



ENVIRONMENTAL HEALTH DEPARTMENT
ENVIRONMENTAL PROTECTION
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August 16, 2011

Robert Jackson
Acts Full Gospel Church
1034 66th Ave.
Oakland, CA 94621

Kevin Perkins
Libitzky Property Companies
1475 Powell St., Suite 201
Emeryville, CA 94608

Subject: Work Plan Denial for Spills, Leaks, Investigations and Cleanup (SLIC) case file # RO0002991 and Geotracker Global ID T1000000434, Acts Full Gospel Church & Industrial Properties, 8410 Amelia Street, Oakland, CA 94621

Dear Messrs. Jackson and Perkins:

Thank you for the recently submitted document entitled *Soil Gas Investigation Work Plan*, dated August 9, 2010, which was prepared by P&D Environmental, Inc. for the subject site. Alameda County Environmental Health (ACEH) staff has reviewed the case file including the above-mentioned report/work plan for the above-referenced site. The work plan recommends assessing soil vapor at five locations from temporary wells.

The scope of work presented in the work plan has not been adequately justified and cannot be approved at this time. ACEH requests that you address the following technical comments and send us a work plan addendum as requested below.

TECHNICAL COMMENTS

1. **Soil Vapor Sampling Procedures** – Soil vapor sample depths are reported as 5 feet yet groundwater was encountered below 4.5 feet bgs. Please adjust your sampling plan to ensure that the tips of the probes are not set into water and submit the proposed depths in the report requested below.

It is likely that multiple soil vapor sampling events will be needed due to the solvent contamination at the site. ACEH recommends installing soil vapor wells rather than temporary vapor points. This will also allow for additional sampling at different times of the year and resampling if a problem occurs. However, if you proceed with installing temporary points field slotting the tubing for the temporary points is not an approved method. Please ensure that an appropriate diffuser is used on the bottom of the tubing and that the tubing is attached to the vapor probe tip and is air-tight. Please present an updated work plan that addresses these issues and ensures compliance with the DTSC/LARWQCB Advisory – Active Soil Gas Investigations.

ACEH recommends the use of Helium as a tracer gas since interference with volatile organic compounds is minimized. Please consider using helium as the tracer gas rather than 2-Propanol.

2. **Sample Analysis** – In addition the proposed sample analysis please analyze for oxygen, carbon dioxide and methane and the full suite of TO-15.
3. **Source Area Investigation** – Potential off-site sources are presented on the site vicinity map; however, from the current data presented in the Phase I and subsequent soil and groundwater sampling, it appears that the source may originate from Building B due to the elevated trichloroethylene (TCE) concentration at SB6, the apparent dispersion of TCE in groundwater from this point and the fact that the highest TCE concentration is located adjacent to a vent pipe shown in the Phase I report. In addition, a dispenser was discovered on the south side of Building B indicating that an underground storage tank (UST) may have been/is present. However, no further information on the UST(s) is provided.

Please provide information on and locate the storage tank(s) that is(are) associated with the vent pipe and dispenser. Identify any activities that took place in this building and immediately upgradient of the building that would have provided a source for the TCE. If you still believe that TCE is coming from an offsite source provide groundwater data from adjacent sites or propose an investigation to evaluate this hypothesis in the report requested below.

4. **Conduit Study** – The utility conduits are not depicted on the map. Since there is a potential for contaminant vapor migration along preferential pathways (i.e. existing utility corridors) that are present at the site and between the buildings, we request that the locations of all conduits be depicted on the map and the soil vapor sampling points locations adjusted, if needed, based on underground utility locations. Please submit a conduit study with the work plan addendum by the due date requested below.
5. **Base Maps** – We request that you use an aerial photo as the base map for future site maps submitted for the site. Please label and identify the use of all properties on your map and identify the features found in the Phase I report (such as the vent pipe and dispenser) on the map as well. Please provide a copy of this map with all existing and proposed soil vapor, soil boring, monitoring well, etc locations in the addendum requested below.

TECHNICAL REPORT REQUEST

Please submit technical reports to ACEH (Attention: Barbara Jakub), according to the following schedule:

- **October 17, 2011** – Conduit Study and Work Plan Addendum

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Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, please call me at (510) 639-1287 or send me an electronic mail message at barbara.jakub@acgov.org.

Sincerely,

Barbara J. Jakub, P.G.
Hazardous Materials Specialist

Enclosure: Responsible Party(ies) Legal Requirements/Obligations
ACEH Electronic Report Upload (ftp) Instructions

cc: Paul King, P&D Environmental, 55 Santa Clara Avenue, Oakland, CA 94610 (sent via electronic mail to PDKing0000@aol.com)
Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (Sent via E-mail to: lgriffin@oaklandnet.com)
Donna Drogos, ACEH (Sent via E-mail to: donna.drogos@acgov.org)
Barbara Jakub, ACEH (Sent via E-mail to: barbara.jakub@acgov.org)
GeoTracker, e-file

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.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml).

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: July 20, 2010
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 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.
 - 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.