

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

REBECCA GEBHART, Interim Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP)
For Hazardous Materials Releases
1131 HARBOR BAY PARKWAY, SUITE 250
ALAMEDA, CA 94502
(510) 567-6700
FAX (510) 337-9335

September 28, 2017

Mark A. Jacobson & Ilona J. Frieden
811 Paramount Road
Oakland, CA 94610
(Sent via electronic mail to:
jjallison@medsfgh.ucsf.edu)

James E. Allison & Margaret Linderstein
214 Highland Avenue
Piedmont, CA 94611
(Sent via electronic mail to:
mjacobson@php.ucsf.edu)
(Sent via electronic mail to:
mlinderstein@gmail.com)

Subject: Conditional Work Plan Approval; Fuel Leak Case No. RO0003143 (GeoTracker Global ID T10000006106), Paramount UST, 811 Paramount Road, Oakland, CA 94610

Dear Responsible Parties:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case files including the *Data Package of Sub-Slab Soil-Gas and Soil Boring Related to a Former Residential Underground Heating Oil Tank*, dated August 3, 2017, and the *Additional Workplan for Investigation of Soil, Soil-Gas and Sump Water Sampling Investigation related to Vapor Intrusion Related to a Former Residential Underground Heating Oil Tank*, dated September 26, 2017, submitted on your behalf by Stellar Environmental Solutions, Inc. (Stellar). Thank you for submitting the documents.

The referenced Work Plan was submitted as a result of a meeting between ACDEH, yourselves, your consultant Stellar which was held on September 19, 2017, as a result of the submittal of the referenced Data Package. The Data Package was submitted as discussed in a prior meeting held on February 2, 2017, due to the unusual nature of the indoor air vapor intrusion documented at the site, and in an effort to more quickly move the case towards closure. The Data Packet documented soil contaminant concentrations in soil bore SB-7 up to 20,000 milligrams per kilogram (mg/kg) Total Petroleum Hydrocarbons as diesel (TPHd), 2,000 mg/kg Total Petroleum Hydrocarbons as gasoline (TPHg), 480 mg/kg TPH as motor oil (TPHmo), and 38 mg/kg naphthalene. The highest concentrations were generally detected at a depth of 12.5 to 13 feet below grade surface (bgs), and while concentrations decreased substantially at 13.5 to 14 feet bgs, the vertical extent was not defined. As a result, and as discussed in the September 19th meeting, the Work Plan proposed the installation of four soil bores around soil bore SB-7 for the lateral delineation of soil contamination. The referenced Data Package also documented that contaminant concentrations in the sub-slab vapor pins installed in the basement in an attempt to understand contaminate preferential pathways and locations, were below Environmental Screening Levels (ESLs); however, the data continues to indicate higher TPHg vapor concentrations are present, rather than TPHd vapor concentrations, at a heating oil UST site. Due to the consistency of multiple lines of evidence relative to TPHg vapor concentrations, ACDEH must conclude that gasoline was stored, and leaked from, the former heating oil UST at some point in the past.

Due to the presence of a basement at the residential home, substantial portions of the separation distance, from contamination at depth to indoor air exposure, which are normally used to provide protection from vapor contamination, have been removed. As discussed in the meeting, the Work Plan also proposed the collection of another round of vapor from soil gas well SG-5.5, in order to evaluate temporal vapor concentration trends at the site. Finally, as an additional line of evidence, the Work Plan proposed to collect a sample of sump water at the site, as the sump captures wet season groundwater and discharges it to the street. Because the near surface seasonal groundwater, which is captured by the sump, flows through potentially contaminated soil, this analysis is anticipated to evaluate this potential concern.

