

Jurek, Anne, Env. Health

From: Jurek, Anne, Env. Health
Sent: Thursday, January 26, 2017 10:19 AM
To: 'Brent Wheeler'; Ash Zaki
Subject: Technical Comments on Draft Work Plan and Request for Work Plan for Fuel Leak Case No. RO0003220 and GeoTracker Global ID T10000009111, Mercedes Benz of Oakland, 344 29th Street, Oakland, CA 94609
Attachments: Attachment_1_and_ftpUploadInstructions_2016-12-15.pdf

Dear Mr. Zaki and Mr. Wheeler,

ACDEH has reviewed the fuel leak case file for the above referenced site, including the most recent document entitled, "*Draft Work Plan*," dated October 14, 2016, that was received by ACDEH via email on October 15, 2016. The Draft Work Plan, which was prepared by Wheeler Group Environmental, LLC, on behalf of Mercedes Benz of Oakland, presents plans for collecting soil and groundwater samples from four borings and a soil gas sample from one soil vapor probe to evaluate the lateral extent of the soil and groundwater contamination at the site in order to determine whether the site is eligible for closure under the State Water Resources Control Board Low-Threat Closure Policy (LTCP). Based on our review, we request that you submit a Work Plan that addresses the technical comments below.

TECHNICAL COMMENTS

- 1. Tables of Soil and Groundwater Laboratory Analytical Results for Volatile Organic Compounds.** Tables 5 and 6 that provide soil and groundwater laboratory analytical results for Volatile Organic Compounds (VOCs) of sampling performed during the underground storage tank (UST) investigation contain errors in the listed analytes, analytical data and/ or the respective Tier 1 ESL values. Please compile new tables that show the results of detected VOCs.
- 2. Site Vicinity Map.** Please include a scale on the Site Vicinity Map (Figure 2) and all other maps that may not have one.
- 3. Preferential Pathway Study.** The Work Plan should include an analysis of preferential pathways, including a utility survey and the identification basements adjacent to the site.
- 4. Soil Sample Selection Protocols.** The work plan proposes to collect and retain for laboratory analysis soil samples at pre-defined depths of 5 and 10 feet below ground surface (bgs), and also states that additional samples will be collected at signs of contamination such as photoionization detections (PID), staining, and odor, and at major lithologic changes. In addition, ACDEH requests that if staining, odor, or elevated PID readings are not observed, that soil samples be collected from 1.5 to 2.0 feet bgs, 3.5 to 4.0 feet bgs, and 7.5 to 8.0 feet bgs, in addition to the pre-defined depths of 5 and 10 feet bgs.
- 5. Laboratory Analyses of Soil and Groundwater.** In addition to the analyses that are proposed for soil and groundwater samples in the draft work plan, ACDEH requests that analyses of Total Petroleum Hydrocarbons as motor oil (TPH-mo) using EPA Method 8015 for soil and groundwater be included in the work plan, as TPH-mo is a contaminant of concern. The groundwater analysis for TPH-mo should be performed both with and without silica gel cleanup.
- 6. Laboratory Analyses of Soil Gas.** In addition to the analyses of methane and oxygen that are proposed (in the draft work plan), we request that carbon dioxide, naphthalene, full list of VOCs, and TPH as gasoline (TPH-g) be analyzed also. VOCs in soil gas should analyzed by both In addition to naphthalene analysis by TO-15, please analyze for naphthalene by TO-17 in conformance with DTSC guidance for naphthalene vapor analysis (Appendix D, Active Soil Gas Investigations, July 2015, DTSC) in conformance with DTSC guidance for naphthalene vapor analysis (Appendix D, *Active Soil Gas Investigations*, July 2015, DTSC).

SUBMITTAL ACKNOWLEDGEMENT STATEMENT

Please note that ACDEH has updated its 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 that is to be 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 and/or conclusions contained in the attached document or report submitted on my behalf to ACDEH's FTP server and the State Water Resource Control Board's GeoTracker website."

Please include this in your submittals to ACDEH.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACDEH FTP site (Attention: Anne Jurek), and to the State Water Resources Control Board's GeoTracker website according to the following schedule and file-naming convention:

- **February 17, 2017** – Work Plan

File to be named: RO3220_WP_R_YYYY-MM-DD RO3220

This report is 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.

ATTACHMENTS

Please see the attached PDF regarding Responsible Party(ies) Legal Requirements/Obligations and ACDEH Electronic Report Upload (FTP) Instructions.

If you have any questions, please call me at (510) 567-6721 or send me an electronic mail message at anne.jurek@acgov.org. Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>

Sincerely,

Anne Jurek, M.S.

Professional Technical Specialist II (Geology)

Alameda County Department of Environmental Health (ACDEH)

1131 Harbor Bay Pkwy

Alameda, CA 94502

(510) 567-6721; Ext. 36721

anne.jurek@acgov.org

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.