R013

ENVIRONMENTAL RISK SPECIALTIES
CORPORATION

ers

May 11, 2009

RECEIVED
MAY 13 2009
DIVISION OF WATER QUALITY

Mr. George Lockwood
State Water Resources Control Board
Division of Water Quality
P.O. Box 2231
Sacramento, California 95812

Re: Request for Review
189 E. Lewelling Boulevard, San Lorenzo, California
ACEH Case RO# 184, RWQCB Case 01-1041

Dear Mr. Lockwood:

At the request of Mr. Carl Graffenstatte, responsible party for the Underground Storage Tank (UST) Case at 189 E. Lewelling Boulevard, San Lorenzo, California, Environmental Risk Specialties Corporation (ERS) has prepared this petition requesting that the State Water Resources Control Board (SWRCB) review this case and facilitate regulatory closure of the case.

Petitioner

Mr. Carl Graffenstatte
P.O. Box 1295
Eatonville, Washington 98328
(760) 770-6858 home
(760) 832-5111 mobile

Site

186 E. Lewelling Boulevard, San Lorenzo, California, ACEH RO# 184, RWQCB Case 01-1041.

Site Owner

Mr. Carl Graffenstatte
P.O. Box 1295
Eatonville, Washington 98328

Responsible Party

2009 JUN 22 PM 2:20

Mr. Carl Graffenstatte (Property Owner and RP in the UST Cleanup Fund)

Reasons for Request for Closure

The Site operated as a gasoline service station from 1965 to 1990. In September 1990, two 4,000-gallon gasoline USTs and one 350-gallon waste oil tank were removed. In June 1994, CET Environmental Services, Inc. (CET) installed three groundwater monitoring wells. CET subsequently conducted an exploratory soil boring investigation on and off the Site in the calculated downgradient direction and reported varying concentrations of total petroleum hydrocarbons as gasoline (TPHg) and relatively low to non-detect concentrations of benzene, toluene, ethylbenzene, and total xylenes (BTEX) in grab groundwater samples. CET did not issue a report due to payment problems with Ms. Wai Lee Young but did provide analytical results on a faxed site plan (attached). We understand that Ms. Young purchased the property from Mr. Graffenstatte. According to the September 18, 2007 Sierra Environmental, Inc. (SEI) *Subsurface Investigation & Site Conceptual Model* report, the three wells were monitored and sampled once in 1994, three times in 1995, once in 1999, four times in 2001, and once in 2007.

Following the December 2001 groundwater sampling event, SEI requested closure as a "low risk groundwater case" case based on criteria in the SWRCB January 5, 1996 Memorandum. In its September 25, 2006 Comment Letter, Alameda County Environmental Health (ACEH) denied closure stating that five of the six closure criteria had not been satisfied and requested additional soil and groundwater investigation, plume definition, sample analyses, and submittal of case related documents to the SWRCB Geotracker database.

In May 2007, SEI sampled the three monitoring wells and conducted additional subsurface investigation onsite and offsite in the documented groundwater flow direction, and reported the results in its September 18, 2007 report. In April 2007, well MW-2 reported 3,200 micrograms per Liter (µg/L) TPHg, 21 µg/L ethylbenzene, and 20 µg/L xylenes, and well MW-3 reported 12,000 µg/L TPHg, 18 µg/L ethylbenzene, and 27 µg/L xylenes. No total petroleum hydrocarbon as diesel (TPHd), benzene, toluene, or methyl tertiary butyl ether (MTBE) was reported in the three wells. The six grab groundwater samples reported varying concentrations of TPHg ranging from nondetect to 11,000 µg/L in SB-5-W and were nondetect for BTEX and all fuel oxygenates.

