

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  
ALAMEDA, CA 94502  
(510) 567-6700  
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December 12, 2017

D. W. Nicholson Corporation  
PO Box 4197  
Hayward, CA 94540-4197  
Attention: Thomas Reed Jr.  
(Sent via electronic mail to [reedjr@dwnicholson.com](mailto:reedjr@dwnicholson.com))

Subject: Conditional Work Plan Approval, Site Cleanup Program Case No. RO0003213 and GeoTracker Global ID T10000009567, 24747 Clawiter Rd., 24747 Clawiter Rd., Hayward, CA 94545

Dear Mr. Reed Jr.:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the recently submitted documents entitled *Soil and Groundwater Investigation Work Plan (Work Plan)*, dated May 15, 2017, and the Addendum Work Plan (AWP) dated December 8, 2017. Both documents were prepared by Environmental Risk Assessors (ERA) for the subject case. The purpose of the investigation presented in the Work Plan and amended in the AWP is to aid in evaluating data collected to date and address data gaps identified in the site conceptual model (SCM) evaluation. As presented in the referenced documents, ERA proposes to advance five on-site soil bores (designated SB-5 through SB-9) along the perimeter of the property for the collection and laboratory analysis of soil and grab-groundwater (GGW) samples. One on-site bore (designated SB-10) is proposed for a storage area in the central site for the collection of soil samples. Additionally, four vapor probes (SG-1 through SG-4) are proposed for the collection and analysis of both sub-slab vapor and soil gas samples from within the main warehouse/office building.

The locations of the soil bores are depicted on AWP Figure 3. Three of the proposed bores are shown along the property boundary in the northeast area of the site and two are depicted along the property boundary in the southwest site area. The rationale for these locations of the soil/GGW bores includes the evaluation on-site conditions in the up gradient and down gradient areas of the site, based on an inferred groundwater flow direction using data from a nearby property. The evaluation will aid in determining if the groundwater beneath the site is impacted from an off-site up gradient source and if the site has contaminated groundwater leaving the site. A sixth bore is proposed for a storage area where waste oils are stored.

Soil samples will be screened in the field with a photoionization detector (PID) and observed for evidence of chemical staining. Soil samples will be collected from borings SB-5 through SB-9 at intervals with elevated PID readings (if any) and intervals with evidence of chemical staining (if noted). In addition to intervals with elevated PID readings and evidence of chemical staining, if any, soil samples will be collected at depths of approximately 2 feet, 5 feet, 8 or 10 feet, 15 feet, and 20 feet bgs (depending on the total depth of the boring) unless these depth intervals are saturated; soil samples will not be collected below the groundwater table. ERA proposes to advance bore SB-10 to a depth of 10 feet.

As presented in the Work Plan, soil and GGW samples will be analyzed for volatile organic compounds (VOCs) by U.S. EPA Method 8260B, Total Petroleum Hydrocarbons (TPH) as gasoline (TPHg) by U.S. EPA Method 8015B (purgeable) and TPH as diesel (TPHd), motor oil (TPHmo), and bunker oil (TPHbo) by U.S. EPA Method 8015B (extractable). Following sampling, each borehole will be backfilled.

The vapor probe locations are depicted on the AWP Figure 3, and are all situated within the main warehouse/office building. Soil vapor samples will be collected at depths of approximately 0.5 feet and 5.5 feet below the bottom of the concrete floor slab from temporary soil gas probes. Soil gas sampling locations SG-1 and SG-2 are shown in the eastern portion of the building near the office area. Location SG-3 is shown in the northwestern area of the building in

the vicinity of bores advanced as part of the November 10, 2015 investigation documented in the report entitled *Limited Phase II Environmental Site Assessment Report* (PhII). Soil gas sampling location SG-4 is depicted in the west-central building area. Soil gas samples will be analyzed for TPHg, TPHd, TPHmo, and TPHbo using EPA test method 8015 and VOCs using test method 8260. The 8260 analysis will be performed using a mobile laboratory.

