-6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,

Mark E. Detterman, PG, CEG
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations
Electronic Report Upload (ftp) Instructions

cc: Sami Malaeb, 350 Main Street, Suite H1, Pleasanton, CA 94566
(sent via electronic mail to s.malaeb@comcast.net)

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Elaine Kay (Sent via E-mail to: marinbrit@yahoo.com)

Marisa Rodarte, Division of Financial Assistance, SWRCB, 1001 I Street, 17th Floor, Sacramento, CA 95814; (sent via electronic mail to mrodarte@waterboards.ca.gov)

Dilan Roe, ACDEH (Sent via E-mail to: dilan.roe@acgov.org)

Mark Detterman, ACDEH (sent via electronic mail to mark.detterman@acgov.org)

Electronic File, GeoTracker

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.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/).

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: May 15, 2014
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 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 deh.loptoxic@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 as they are NOT being supported at this time.
 - 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 deh.loptoxic@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.