While SEI did not repeat its request for closure in its September 18, 2007 report, ACEH's subsequent December 29, 2008 comment letter indicates it would have denied closure again for similar reasons. In its December 29, 2008 comment letter, ACEH again requested additional source area characterization, plume characterization and definition, and extended site maps. Specifically, ACEH requested: 1) further source area characterization based on 110 to 120 mg/kg TPHg reported in a soil samples collected from 14.5 to 19.5 feet bgs in well MW-3 during its installation in June 1994 (15 years ago); 2) additional plume definition based on selected "worst case" TPHg concentrations in two grab groundwater samples while ignoring numerous other pertinent lines of evidence including an almost complete lack of reportable BTEX, other grab groundwater sample results, historical well monitoring data, age of the release, geological conditions and other fate & transport mechanisms, and significant natural attenuation; 3) residential ESLs be used for assessing potential human health risk in onsite soil citing groundwater migration offsite onto residential

property; and 4) evaluation of San Lorenzo Creek as a potential sensitive receptor, even though San Lorenzo Creek is located over 350 feet south (cross-gradient of the Site) and is, in reality, a concrete lined flood control channel (see attached Google Earth figure, white line is 350 feet long).

Petition

ERS believes that criteria for evaluating a site for regulatory closure, as summarized in the SWRCB January 5, 1996 Memorandum, have been satisfied sufficiently with confidence. While relatively minor data gaps are present, sufficient data and lines of evidence exist to assess or infer that potential human health risk and risk to the environment are acceptable and residual petroleum hydrocarbon concentrations in soil and groundwater will continue to naturally attenuate in a reasonable timeframe.

ERS believes many of the issues summarized in ACEH's December 29, 2008 comment letter should be discussed/evaluated within the context of a Closure Summary request, not be the basis for requesting still yet more site characterization. Most of the direction summarized in the latest comment letter does little to improve our understanding of site conditions for evaluating a site for regulatory closure, and is not consistent with the Draft SWRCB Resolution titled *Actions to Improve Administration of the Underground Storage Tank (UST) Cleanup Fund and UST Cleanup Program*.

Copies of the September 25, 2006, November 14, 2006, and December 29, 2008 denial letters and select pages from SEI's September 18, 2007 report are attached. Some reports are currently on the Geotracker database and other investigation and groundwater monitoring reports are on ACEH's FTP database at http://ehgis.acgov.org/dehpublic/dehpublic.jsp.

We respectfully request that the case be reviewed and considered for full regulatory closure in regards to the former USTs. In the event further work is necessary to fully justify a finding of no further action, we respectfully request that the case be transferred to the RWQCB for any further oversight.

If you have any questions, please contact me at (925) 938-1600 extension 109 or via email at ddement@erscorp.us.