Based on ACDEH staff review of the work plan, and assuming standard protocols previously used at the site are implemented, the recommended scope of work is conditionally approved for implementation provided that the technical comments below are incorporated during the proposed work. Submittal of a revised work plan or a work plan addendum is not required unless an alternate scope of work outside that described in the work plan or these technical comments is proposed. We request that you address the following technical comments, perform the proposed work, and send us the report described below. Please provide 72-hour advance written notification to this office (electronic mail preferred to: mark.detterman@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Work Plan Modifications** – ACDEH is in general agreement with the scope of work proposed in the referenced work plan; however, ACDEH requests the following modifications to the approach. Otherwise, please submit a report by the date specified below.
 - a. **Vertical Delineation of Soil Contamination** – In order to define the vertical extent of soil contamination, please extend the depth of soil bores should signs of contamination be present at the deepest planned depth of the soil bores (currently 18.5 feet bgs). Should groundwater be encountered, please additionally be prepared to collect a grab groundwater sample.
 - b. **Soil Sample Depths** – Specific depths have been proposed to be sampled in the soil bores. In the event of higher Photoionization Detector (PID) responses, or other signs of contamination, are encountered between the listed specific depths, please ensure the depths of higher response or concentration are preferentially sampled. ACDEH requests the use of a PID at the site, and the notation of readings on all bore logs.
 - c. **Helium Tracer Shroud Concentration** – While it is understood helium will be analyzed for in the soil vapor sample, it was not specifically mentioned that a shroud helium vapor concentration would also be analyzed. Consistent with Department of Toxic Substances Control (DTSC) guidance, please ensure a shroud concentration is collected in order to determine the leak rate in the soil gas vapor sample, if any.
 - d. **Underground Utility Survey** – In addition to the proposed actions ACDEH requests that an underground utility survey be conducted at the house prior to the planned onsite meeting in order to potentially determine site specific preferential pathways which may allow vapor migration into the home and basement, including beneath the crawl space. Due to the unknown location of the heating oil product piping (down driveway vs. beneath house in crawl space), this may help determine entry routes being employed by the vapor contamination, or free phase migration. Defining the location of the petroleum seep mentioned in the meeting is also appropriate and may yield insightful and useful data.
 - e. **Data Presentation** – In order to quickly communicate data, please tabulate all soil vapor, soil, groundwater, and etc. data in comprehensive media-specific tables, rather than multiple “old and new” data specific tables. Please additionally do not use “ND” as an entry; rather, please indicate the specific non-detectable concentration at less than values (<0.05). Please additionally ensure all Reporting Levels are less than regulatory goals (Low Threat Closure Policy, or ESLs). Nondetectable concentrations above these goals do not indicate a safe level, only a non-detectable level. Finally, please include all chemicals of concern at the site, including detected compounds as well as non-detectable compounds relevant to an underground storage tank (UST) investigation.

SUBMITTAL ACKNOWLEDGEMENT STATEMENT

Please note that ACDEH has updated Attachment 1 with regard to report submittals to ACDEH. ACDEH will now be requiring a Submittal Acknowledgement Statement, replacing the Perjury Statement, as a cover letter signed by the Responsible Party (RP). The language for the Submittal Acknowledgement Statement is as follows:

I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to ACDEH's FTP server and the SWRCB's Geotracker Website.

Please make this change to your submittals to ACDEH.

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 following specified file naming convention below and schedule:

- **October 17, 2017** – Data Package
File to be named: RO3143_SWI_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>.

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

Sincerely,



Mark Detterman, PG, CEG
Senior Hazardous Materials Specialist

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

cc: Amitai Schwartz, 200 Powell Street, Suite 1286, Emeryville, CA 94608; (Sent via electronic mail to: amitai@schwartzlaw.com)

Henry Pietropaoli, Stellar Environmental Solutions, Inc, 2198 Sixth Street, Suite 201, Berkeley, CA 94710, (Sent via electronic mail to: hpietropaoli@stellar-environmental.com)

Richard Makdisi, Stellar Environmental Solutions, Inc, 2198 Sixth Street, Suite 201, Berkeley, CA 94710, (Sent via electronic mail to: rmakdisi@stellar-environmental.com)

Dilan Roe, ACDEH, (Sent via electronic mail to: dilan.roe@acgov.org)
Paresh Khatri, ACDEH; (Sent via electronic mail to: paresh.khatri@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

Alameda County Department of Environmental Health's (ACDEH) Environmental Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) 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 File Transfer Protocol (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 SCP 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 (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/) for more information on these requirements.

ACKNOWLEDGEMENT STATEMENT

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to ACDEH's FTP server and the SWRCB's GeoTracker website." 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 6731, 6735, and 7835) 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 licensed 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 case meet this requirement. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, late 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 SCP)	REVISION DATE: December 1, 2016
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010; May 15, 2014, November 29, 2016
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions


The Alameda County Environmental Cleanup Oversight Programs (LOP and SCP) 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) Open File Explorer using the Windows  key + E keyboard shortcut.
 - i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) On the address bar, type in ftp://alcoftp1.acgov.org.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive)
 - d) Click Log On.
 - e) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - f) 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.