

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

November 21, 2016

Mr. Ernie Lee
Marina Faire, Shopping Center
3271 South Highland Drive, Suite 704
Las Vegas, NV 89109
(Sent via electronic mail to: ernestlee@gmail.com)

Subject: Conditional Work Plan Approval and Request for Work Plan; Site Cleanup Program Case No. RO0003155 and Geotracker Global ID T10000006425, Four Seasons Cleaners, 13778 Doolittle Drive, San Leandro, CA 94577

Dear Mr. Lee:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the *IRM, Vapor Mitigation, and FS Work Plan*, dated September 9, 2016 (received September 30, 2016). The report was prepared and submitted on your behalf by Well Test, Inc (WTI). Thank you for submitting the report, as well as uploading additional reports and related items to the state Geotracker website.

The referenced document proposed the installation of four groundwater monitoring wells, five paired sub-slab points and soil vapor wells, and the installation of a potential horizontal remedial system for the purpose of pilot testing. ACDEH is in partial agreement of undertaking a portion of these actions, while a portion also appears premature at the site at this time. The installation of the groundwater monitoring wells and the paired sub-slab and soil vapor wells appears appropriate at this time.

The proposed pilot test is sufficiently expansive as to also be considered a Corrective Action Plan (CAP). A 30 day public comment period has not been undertaken as is required for all CAPs. Additionally ACDEH is concerned about the system as currently proposed. As proposed, the shallow and deeper excavations extend to the outside edge of elevated soil contamination (proposed to be confirmed with soil samples), but does not appear to easily accommodate a system expansion should the extent of elevated soil, groundwater, or soil vapor contamination beneath the building be discovered to be more extensive at a future date. ACDEH also has potential concerns in regards to the installation of Controlled Density Fill (CDF) beneath the only the dry cleaning unit. A sufficient radius of influence (ROI) of capture of all volatilized PCE vapors beneath the Controlled Density Fill (CDF) that will be generated by the proposed air sparging system has not been documented at the site; it may be necessary to expand the area of CDF to adjacent suites.

At present, the lateral extent of the contamination has not been defined beneath the building. Therefore, at this time rather than proceed directly to a CAP, it appears appropriate to define the extent of soil, groundwater, and soil vapor contamination beneath the building in order to determine the scale of any potential system that will be required to implement corrective actions beneath the building and allow a proper scaling of such a system. This work has the potential to influence corrective action cost considerations and may suggest an alternative corrective action approach is more cost effective.

Based on ACDEH staff review of the work plan, upon receipt and approval of a work plan addendum as discussed below, a portion of the proposed scope of work is likely to be conditionally approved for implementation. We request that you address the following technical comments, and submit the requested work plan addendum.

As also indicated above, ACDEH additionally requests the submittal of a new work plan to undertake an additional scope of work that is warranted prior to installing a potential remedial system and conducting pilot tests at the site. Based on ACDEH staff review of the case file, we request that you additionally address the following technical comments and send us the reports requested below.