Sincerely,

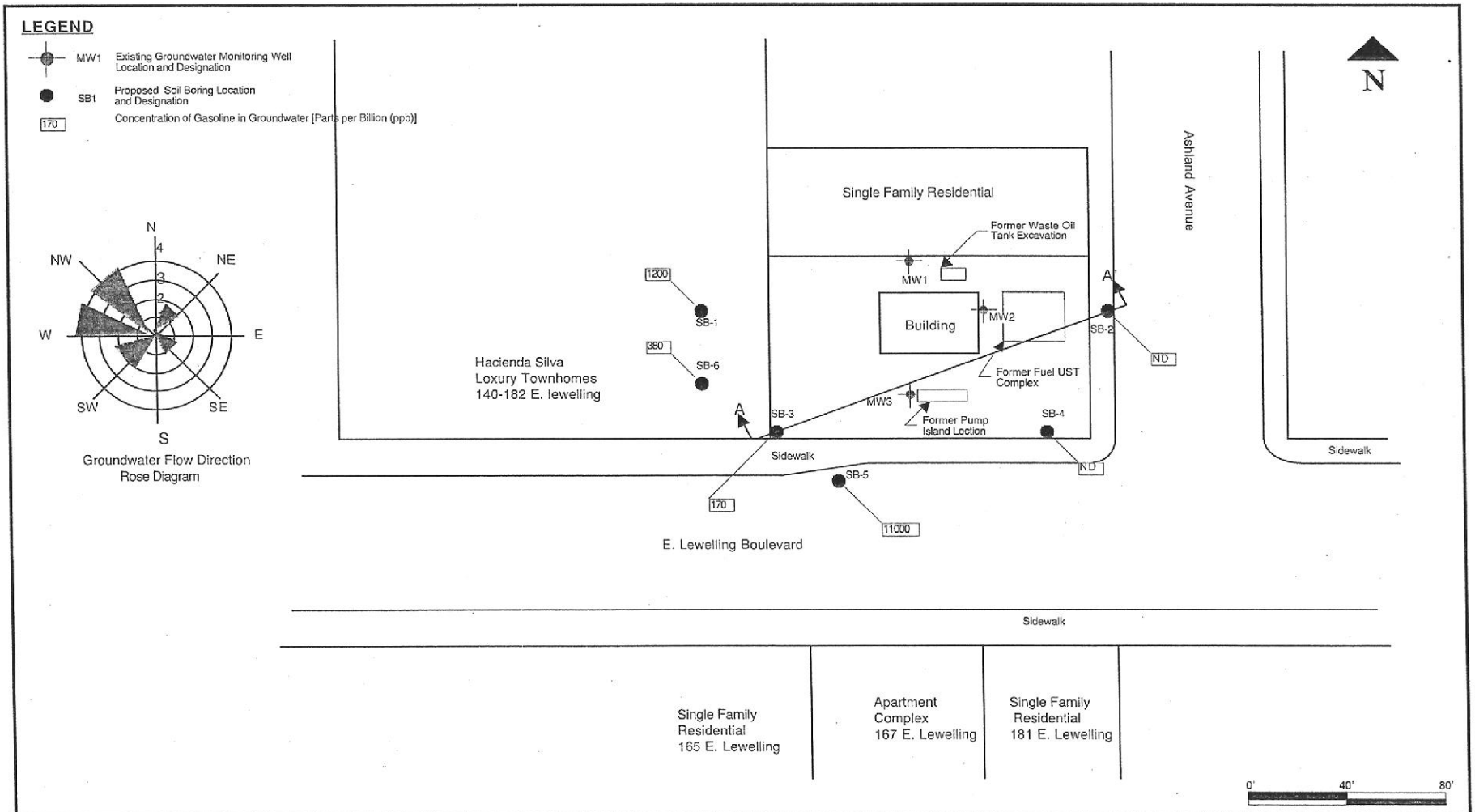
David DeMent, PG, REA II
Senior Geologist

Attachments

cc: Mr. Carl Graffenstatte w/o Attachments

White Line = 350'

SAN Lorenzo Creek



SIERRA ENVIRONMENTAL, INC.
Environmental Consultants
980 W. Taylor Street, San Jose, CA 95126
Phone [408]971-6758 - Fax [408] 971-6759

