



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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August 2, 2011

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

Subject: Conditional Approval of Interim Removal Action Work Plan for Fuel Leak Case No. RO0003073 and GeoTracker Global ID T10000002919, Geno Country Store, 1000 North Vasco Road, Livermore, CA 94551

Dear Mr. Macedo:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the recently submitted document entitled, "*Interim Removal Action Workplan*," dated July 12, 2011 (Work Plan) and received by ACEH on July 20, 2011. The Work Plan, which was prepared by Engeo Incorporated, presents plans for additional site characterization activities and an interim removal action consisting of limited excavation in five areas of the site.

The Work Plan proposes limited excavation in five areas of the site as an interim removal action. In general, excavation may be more appropriate after completion of site characterization activities and after all data gaps have been addressed. However, the interim removal action is apparently being proposed in order to achieve other logistical objectives for the site with the understanding that additional cleanup activities could be required in the future. We have no objection to excavation in the five locations proposed in the Work Plan with the understanding the additional cleanup may be required following completion of all site characterization activities and addressing the technical comments below.

We have provided several technical comments regarding the excavation procedures which are to be incorporated during implementation. We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

TECHNICAL COMMENTS

1. **Soil Vapor Sampling.** The proposed soil vapor sampling and analysis is acceptable provided that the EPA Method TO-15 analysis provides data for a full scan of volatile organic compounds (VOCs) including tetrachloroethene (PCE) and trichloroethene (TCE). Please present the results in the Site Characterization Report requested below.
2. **Groundwater Sampling of Off-site Well.** A well survey conducted for the site identified a water supply well (2S/2E 35L2) immediately northwest of the site. The proposed sampling of the off-site water supply well is acceptable. Please present the sampling results along with additional information on the well construction and the past, current, and expected future use of the well in the Site Characterization Report requested below.

3. **Proposed Extent of Excavation.** The Work Plan proposes limited excavation in five areas of known residual soil contamination as an interim removal action. It is possible that additional cleanup may be required following completion of site investigation activities and addressing technical comment 6 below.
4. **Confirmation Soil Samples for Interim Excavation.** The proposed number and spacing of confirmation soil samples is generally acceptable with the following clarifications and additions. We request that sidewall confirmation soil samples be collected from any zone in the exposed sidewall above the soil-groundwater interface where visual inspection or field screening indicates contamination remains in place. This may involve collection of more than one confirmation soil sample from each sidewall depending upon the extent of the exposed contamination. If no contamination is observed by visual inspection or field screening, the collection of one confirmation soil sample from each sidewall or a spacing of 15 feet is acceptable. Additional confirmation soil samples may be required if requested during field inspection by ACEH.
5. **Reuse of Excavated Soil.** The Work Plan proposes that excavated soil will be characterized for disposal or reuse on site. We request all soils be screened in the field. Any soils with visible staining, odor, or elevated PID readings are to be disposed off-site. For "clean" soils, we request that one discrete soil sample be collected for laboratory analysis from each 25 cubic yards of soil. Any soil with analytical results that exceed the cleanup goals in Table 1 of the Work Plan is to be disposed off-site. Please present these results in the Interim Removal Action Report requested below.
6. **Tank Removal Report.** As discussed in our previous correspondence dated March 24, 2011, the "*Tank and Pipeline Removal Narrative*," dated February 10, 2011, which was prepared to describe tank and piping removal activities along with confirmation soil sampling, is incomplete. This limits the usefulness of the document and leaves a significant degree of uncertainty regarding site conditions observed during the tank removal. This information is necessary to help evaluate whether site characterization is complete and whether additional excavation or site cleanup is needed. Therefore, we request that you submit a Revised Tank Removal Report that addresses the following:
 - Observations during tank removal such as whether the tanks had obvious signs of failure such as holes or cracks.
 - Observed conditions in the tank pit other than reporting of sidewall sample results.
 - Confirmation that all product lines and vent lines were actually removed.
 - Description of the depth of excavation for the product line trenches and depth of excavation beneath the dispensers.
 - Description of whether contaminated soils were observed along the product lines or beneath dispensers. Conditions along the remainder of the product line trenches. Were the trenches backfilled with excavated soil?
 - 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.
 - Indication as to whether areas of obvious contamination were observed and/or removed.

- Documentation of the excavation volume or disposal of any material excavated during the tank removal. It is not clear whether the excavated soil was used as backfill or remains in stockpiles at the site.
- Signature or certification of report. The copy of the report in our files does not indicate what firm or individual prepared the report.

Alternatively, you may submit a separate report that specifically addresses the above items.

7. **Missing Document.** Please submit the document entitled, "*Workplan for Site Characterization*," dated April 1, 2011 to the ACEH ftp site. This document appears to be missing from the case files.
8. **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.
9. **GeoTracker Requirements.** Review of the State's GeoTracker database indicates that the site still has not been claimed. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3893, 3894, and 3895, you are required to claim your site and subsequently transmit electronic reports and other site data. Your site is currently out of compliance with these requirements. Please claim the site and upload all technical reports no later than September 8, 2011 in order for the site to achieve compliance with directives from this agency.

TECHNICAL REPORT REQUEST

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

- **October 10, 2011** – Site Characterization Report
- **October 10, 2011** – Revised Tank Removal Report
- **November 17, 2011** – Interim Removal Action Report

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

Matt Macedo
RO0003073
August 2, 2011
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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.