



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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September 9, 2011

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

Subject: Review of Case File 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 documents entitled, "*Updated Site Characterization Report*," dated August 15, 2011, "*Tank Closure Report*," dated August 25, 2011, and "*Interim Removal Action Report*," dated August 29, 2011. The Updated Site Characterization Report and Interim Removal Action Report were prepared by Engeo Incorporated. The Tank Closure Report was prepared by Environmental Service of Castro Valley, CA. Based on our review of these documents and the case file, we have the following technical comments. We request that you address the technical comments below, perform the proposed work, and send us the reports described below.

TECHNICAL COMMENTS

- 1. Interim Removal Action in Area 1 (Diesel Fuel Dispensers Removed in 2011) and Area 3 (Former Diesel USTs Removed in 1994).** We concur that excavation is complete for Interim Removal Action Areas 1 and 3. The two excavations expanded to become one larger excavation. Soil removal appears to have achieved the cleanup goals for both areas with the exception of the north sidewall of Area 3. Total petroleum hydrocarbons as diesel (TPHd) were detected in the north sidewall sample for Area 3 at a concentration of 710 milligrams per kilogram (mg/kg), which exceeds the cleanup goal. However, further excavation to the northeast does not appear to be feasible given the proximity to the property boundary and flood control channel. Based on the apparent limited extent of the residual impacted soil and the infeasibility of continued excavation to the northeast, further excavation is not requested in Areas 1 or 3. We have no objection to backfilling of the excavation with clean fill material.
- 2. Interim Removal Action Area 2 (Diesel UST Removed in 2011) and Soil Vapor Sampling Location SG-6.** The interim removal action in Area 2 was intended to remove soil with elevated concentrations of TPHd and TPH as motor oil (TPHmo) in the former diesel UST tank pit. During excavation in Area 2, recycled aggregate base material was encountered. As discussed in the Tank Removal Report, the recycled Class II aggregate material was used as backfill material in the former UST diesel tank pit. Although additional excavation was conducted to the west and south, confirmation samples from the west and south sidewall consisted of aggregate fill material that contained elevated concentrations of TPHd and TPHmo at concentrations up to 470 and 2,500 mg/kg, respectively. The Interim Removal Action Report presents an opinion that the aggregate fill material likely contains asphalt which is the source of the elevated TPH concentrations. The presence of asphalt is one possible explanation for the elevated TPH concentrations. However, it is

also possible that the fill material came from a contaminated site and contains elevated concentrations of TPH that are not related to asphalt. In addition, the co-location of soil vapor sampling location SG-6 and the backfill raises a further question regarding the fill material. Elevated concentrations of TPHg and TPHd were detected in soil vapor from sampling location SG-6, which appears to be located within or immediately adjacent to the backfilled diesel UST pit. Based on these facts, removal of the aggregate fill material in Area 2 is necessary to achieve site closure for unrestricted land use. Please present your plans to complete this work in a brief Work Plan requested below.

3. **Interim Removal Action Area 4 (P1 Area).** We concur that excavation is complete for Interim Removal Action Area 4. We have no objection to backfilling of the excavation with clean fill material.
4. **Interim Removal Action Area 5 (Gasoline USTs Removed in 2011).** Aggregate fill material with elevated concentrations of TPHd and TPHmo was also encountered during interim removal in Area 5. Similar to Area 5, removal of the aggregate fill material in Area 2 is necessary to achieve site closure for unrestricted land use. Please present your plans to complete this work in a brief Work Plan requested below.
5. **Soil Vapor Sampling Results.** During a sampling event conducted on May 13, 2011, total petroleum hydrocarbons as gasoline (TPHg) were detected in soil gas at each of the 12 soil gas sampling locations at concentrations ranging from 2,800 to 31,000 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$). The concentrations of TPHg exceeded the Environmental Screening Level (ESL) for residential land use of $10,000 \mu\text{g}/\text{m}^3$ (San Francisco Bay Regional Water Quality Control Board, May 2008) at 10 of the 12 sampling locations. The sampling locations with TPHg concentrations exceeding the ESLs were widely distributed across the site and did not appear to be related to the known source areas. An additional soil vapor sampling event was conducted at the same locations on August 16, 2011. During the August 16, 2011 sampling event, the concentration of TPHg in soil vapor exceeded the ESL for residential land use of $10,000 \mu\text{g}/\text{m}^3$ at 2 of the 12 sampling locations (SG-1 and SG-6). The August 15, 2011 Site Characterization Report indicates that sampling locations SG-1 and SG-6 are located adjacent to areas of impacted soil that were removed during the interim removal action and that the elevated concentrations of TPHg could be expected to attenuate to insignificant levels following completion of the interim removal action. The highest concentration of TPHg in soil vapor was $170,000 \mu\text{g}/\text{m}^3$, which was detected in a soil vapor sample (SG-6) collected within or adjacent to the former diesel UST pit and excavation area 2. Further assessment would be required to confirm that the concentrations of TPH in soil vapor from SG-1 and SG-6 have attenuated. Alternately, as discussed in technical comments 2 and 4, further removal of impacted soil and/or imported aggregate backfill in the areas of SG-1 (Interim Removal Area 5) and SG-6 (Interim Removal Area 2) could be implemented to address the issue of TPH in soil vapor at these locations. Please present your plans to complete this work in the Work Plan requested below. During the August 16, 2011 sampling event, no chemicals of concern were detected in soil vapor from sampling locations other than SG-1 and SG-6. Based on these results, we are not requesting further investigation of soil vapor outside the areas of SG-1 and SG-6 at this time.
6. **Stockpiled Soils from 1994 UST Removal.** 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. In correspondence dated March 24, 2011 ACEH

requested additional sampling of the stockpiled soils. As proposed in the "*Workplan for Site Characterization*," dated April 1, 2011, eight surface soil samples were collected from the soil stockpiles on April 20, 2011. The eight surface soil samples did not contain TPHg or BTEX at concentrations above reporting limits. In reviewing our March 24, 2011 correspondence and the April 1, 2011 Work Plan, we note that sampling at the base of the stockpile was requested to evaluate whether the stockpile acted as a secondary source to release contamination to the underlying area during the extended period that the petroleum-impacted soils were stored in the western portion of the property. The April 1, 2011 Work Plan indicated that soils at the base of the stockpile will be sampled during or following soil removal. Please present your plans to complete this work in a brief Work Plan requested below.

7. **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 October 8, 2011 in order for the site to achieve compliance with directives from this agency. This site cannot go through public participation of potential actions or case closure until documents are uploaded to GeoTracker.

TECHNICAL REPORT REQUEST

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

- **October 4, 2011** – Work Plan

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

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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.