Soil Boring Locations

Site Conceptual Model
A&C Auto Service

186 E. Lewelling Boulevard, San Lorenzo, California, 94580

FIGURE 2

September 18, 2007
Project 06-137.06

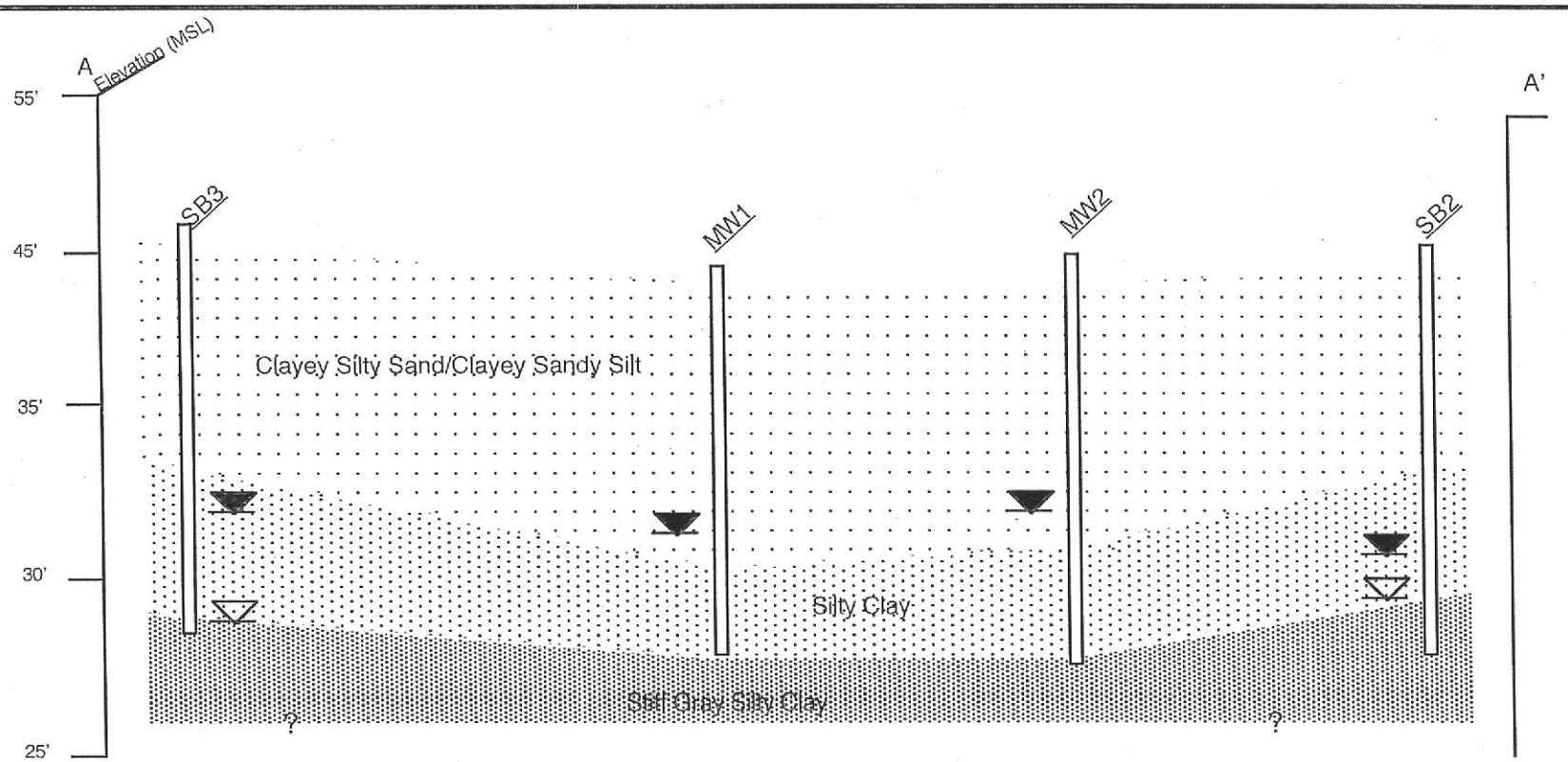
TABLE III
ANALYTICAL RESULTS FOR SOIL SAMPLES

Sample ID	Sample Date	Sample Location	TPHG[1] mg/kg	TPHD[2] mg/kg	BTEX[3] µg/kg	Total Lead mg/kg	FO[4] µg/kg
SB1-20	05-29-07	SB1	ND[5]	ND	ND,ND,ND,ND	6.2	ND,ND,ND,ND,ND
SB2-16	05-15-07	SB2	0.280	ND	ND,ND,ND,ND	7.8	ND,ND,ND,ND,ND
SB3-17	05-15-07	SB3	0.110	ND	ND,ND,ND,ND	5.9	ND,ND,ND,ND,ND
SB4-16	05-15-07	SB4	ND	ND	ND,ND,ND,ND	6.0	ND,ND,ND,ND,ND
SB5-20	05-15-07	SB5	0.500	ND	ND,ND,ND,ND	7.3	ND,ND,ND,ND,ND
SB6-20	05-29-07	SB6	ND	ND	ND,ND,ND,ND	6.3	ND,ND,ND,ND,ND
RWQCB Deep Soil Screening Levels Table C-2 (Commercial/Industrial)			100			750	

