

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
REBECCA GEBHART, Interim Director



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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October 19, 2016

Mr. DeLong Liu
DeLong Oil, Inc.
2501 N. Main Street
Walnut Creek, CA 94597
(Sent via electronic mail to:
delongliu@yahoo.com)

DDJ Property Holding, Inc
2501 North Main Street
Walnut Creek, CA 94597

United Brothers Enterprise, Inc.
2501 North Main Street
Walnut Creek, CA 94597

Leatrice Whitney & Paul Alsing
414 Arden Drive
Encinitas, CA 92024

Leatrice Whitney & Gloria Alsing
1007 S. Wellsley Street
Visalia, CA 93277

Subject: Request for Work Plan; Fuel Leak Case No. RO0003140; (Global ID # T10000005974);
DeLong Oil, 1716 Webster Street, Alameda, CA 94501

Dear Responsible Parties:

Due in part to the somewhat complicated site release history, Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file in conjunction with the State Water Resources Control Board (SWRCB). Historically, the site was the location of a fuel release that was investigated under case number RO0000281 (Global ID # T0600101651). The release was understood to consist only of a gasoline.

In 2009, ConocoPhillips sold the station to United Brothers Enterprise, Inc. (UBE), who in November 2009 converted one of the 6,000 gallon gasoline underground storage tank (UST) to a diesel product UST. During the July 2011 groundwater monitoring event, Light Non Aqueous Liquids (LNAPL) was observed in well RW-1, immediately adjacent to the diesel tank. LNAPL had not been detected in any of the site's monitoring wells prior to this time. In August 2011, a sample of the LNAPL was collected from RW-1 and the hydrocarbon was identified as most closely resembling diesel, based on a technical analysis of multiple points of comparison. LNAPL was again observed in well RW-1 during each 2012 groundwater monitoring event.

During site redevelopment activities in September 2013, additional groundwater contamination was discovered in the former waste oil UST excavation pit in the southwest corner of the site during its removal. A groundwater sample was collected and documented a concentration of 18,200 micrograms per liter ($\mu\text{g/l}$) TPHd and 46,200 $\mu\text{g/l}$ TPH as motor oil (TPHmo). These concentrations are considered by the technical justification papers of the Low-Threat Closure Policy (LTCP) to be indicative of LNAPL and potentially free-phase.

While the diesel and waste oil LNAPL and associated groundwater plume had not been defined in the southwestern corner of the site, BP and other historic Responsible Parties did not appear to be associated with the release of diesel LNAPL in the northwest corner of the site due to the conversion of a former gasoline UST. Therefore, ACDEH decided to recommend closure for the gasoline case, and opened the current case with the current property owner listed as the Responsible Party in order to investigate the diesel and waste oil LNAPL in the southwest corner and the diesel LNAPL in the northwest corner, of the site. The former gasoline-related environmental case was closed in September 2014.

ACDEH has been in communication with the SWB, and preliminary indications are that the SWRCB may recommend that releases from the two USTs be investigated under separate case numbers, each potentially eligible for reimbursement. It is expected that clarification of this issue will be provided shortly by the SWRCB; however, each case will require delineation of the extent and magnitude of the associated release, and may require any appropriate corrective actions.

As a result of this information, ACDEH requests that you address the following technical comments and send us the documents requested below.

TECHNICAL COMMENTS

1. **Approved Work Plan Scope of Work; Additional Modifications** – The July 13, 2016 directive letter approved, with modifications, work proposed in the *Additional Soil and Groundwater Investigation Work Plan*, dated May 23, 2016, generated and submitted on your behalf by Compliance & Closure, Inc. (CCI). Discussions with the SWRCB have identified an alternative pathway for investigating the southwestern portion of the site, as follows:
 - a. **Soil Bore Investigation Hold** – It appears reasonable to at least temporarily pause the approved soil bore investigation to incorporate an additional investigation step, as follows:
 - b. **Offsite Residential Foundation Investigation** – Based on historic data, it appears that groundwater flow beneath the southwestern portion of the site is generally directed to the north-northeast, towards offsite residential structures. Due to the shallow depth of groundwater, which can be as shallow as 3.65 feet below surface grade (bgs), it appears appropriate to investigate the nature of the residential foundations to the east of the site (along the south side of Buena Vista Avenue). The dewatering of shallow basements can pull a hydrocarbon groundwater plume beneath the residential structures, and cause the discharge of contaminated groundwater to the surface. This investigation is requested to include all residential structures on the south side of Buena Vista Avenue between Webster and Concordia Streets.
 - c. **Methane Soil Vapor Investigation Work Plan** – Due to the documentation of residual soil and groundwater hydrocarbon contamination in the southeastern corner of the site, it appears appropriate to investigate the potential generation of methane from the biodegradation of the residual contamination. The generation of explosive levels of methane in soil has been documented at a substantial number of sites with residual petroleum contamination. Residual contamination does not appear to contain significant petroleum volatile organic compounds. The installation of shallow (less than five feet in depth) vapor probes appears warranted along the eastern site property boundary to be protective of the residential properties. Please submit a work plan to undertake this task by the date identified below.
2. **Northwestern Groundwater Plume Delineation** – The diesel LNAPL release is presently undefined in the downgradient direction. Please submit a work plan by the date identified below to undertake this task.
3. **Quarterly Groundwater Monitoring** - Due to the installation of new wells, please continue to monitor groundwater on a quarterly basis, and submit reports by the dates identified below.
4. **Destruction of Wells MW-4 and MW-5** – As stated in the previous directive letter, offsite and downgradient wells MW-4 and MW-5 were reported to have been destroyed in the referenced site investigation report. In order to determine if the wells were destroyed under permit with the Alameda County Public Works Agency, ACDEH requests an inquiry with the agency with subsequent documentation in the requested investigation report.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACDEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with the specified file naming convention below, according to the following schedule:

- **December 19, 2016** – Combined Work Plan for Soil Vapor and Groundwater Investigation
File to be named: RO3140_WP_R_yyyy-mm-dd
- **October 31, 2016** – Third Quarter 2016 Groundwater Monitoring Report
File to be named: RO3140_GWM_R_yyyy-mm-dd
- **January 20, 2017** – Fourth Quarter 2016 Groundwater Monitoring Report
File to be named: RO3140_GWM_R_yyyy-mm-dd

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.

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

If your email address does not appear on the cover page of this notification, ACDEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

If you have any questions, please call me at (510) 567-6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,

Mark E. Detterman, PG, CEG
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations
Electronic Report Upload (ftp) Instructions

cc: Gary Mulkey, 4115 Blackhawk Plaza Circle, Suite 100, Danville, CA 94506; (Sent via electronic mail to: gary@cci-envr.com)

Dilan Roe, ACDEH, (Sent via electronic mail to: dilan.roe@acgov.org)
Mark Detterman, ACDEH, (Sent via electronic mail to: mark.detterman@acgov.org)
Electronic File, GeoTracker

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.

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| Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) | REVISION DATE: May 15, 2014 |
| | ISSUE DATE: July 5, 2005 |
| | PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 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.