



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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March 24, 2011

Eugene and Shirley Macedo Trust
c/o Matt Macedo
2995 Taylor Way
Byron, CA 94514

Subject: Case File Review for Fuel Leak Case No. RO0003073 and GeoTracker Global ID T10000002919, Geno Country Store, 1000 North Vasco Road, Livermore, CA 94551

Dear Mr. Macedo:

Based on evidence of soil and groundwater contamination originating from a leaking underground storage tank (UST) system, a fuel leak case has been opened for the above referenced site. On January 21, 2011, three underground storage tanks (USTs) were removed from the site. Total petroleum hydrocarbons as diesel (TPHd) were detected in soil samples collected below the product lines at concentrations up to 3,200 milligrams per kilogram (mg/kg). TPHd and benzene were detected in a groundwater sample collected from the diesel tank pit at concentrations of 540,000 and 190 micrograms per liter ($\mu\text{g/L}$), respectively. The detections of fuel hydrocarbons in the areas of the former USTs and product lines are indicative of an unauthorized release from the UST system.

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above referenced site and have the following technical comments. We request that you prepare a Work Plan by May 24, 2011 that addresses the technical comments below.

REQUEST FOR INFORMATION

We request that you submit copies of any reports you have documenting additional investigation activities or other work that are relevant to the fuel release or other unauthorized releases and not currently in ACEH case files. This includes Phase I environmental site assessment reports and site investigations conducted for potential real estate transactions. The additional information is to be submitted no later than May 24, 2011. ACEH case files may be reviewed online using the ACEH website (<http://www.acgov.org/aceh>).

TECHNICAL COMMENTS

1. **Tank Removal Report.** The "*Tank and Removal Narrative*," dated February 10, 2011, which was prepared to describe tank and piping removal activities along with confirmation soil sampling, is incomplete which significantly limits the usefulness of the document. These limitations include but are not limited to the following:
 - No discussion of observations during tank removal such as whether the tanks had obvious signs of failure such as holes or cracks.
 - No discussion of observed conditions in the tank pit other than reporting of sidewall sample results.

- No confirmation that all product lines and vent lines were actually removed. However, the Tank and Removal Narrative does state that 3-5 feet of vent pipe were left in place.
- No description of the depth of excavation for the product line trenches and depth of excavation beneath the dispensers other than depth of samples collected from potholes.
- Description of whether contaminated soils were observed along the product lines or beneath dispensers was limited to observations at sampling locations only. Conditions along the remainder of the product line trenches are not discussed.
- No confirmation soil samples were collected from the southwestern portion of the gasoline tank pit. The product line samples collected west of the gasoline tank pit (PL2-S6 through PL2-S8) were not analyzed for TPH as gasoline.
- No indication as to whether areas of obvious contamination were removed. Therefore, we assume that no overexcavation was conducted.
- No documentation of the excavation volume or disposal of any material excavated during the tank removal. It is not clear whether the soil was used as backfill or remains in stockpiles at the site.
- No signature or certification of report. The copy of the report in our files does not indicate what firm or individual prepared the report.

Please provide whatever additional information that may still be available regarding the above gaps in reporting or propose actions to address the data gaps in the Work Plan requested below.

2. **Residual Contamination and Residential Development of Site.** The limited results that are available from the "*Tank and Removal Narrative*," dated February 10, 2011 indicate that elevated concentrations of petroleum hydrocarbons were left in place beneath the diesel product line. The concentrations of TPHd detected in soil samples PL3-S10 through PL3-S12 range from 1,400 to 3,200 milligrams per kilogram (mg/kg). The concentrations of TPHd exceed the Environmental Screening Level (ESL) for both commercial and residential land use (San Francisco Bay Regional Water Quality Control Board, May 2008). We understand that a residential development consisting of 50 houses is planned for the site. Based noted in the limitations of the "*Tank and Removal Narrative*," that are described in technical comment 1, there may be additional areas of residual contamination that were not identified by the confirmation soil sampling conducted during the tank and piping removal. We request that you propose investigation or removal actions to address the residual contamination remaining at the site.
3. **Elevated Concentration of Benzene in Soil Vapor and Potential Vapor Intrusion.** Three soil vapor samples (G-1 through G-3) were collected at the site in June 2007. Benzene was detected in each of the three soil vapor samples at concentrations ranging from 9.3 to 68,000 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$). The highest concentration of benzene in soil vapor (68,000 $\mu\text{g}/\text{m}^3$) was detected between the two former gasoline tank pits and exceeds the ESL for vapor intrusion to indoor air for residential land use (84 $\mu\text{g}/\text{m}^3$) by approximately three orders of magnitude. The extent of elevated concentrations of benzene in soil vapor has not been defined. Please propose further investigation of the potential for vapor intrusion in the Work Plan requested below.
4. **Soil Stockpiles.** A soil stockpile apparently consisting of the petroleum hydrocarbon-impacted soil excavated during UST removal activities in 1994, has been stored on the western portion of the property since 1994. The extent to which petroleum hydrocarbon concentrations have decreased

over time is not fully known although one near surface composite soil sample collected from the stockpile in October 2006 did not contain concentrations of petroleum hydrocarbons above the reporting limit. The one composite sample from the stockpile is not sufficient to characterize the stockpile and also does not address potential impacts to the underlying area. During the extended period that the petroleum-impacted soils were stored in the western portion of the property, it is possible that the stockpile acted as a secondary source to release contamination to the underlying area. In addition to the larger soil stockpile of petroleum-impacted soils in the western portion of the property, several smaller stockpiles are also present. The sources of the other stockpiles are not apparent. In the Work Plan requested below, please indicate how soils in the various stockpiles will be disposed and how the potential impact to the area will be assessed.