TABLE IV
ANALYTICAL RESULTS FOR GROUNDWATER SAMPLES

Sample ID	Sample Date	Sample Location	TPHG[1] µg/l	TPHD[2] µg/l	BTEX[3] µg/l	Total Lead µg /l	FO[4] µg/l
W-1	05-29-07	SB1	1,200	ND	ND,ND,ND,ND	400	ND,ND,ND,ND,ND
W-2	05-15-07	SB2	ND[5]	58	ND,ND,ND,ND	ND	ND,ND,ND,ND,ND
W-3	05-15-07	SB3	170	98	ND,ND,ND,1.0	ND	ND,ND,ND,ND,ND
W-4	05-15-07	SB4	ND	67	ND,ND,ND,ND	ND	ND,ND,ND,ND,ND
W-5	05-15-07	SB5	11,000	ND	ND,ND,ND,ND	0.87	ND,ND,ND,ND,ND
W-6	05-29-07	SB6	380	ND	ND,ND,ND,ND	460	ND,ND,ND,ND,ND
RWQCB Groundwater Screening Levels Aquatic Habitat Goal Table F-1a,			500	640		2.5	

1 TPHG = Total Petroleum Hydrocarbons as Gasoline
2 TPHD = Total Petroleum Hydrocarbons as Diesel
3 BTEX = Benzene, Toluene, Ethyl Benzene, and Xylenes
4 FO = Fuel Oxygenates (Methyl –t-butyl Ether, Ethyl-t-butyl Ether, TBA, Diisopropyl Ether, tert-Amyl Methyl Ether)
5 ND = Not Detected



Approximate Vertical Scale: 1" = 10'
Approximate Horizontal Scale: 1" = 20'

SIERRA ENVIRONMENTAL, INC.
Environmental Consultants
980 W. Taylor St., San Jose, CA 95126
Phone [408] 971-6758 · Fax [408] 971-6759

Geologic Cross Section A-A'

Site Conceptual Model
A&C Auto

186 E. Lewelling Boulevard· San Jose · California

FIGURE
5
Sep 18 , 2007
Project 06-137.06

Unified Soil Classification System

Major Divisions		LRT	ID	Description
Coarse Grained Soils	Gravel and Gravelly Soils	GW		Well-graded gravels or gravel sand mixtures, little or no fines
		GP		Poorly-graded gravels or gravel sand mixture, little or no fines
		GM		Silty gravels, gravel-sand-silt mixtures
		GC		Clayey gravels, gravel-sand-clay mixtures
	Sand and Sandy Soils	SW		Well-graded sands or gravelly sands, little or no fines
		SP		Poorly-graded sands or gravelly sands, little or no fines
		SM		Silty sands, sand, and silt mixtures
		SC		Clayey sands, and clay mixtures

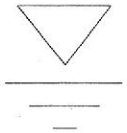
Major Divisons		LRT	ID	Description
Fine Grained Soils	Silts and Clays LL< 50	ML		Inorganic silts and very fine sands, rock flour, silty or clayey fine sands, or clayey silts with slight plasticity
		CL		Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays
		OL		Organic silts and organic silt-clays of low plasticity
	Silts and Clays LL>50	MH		Inorganic silts, micaceous or diaiomaceous fine or silty soils, elastic silts
		CH		Inorganic clays of high plasticity, fat clays
		OH		Organic clays of medium to high plasticity
Highly Organic Soils		Pt		Peat and other highly organic soils

Standard Penetration Split Spoon Sample 51mm (2.0 inch) O.D., 35mm (1.4 inch) I.D.

Modified California Sampler 64mm (2.5 inch) O.D., 51mm (2.0 inch) I.D.

Split Spoon Sampler 11/4" O.D., 51mm (2.0 inch) I.D.

No Recovery



Approximate water level first observed in boring

Approximate water level observed in boring following drilling

PID	=	Photo Ionization Detector (parts per million)
PEN	=	Pocket penerometer reading, in MPa
TV:Su	=	Torvane shear strenghth, in MPa
DS	=	Direct Shear
OVM	=	Organic Vapor Meter
TXUU'	=	Shear strength at failure with corresponding strain

EXPLORATORY BORING LOG

186 E. Lewelling Boulevard, San Lorenzo, CA

PID Reading ppm	Blows per foot	Sample N°	Depth/ft	Graphic Log	Soil Description
			0		3" of asphalt and 6" of baserock
					Brown silty sand, damp, no odor
0			5		
0					
			10		Brown clayey silty sand, damp, no odor
0					
			15		Brown sandy silty clay, moist, no odor
0					
0		SB1-20	20		Brown silty sandy clay, moist, stiff, no odor
0			25		The boring was terminated at 24' bellow ground surface and it was sealed with portland cement the same day.

