

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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October 23, 2008

Mr. Harold Mendoza
Nica Metals
101 Greenville Road
Livermore, CA 94550

Harold and Asta Dhont
P.O. Box 749
Livermore, CA 94551

Subject: SLIC Case No. RO0002966 and Geotracker Global ID SLT19765274, Nica Metals, 6491 Southfront Road, Livermore, CA 94551

Dear Mr. Mendoza:

Alameda County Environmental Health (ACEH) staff has reviewed the Spills, Leaks, Investigations, and Cleanup (SLIC) case file for the above-referenced site including the document entitled, "Site Investigation and Cleanup Work Plan for Nica Metals Facility, 6491 Southfront Road, Livermore, California 94551," dated August 5, 2008 (Work Plan). The Work Plan was prepared on your behalf by Weiss Associates and site characterization and cleanup activities. Although the Work Plan was received on August 8, 2008, regulatory oversight funds for this SLIC case were not received until October 8, 2008.

Soil and groundwater investigation and cleanup activities will be conducted under regulatory oversight of ACEH. Regulatory oversight of the characterization and disposal of wastes, tanks, and miscellaneous other items at the surface will be provided by the Livermore-Pleasanton Fire Department. A document entitled, "Additions to the August 5, 2008 Work Plan," dated October 6, 2008 for characterization and disposal of wastes, tanks, and miscellaneous other items at the surface was submitted to Ms. Danielle Stefani of the Livermore-Pleasanton Fire Department. We understand that the activities described in the "Additions to the August 5, 2008 Work Plan," were implemented during the week of October 9, 2008. Results of the surface waste characterization and removal are to be presented in a report to the Livermore-Pleasanton Fire Department with a copy provided to ACEH.

The August 5, 2008 Work Plan proposes six soil borings across the site and excavation and removal of surface soil within an area of visibly stained soil. The proposed scope of work for soil and groundwater characterization and soil excavation may be implemented provided that the technical comments below are addressed during implementation of the field investigation and cleanup. Submittal of a revised Work Plan or Work Plan Addendum is not required unless an alternate scope of work to that described in the Work Plan and technical comments below is proposed. We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

TECHNICAL COMMENTS

1. **Proposed Soil Borings.** The six proposed soil boring locations and collection of discrete surface soil samples at each location are generally acceptable. The Work Plan currently proposes that one subsurface soil sample from each soil boring be submitted for chemical analysis. We request that the protocol for selecting soil samples for laboratory analysis be modified as follows. Soil samples are to be collected for laboratory analysis from any zones where visible staining, odor, or elevated PID readings are observed. A sufficient number of soil samples are to be collected to define the vertical extent of contamination. Field screening is to be conducted by a qualified field geologist or engineer using visual observations, odor, and field photoionization detector (PID) measurements taken with a PID fitted with an appropriate lamp that is calibrated for the chemicals of concern. If no visible staining, odor, or elevated PID readings are observed in the borings, soil samples are to be submitted for chemical analysis at the surface, 5 feet bgs, 10 feet bgs, and the capillary fringe. Please present the results in the Site Investigation and Soil Removal Report requested below.
2. **Laboratory Analysis for Soil Samples.** The proposed analyses for soil samples are generally acceptable. However, we request that all surface soil samples be analyzed for CAM 17 metals.
3. **Groundwater Sample Collection.** We concur with the proposal to collect grab groundwater samples from each soil boring. However, the proposal to collect groundwater samples only if groundwater is encountered within 20 feet of the ground surface is not acceptable. The soil borings are to be advanced to a sufficient depth to collect grab groundwater samples from each of the six proposed soil borings.
4. **Excavation.** The excavation is to be extended horizontally and laterally to remove all visibly stained and odorous soil prior to collection of confirmation soil samples. Additional soil sampling may be requested based upon field inspection by ACEH.
5. **Confirmation Soil Samples.** The number of confirmation soil samples to be collected does not appear to be specified in the Work Plan. We request that a minimum of four confirmation soil samples be collected from the base of the larger excavation and one confirmation soil sample from the smaller excavation after all visibly stained and odorous soil has been removed. The confirmation soil samples are to be collected from native soil no more than 6 inches below the base of the excavation. ACEH may direct additional confirmation soil sampling based upon observations in the field during or following excavation. Please provide a minimum of 48 hours advance notification of confirmation soil sampling (e-mail preferred to jerry.wickham@accgov.org) in order for ACEH to observe the conditions and direct any additional confirmation soil sampling required. Additional confirmation soil samples will be required if any backfilled utility trenches that could potentially act as preferential pathways are encountered or the excavation is expanded beyond the currently estimated extent. Please present the results in the Site Investigation and Soil Removal Report requested below.

6. **Environmental Screening Levels.** The use of Environmental Screening Levels (San Francisco Bay Regional Water Quality Control Board May 2008) to evaluate confirmation soil sample results is acceptable. However, Environmental Screening Levels (ESL) for shallow soils under a residential land use scenario where groundwater is a drinking water resource are to be used. The ESL for total petroleum hydrocarbons as gasoline and diesel for shallow soils is 83 milligrams per kilogram.

TECHNICAL REPORT REQUEST

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

- **February 27, 2009** – Site Investigation and Soil Removal 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.

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/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.

Harold Mendoza
Harold and Asta Dhont
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PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

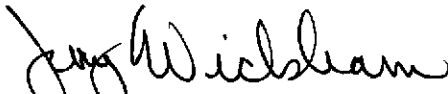
The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For 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.

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 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,



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

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Cheryl Dizon, QIC 80201, Zone 7 Water Agency, 100 North Canyons Parkway
Livermore, CA 94551

Danielle Stefani, Livermore-Pleasanton Fire Department, 3560 Nevada Street,
Pleasanton, CA 94566

Ken Mifsud, Alameda County District Attorney's Office, Consumer and Environmental
Protection Division, 7677 Oakport Street, Suite 650, Oakland, CA 94621

Scott Bourne, Weiss Associates, 5801 Christie Avenue, Suite 600, Emeryville, CA 94608

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: December 16, 2005
	PREVIOUS REVISIONS: October 31, 2005
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

Effective January 31, 2006, 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 Alicia Lam-Finneke.
 - 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 at 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)