The proposed scope of work may be implemented provided that the modifications requested in the technical comments below are addressed and incorporated during the field implementation. Submittal of a revised Work Plan is not required unless an alternate scope of work outside that described in the Work Plan, AWP, and technical comments below is proposed.

Please provide at least 72-hour advance written notification to this office (electronic mail preferred to: [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org)) prior to the start of field activities. Please include a copy of your site-specific Health and Safety Plan (HSP) with the notification of activities. The HSP may be included as an attachment if the notification is via electronic mail.

### **TECHNICAL COMMENTS**

- 1. Soil Sample Collection** – As indicated in the Work Plan, soil samples will be collected at depths of approximately 2 feet, 5 feet, 8 or 10 feet, 15 feet, and 20 feet bgs (depending on the total depth of the boring) unless these depth intervals are saturated as ERA states soil samples will not be collected below the groundwater. The proposed soil sampling presented in Work Plan section 5.2.4 *Soil and Grab Groundwater Sampling* appears to be contradicted in Work Plan Table 5, which indicates only two soil samples will be collected per boring.

Since the goal of this investigation is to determine the extent of contamination in soil and groundwater beneath the site, ACDEH requests collection and analysis of soil samples from within the 0- to 5-foot and 5- to 10-foot intervals, at intervals of no more than five feet, areas of obvious contamination, the soil/groundwater interface, and at significant changes in lithology. If staining, odor, or elevated PID readings are observed over an interval of several feet, a sufficient number of soil samples from this interval should be submitted for laboratory analyses to characterize the fuel hydrocarbon concentrations within this interval. Please ensure that the analytical results define the vertical extent of contamination at the site. This also applies to soil within the zone of groundwater fluctuation, also known as the “smear zone”, and soil below the water table.

### **2. Boring SB-10 –**

- A. Groundwater Sample Collection** – As indicated above, ERA does not propose to collect a GGW sample at the boring SB-10 location. ACDEH requests the collection of analysis of a GGW sample from this location.
  - B. Scope of Analysis** – The area being investigated by bore SB-10 includes storage of waste oils. Therefore, ACDEH requests the analysis of GGW and soil samples collected from this bore include semi-volatile organic compounds (SVOCs) by U.S. EPA Method 8270 in addition to the proposed analysis scope.
- 3. Soil Gas Sample Analysis** – The PhII report documented the presence of TPH compounds in soil gas beneath the site. Therefore ACDEH requests the inclusion oxygen, carbon dioxide, and methane in the scope of analysis for the soil gas samples collected at a depth of 5.5 feet.

### **TECHNICAL REPORT REQUEST**

Please upload technical reports to the ACDEH FTP site (Attention: Keith Nowell), and to the State Water Resource Control Board’s (SWRCBs) GeoTracker website, in accordance with the following specified file naming convention and schedule:

- **March 12, 2018** – Soil, Groundwater, and Soil Gas Investigation Report;  
(File to be named name: RO0003213\_SWI\_R\_yyyy- mm-dd).

Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the UST or LUST program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs, including SLIC programs. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites was required in GeoTracker.

Thank you for your cooperation. ACDEH looks forward to working with you and your consultants to advance the case toward closure. Should you have any questions regarding this correspondence or your case, please call me at (510) 567-6764 or send an electronic mail message at [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org).

Sincerely,

Keith Nowell, PG, CHG  
Hazardous Materials Specialist

Enclosure: Responsible Party(ies) Legal Requirements/Obligations  
ACDEH Electronic Report Upload (FTP) Instructions

cc: Lita Freeman, Environmental Risk Assessors, 1420 East Roseville Parkway, Suite 140-262, Roseville, CA 95661  
(Sent via electronic mail to: [litafreeman@gmail.com](mailto:litafreeman@gmail.com))

Dilan Roe, ACDEH (Sent via electronic mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Paresh Khatri, ACDEH (Sent via electronic mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org))  
Keith Nowell, ACDEH (Sent via electronic mail to: [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org))  
GeoTracker, file

## 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/](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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> December 1, 2016
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010; May 15, 2014, November 29, 2016
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> 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 acknowledgement 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](mailto: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](mailto: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.