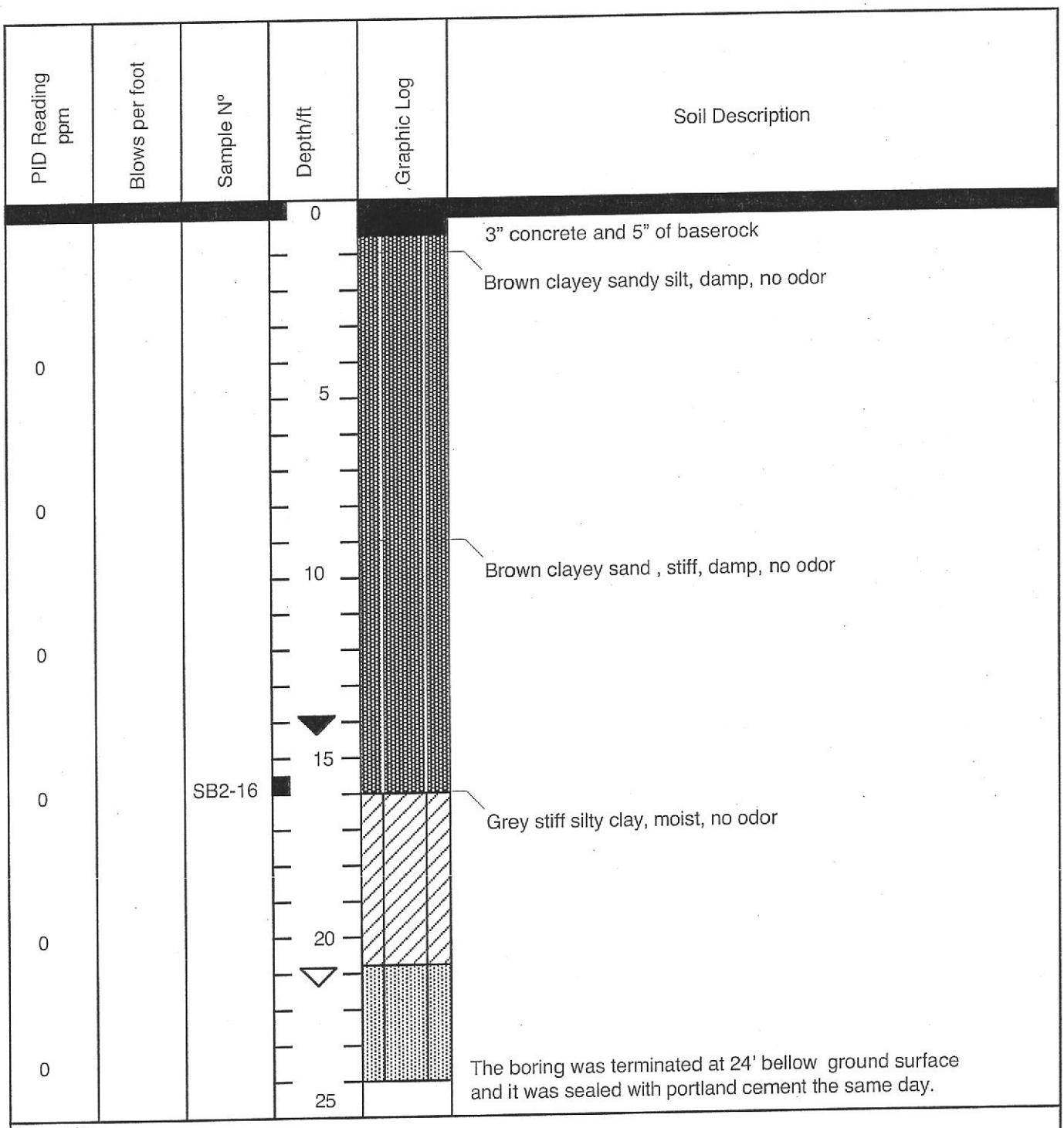
Remarks:

SIERRA ENVIRONMENTAL, INC.
Environmental Consultants

Page 1 of 1	Boring N°: SB1
Drilling Date : 05-29-07	Project N°: 06-137.06
Drilling Co. : Vironex	Field Personnel:M.H.