TECHNICAL COMMENTS

1. **Work Plan Modifications** – As noted above, the referenced work plan proposes a series of actions with which ACDEH is in partial agreement of undertaking and partially believe are premature to implement. For the portion ACDEH is in agreement with, ACDEH additionally requests several modifications to the approach. Otherwise, please submit a work plan addendum and final report by the dates specified below.
 - a. **Paired Sub-Slab and Vapor Well** – ACDEH is in general agreement that it is appropriate to proceed with the installation and sampling of these pairs.
 - b. **Shallow Groundwater Wells** – ACDEH is in general agreement that it is appropriate to proceed with the installation of the three shallow groundwater monitoring wells (MW-1AS to MW-3AS) that were proposed. Due to the requested change in the excavation timing discussed above, it will likely be reasonable to relocate well MW-1AS to another suitable location. Please include this location in a revised Figure 4 in a Work Plan Addendum by the date identified below.
 - c. **Deep Soil Bore** – ACDEH is in general agreement that it is appropriate to proceed with the installation of the deep exploratory soil bore north of DP-2 to explore the stratigraphy beneath the site and the potential for deeper water-bearing zones. However, the use of a hollow-stem auger rig does not appear appropriate due to a higher probability for vertical cross contamination of deeper zones from contamination located in shallow zones. Therefore, prior to bore installation ACDEH requests communication of an alternative bore installation methodology and associated standard protocols. Please provide this in the requested Work Plan Addendum by the date identified below.
 - d. **Deep Groundwater Well** – Please additionally include protocols in the work plan addendum for the installation of a deep groundwater monitoring well including use of conductor casing to isolate the upper water-bearing zone from a lower water-bearing zone. At this time ACDEH has not approved the installation of a deep groundwater monitoring well, pending review of the deep soil bore and the standard protocols.
2. **Additional Indoor Air Vapor Sampling** – ACDEH has received correspondence that fresh air intakes have been installed at the dentist's office and the dry cleaner unit, but the rate of increase has not been quantified. Thank you for implementing a limited Interim Mitigation Measure (IMM). In order to determine the affect of the implemented IMM and to determine if the reduction of indoor air PCE vapor concentrations is sufficient, ACDEH requests the collection of additional indoor air samples from both suites, using previously accepted standard protocols, as well as a quantification of the increase rate of air turn over within the units.

Please be aware that ACDEH while understands that PCE may be a component of advertised dental products it is not currently aware of an itemized inventory of products and their associated chemical content actually used at this dental office as is necessary under vapor sampling guidance promulgated by the Department of Toxic Substances Control (DTSC). As you are likely aware, these products are removed prior to indoor air sampling to prevent confusion among indoor air samples. ACDEH requests an itemized chemical inventory and additional indoor air vapor concentration this data be included in the report requested below.

3. **Work Plan for Lateral and Vertical Extent** – As discussed above, it is appropriate to define the extent of elevated soil, groundwater, and soil vapor beneath the subject building in order to help determine the scale of a system that will be required to implement corrective actions across the site beneath the building. The use of a mobile laboratory greatly and quickly assists in this task and allows flexibility in bore location based on real-time analytical data. Please submit a work plan to undertake this task by the date identified below.

- 4. Post-Indoor Air Sampling Notification of Building Occupants – This task is overdue.** As was requested in the July 27, 2016 directive letter, public notification of tenants is necessary. This is consistent with the March 2012 DTSC *Vapor Intrusion Public Participation Advisory*. Public notification fact sheets must be generated to communicate the results of the indoor air sampling to building occupants. Information included should additionally include reference to the interim mitigation measures. ACDEH requests that fact sheets conform to the requirements of the March 2012 DTSC advisory. Consistent with the referenced October 2011 DTSC *Vapor Intrusion Guidance* this should be done individually or in small groups. Please submit draft notification documents, in MS Word, by the date identified below.

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 2, 2016** – Draft Post-Sampling Public Notification Fact Sheet – OVER DUE
Please email to your case worker draft fact sheet in MS Word
- **December 16, 2016** – Work Plan Addendum
File to be named: RO3155_WP_ADEND_R_yyyy-mm-dd
- **January 20, 2017** – Work Plan
File to be named: RO3155_WP_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 you have any questions, please do not hesitate to 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: Ms. Julie D'Hondt, Marina Faire, LP, 3271 S. Highland Drive, Suite 704, Las Vegas, NV 89109
(Sent via electronic mail to: highlandofficev3@gmail.com)

Bill Dugan, Well Test, Inc; P.O. Box 8548, San Jose, CA 95115 (Sent via electronic mail to: dugan@welltest.biz)

Forrest Cook, Well Test, Inc; P.O. Box 8548, San Jose, CA 95115 (Sent via electronic mail to: Cook@welltest.biz)

Dilan Roe, ACDEH, (Sent via electronic mail to: dilan.roe@acgov.org)

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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

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: 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.