

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



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
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FAX (510) 337-9335

December 5, 2008

Mr. Ignacio Dayrit  
Emeryville Redevelopment Agency  
1333 Park Ave.  
Emeryville, CA 94608  
(Sent via electronic mail)

Mr. Scott Barde  
Owens Mortgage Investment Fund  
2221 Olympic Blvd.  
Walnut Creek, CA 94595

ELTEX Investments Corporation  
c/o Eller Media  
200 E Basse  
San Antonio, TX 78209

William Owens  
Ambassador Partners Limited  
2221 Olympic Blvd.  
Walnut Creek, CA 94595

Title Two Investment Corporation  
c/o Bellview Capital Mgmt.  
(Address unknown)

Lloyd Kendall Jr.  
(Address unknown)

Wilson Associates  
6451 Benvenue Ave.  
Oakland, CA 94610

Adeline Investments,  
(Address unknown)

Subject: Fuel Leak Case No. RO0002973 and Geotracker Global ID T0619717287, Ambassador Laundry, 3623 Adeline St., Emeryville, CA 94608

Dear Messrs. Dayrit, et al:

Alameda County Environmental Health (ACEH) staff has reviewed Kleinfelder's September 12, 2008, *Post Remediation Evaluation Work Plan* for the subject site. The work plan presents your plan to assess groundwater contamination, flow characteristics in the first water bearing zone and to determine the vertical extent of contaminants in the source area. We concur with the proposed locations presented in your work plan. However, we have some concerns on the proposed methods to advance your soil borings and install the wells in these borings. Please incorporate our technical comments as discussed below and submit a short work plan addendum that addresses these issues.

**TECHNICAL COMMENTS**

1. **Well Installation.** It appears that you are proposing to install the source area wells in the same borings that you propose to advance to a maximum depth of 35 feet below ground surface (bgs) in your attempt to encounter another water bearing zone. It is unclear whether you propose to grout the Geoprobe borings then move to a spot immediately adjacent to the borings or if you plan on installing the well above a grouted interval. Please ensure that you comply with all Alameda County Public Works Agency well standards when installing the

wells in these boreholes to ensure that your wells are not constructed over multiple water bearing zones. In addition, no research was provided to determine the underlying geology at the site to determine if deeper aquifers or aquitards exist in the area. Your proposal to install the well screens from 20 to 30 feet bgs is not supported with data to show that you will not penetrate or screen through an aquitard. ACEH requests that you perform the borings in advance of the well installation so you may use the data that is collected to determine appropriate screen lengths and intervals. This was discussed in a phone conversation with Kleinfelder on September 5, 2008 where CPT borings were considered.

2. **Regional Geologic and Hydrogeologic Setting** ACEH requested that site specific detail such as the depth of groundwater encountered in your borings and the depth of static groundwater be presented on a cross-section. The cross-section that was provided does not include depth specific details nor does it include soils encountered, rather it is a generalized cross-section that does not provide information on any specific soil types that may be present at the site. Please provide an updated cross-section in the addendum requested below.
3. **Vertical delineation of Groundwater Contaminant Plume.** Kleinfelder proposes borings to a deeper water bearing zone at a depth of 35 feet bgs. If groundwater is not encountered at this depth, additional mobilizations may be necessary to investigate the vertical extent of the contaminant plume at the site. As suggested above, CPT borings could be used to continuously log the boring and collect a discrete groundwater sample in a lower water bearing zone. CPT can also be advanced beneath the reach of typical Geoprobe borings, thus ensuring that a groundwater sample could be obtained to determine the vertical extent of groundwater contamination. Please provide a revised scope of work that addresses these concerns in the addendum requested below.
4. **Environmental Screening Levels for Stoddard Solvent.** In your work plan you state that there is no ESL for Stoddard solvent. Page 2-7 of the ESLs (revised version May 2008) states that Stoddard Solvent is a middle distillate. Please use these ESLs for your comparison in future reports.
5. **Soil Samples.** When collecting soil samples, ACEH recommends that they be collected not only where PID detections occur but also at areas with observed odor, staining or elevated PID readings, at changes in lithology and at the soil/groundwater interface or at a minimum of every five feet.

#### **TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Barbara Jakub), according to the schedule presented below.

- **January 5, 2009** – Work Plan Addendum

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.

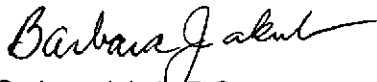
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**AGENCY OVERSIGHT**

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) 639-1287 or send me an electronic mail message at [barbara.jakub@acgov.org](mailto:barbara.jakub@acgov.org).

Sincerely,



Barbara Jakub, P.G.  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Alvaro Dominguez, Kleinfelder West, Inc., 1970 Broadway - Suite 710, Oakland, CA – 94612  
Donna Drogos, ACEH  
Barbara Jakub, ACEH  
File

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>ISSUE DATE:</b> July 5, 2005
	<b>REVISION DATE:</b> December 16, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> 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](mailto: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](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 at acgov.org. (e.g., [firstname.lastname@acgov.org](mailto: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)