

Nowell, Keith, Env. Health

To: snolan@platinum-energy.net
Cc: Dennis.Dettloff@anteagroup.com; Ed.C.Ralston@p66.com; Roe, Dilan, Env. Health
Subject: Fuel Leak Case RO229 - 76 Station #5325, 3220 Lakeshore Avenue, Oakland CA

Mr. Nolan,

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced fuel leak case including the document entitled *Case Closure Request (RFC)*, dated November 12, 2013, prepared by Antea Group (Antea) on your behalf. The RFC document was prepared in order to evaluate the site for case closure under the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case Closure Policy (LTCP). The RFC indicates the LTCP criteria have been met and recommends that a determination of case closure be made. The closure request states that:

1. Groundwater contamination has been adequately characterized and does not pose a threat to human health or the environment.
2. Petroleum vapor intrusion to indoor air associated with historical releases of product does not pose a threat to human health or the environment.
3. Shallow soil contamination that may result in direct contact or outdoor air exposure does not exist at this site and does not pose a risk to human health or the environment.
4. The closest sensitive receptor is Lake Merritt, located approximately 1,300 feet west-southwest of the MTBE plume above MCLs.

Based on our review of the case file ACEH has determined the Site Conceptual Model (SCM) is inadequate as it does not adequately define the hydrogeology and it fails to identify sensitive receptors. ACEH denies the closure request. It is not clear to ACEH how the plume length has been determined. ACEH does not believe that neither groundwater and preferential pathways have been adequately assessed at the site. Groundwater flow at this site is routinely radially outward from the facility but the groundwater rose diagram depicts one selected direction. No discussion or assessment of the radial flow has been found in the case file. The document entitled *Site Summary Report*, dated August 31, 2011, prepared by Antea, includes findings of a preferential pathway study (PPS). The PPS does not evaluate off-site utilities as preferential pathways, though groundwater has been reported as shallow as 2.71 feet below top-of-casing for the monitoring well network. The shallow groundwater, outward radial flow, and incomplete PPS study needs to be addressed prior to an evaluation of impacts to sensitive receptors or contaminant plume length can be made. Alternatively, please present an Addendum to the RFC presenting analysis and documentation to address these data gaps.

ACEH would like to schedule a meeting in January 2014 to discuss the SCM. Please provide ACEH several dates and times during which a meeting can be scheduled. ACEH staff will select dates and times from your list to arrange the meeting. Please provide the list of available dates and times by January 3, 2014 by email, addressed to keith.nowell@acgov.org and cc'ing Dilan Roe at dilan.roe@acgov.org.

Thank you for your cooperation. 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.

Regards,
Keith Nowell

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<http://www.acgov.org/aceh/lop/ust.htm>