5. **VOCs in Soil Gas.** The volatile organic compounds (VOCs) trichloroethene, tetrachloroethene, 2-butanone, tetrahydrofuran, and chloroform were detected in soil vapor samples collected at the site in October 2006 (Engeo 2007). The concentrations of these VOCs were generally below relevant environmental screening levels, where available, for potential vapor intrusion to indoor air. However, the source of the VOCs is unknown. The soil vapor samples were collected in the area of the UST system which is not expected to be the source of the VOCs. Therefore, if a source of VOCs is present at the site, the concentrations of VOCs are likely to be higher in the source area. We request that you propose additional soil vapor sampling at the site including locations where VOCs were potentially stored or used and may have been released, to assess whether a source of VOCs exists at the site.
6. **Dry Wells.** Four storm water drains at the site are reportedly connected to dry wells (Krazan & Associates 2009). Soil borings were advanced adjacent to the dry wells to assess whether the dry wells were a potential source of contamination. Metals were detected in soil samples collected near the dry wells at concentrations that are generally below levels of concern. However, analysis of the soil samples was apparently limited to metals and did not include other potential chemicals of concern. Due to the presence of VOCs in soil vapor at the site, we request that you collect soil vapor samples adjacent to the dry wells to assess whether the dry wells may be a source of VOCs.
7. **Groundwater.** TPHd and benzene were detected in a groundwater sample collected from the diesel tank pit at concentrations of 540,000 and 190 micrograms per liter ($\mu\text{g/L}$), respectively. In addition, no recent groundwater samples have been collected downgradient from the former or existing gasoline tank pits. In the Work Plan requested below, please propose investigation of the extent of groundwater contamination at the site.
8. **Detailed Well Survey.** ACEH requests that you locate all water supply wells within 2,000 ft of the subject site. We recommend that you obtain well information from both Zone 7 Water Agency and the State of California Department of Water Resources, at a minimum. As part of your detailed well survey, please perform a background study of the historical land uses of the site and properties in the vicinity of the site. Use the results of your background study to determine the existence of unrecorded/unknown (abandoned) wells, which can act as pathways for migration of contamination at and/or from your site. Please refer to the Regional Board's guidance for identification, location, and evaluation of potential deep well conduits when conducting your preferential pathway study. Please include the Well Survey in the Work Plan requested below.

9. **PVC Piping in Former Diesel Tank Pit.** Prior to backfilling the former diesel tank pit with pea gravel in 1994, slotted PVC piping was reportedly placed at the base of the excavation for potential future use to inject air into groundwater for remediation. The slotted PVC piping should be removed or properly closed in place during future development of the site.
10. **Transformer.** The "*Modified Phase One Environmental Site Assessment*," dated October 27, 2006 (Engeo 2006) indicated that, "minor oily staining was observed on the west side of the unit". It is not clear whether staining is present in the nearby soil or is limited to the transformer itself. The "*Modified Phase One Environmental Site Assessment*," also indicates it is not known whether PCBs are or were present in the transformer. In the Work Plan requested below, please clarify conditions near the transformer and propose soil sampling accordingly.
11. **Unauthorized Release Form.** Please submit an Unauthorized Release Form to document the discovery of the leak from the UST system at the site. This form can be found on the State Water Resources Control Board website.

TECHNICAL REPORT REQUEST

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

- **May 24, 2011** – Work Plan

LANDOWNER NOTIFICATION REQUIREMENTS

Pursuant to California Health & Safety Code Section 25297.15, the active or primary responsible party for a fuel leak case must inform all current property owners of the site of cleanup actions or requests for closure. Furthermore, ACEH may not consider any cleanup proposals or requests for case closure without assurance that this notification requirement has been met. Additionally, the active or primary responsible party is required to forward to ACEH a complete mailing list of all record fee title holders to the site. In the future, for you to meet these requirements when submitting cleanup proposals or requests for case closure, ACEH requires that you:

1. Notify all current record owners of fee title to the site of any cleanup proposals or requests for case closure;
2. Submit a letter to ACEH which certifies that the notification requirement in 25297.15(a) of the Health and Safety Code has been met;
3. Forward to ACEH a copy of your complete mailing list of all record fee title holders to the site; and
4. Update your mailing list of all record fee title holders, and repeat the process outlined above prior to submittal of any additional *Corrective Action Plan* or your *Request for Case Closure*.

Your written certification to ACEH (Item 2 above) must state, at a minimum, the following:

A. In accordance with Section 25297.15(a) of the Health & Safety Code, I, (name of primary responsible party), certify that I have notified all responsible landowners of the enclosed proposed action. (Check space for applicable proposed action(s)):

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- ___ cleanup proposal (Corrective Action Plan)
- ___ request for case closure
- ___ local agency intention to make a determination that no further action is required
- ___ local agency intention to issue a closure letter

- OR -

B. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (name of primary responsible party), certify that I am the sole landowner for the above site.

(Note: Complete item A if there are multiple site landowners. If you are the sole site landowner, skip item A and complete item B.)

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org. Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

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: Danielle Stefani, Livermore Pleasanton Fire Department, 3560 Nevada St, Pleasanton, CA 94566
(Sent via E-mail to: dstefani@lpfire.org)

Cheryl Dizon (QIC 8021), Zone 7 Water Agency, 100 North Canyons Pkwy, Livermore, CA 94551
(Sent via E-mail to: cdizon@zone7water.com)

Scott Menard, Arbor Development Group, LLC, 3650 Mount Diablo Blvd., Suite 200, Lafayette, CA 94549
(Sent via E-mail to: smenard@arbordevelopmentgroup.com)

Jeff Adams, Engeo, Incorporated, 2010 Crow Canyon Place, Suite 250, San Ramon, CA 94583
(Sent via E-mail to: jadams@engeo.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.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: 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 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.