EXPLORATORY BORING LOG

186 E. Lewelling Boulevard, San Lorenzo,. CA



Remarks:

SIERRA ENVIRONMENTAL, INC.
Environmental Consultants

Page 1 of 1	Boring N°: SB2
Drilling Date : 05-14-07	Project N°: 06-137.06
Drilling Co. : Vironex	Field Personnel:M.H.

EXPLORATORY BORING LOG

186 E. Lewelling Boulevard, San Lorenzo, CA

PID Reading ppm	Blows per foot	Sample N°	Depth/ft	Graphic Log	Soil Description
			0		3" of asphalt and 6" of baserock
					Brown clayey sandy silt, damp, no odor
0			5		
0					
			10		
0					Brown sandy clayey silt, damp, no odor
			15		
0		SB3-17			Grey clayey sand, moist, no odor
0			20		
					Grey stiff silty clay, moist, no odor
0					The boring was terminated at 24' bellow ground surface and it was sealed with portland cement the same day.
			25		

Remarks:

SIERRA ENVIRONMENTAL, INC.
Environmental Consultants

Page 1 of 1	Boring N°: SB3
Drilling Date : 05-14-07	Project N°: 06-137.06
Drilling Co. : Vironex	Field Personnel:M.H.

EXPLORATORY BORING LOG

186 E. Lewelling Boulevard, San Lorenzo, CA

PID Reading ppm	Blows per foot	Sample N°	Depth/ft	Graphic Log	Soil Description
			0		3" of asphalt and 6" of baserock
					Brown clayey silt, damp, no odor
0			5		
0					Olive brown sandy silt, damp, no odor
			10		Olive brown clayey sandy silt, moist, no odor
0					
					Brown sand, wet, no odor
0		SB4-16	15		
			20		Grey stiff silty clay, moist, no odor
0					
					The boring was terminated at 24' bellow ground surface and it was sealed with portland cement the same day.
0			25		

Remarks:

SIERRA ENVIRONMENTAL, INC.
Environmental Consultants

Page 1 of 1	Boring N°: SB4
Drilling Date : 05-14-07	Project N°: 06-137.06
Drilling Co. : Vironex	Field Personnel:M.H.

EXPLORATORY BORING LOG

186 E. Lewelling Boulevard, San Lorenzo, CA

PID Reading ppm	Blows per foot	Sample N°	Depth/ft	Graphic Log	Soil Description
			0		5" of asphalt and 6" of baserock
					Dark brown silty clay, damp, no odor
0			5		
0					Olive brown clayey sandy silt, damp, no odor
			10		
0					
			15		
0					Brown clayey sand, moist, no odor
0		SB5-20	20		Grey clayey sand, moist, hydrocarbons odor
					Grey stiff silty clay, wet, no odor
0			25		The boring was terminated at 24' bellow ground surface and it was sealed with portland cement the same day.

Remarks:

SIERRA ENVIRONMENTAL, INC.
Environmental Consultants

Page 1 of 1	Boring N°: SB5
Drilling Date : 05-14-07	Project N°: 06-137.06
Drilling Co. : Vironex	Field Personnel:M.H.

EXPLORATORY BORING LOG

186 E. Lewelling Boulevard, San Lorenzo, CA

PID Reading ppm	Blows per foot	Sample N°	Depth/ft	Graphic Log	Soil Description
			0		3" of asphalt and 6" of baserock
					Brown silty sand, damp, no odor
0			5		
0					
			10		Brown clayey silty sand, damp, no odor
0					
			15		
0					Brown sand, moist, no odor
0		SB6-20	20		Brown stiff silty sandy clay, moist, no odor
					The boring was terminated at 24' bellow ground surface and it was sealed with portland cement the same day.
0					

Remarks:

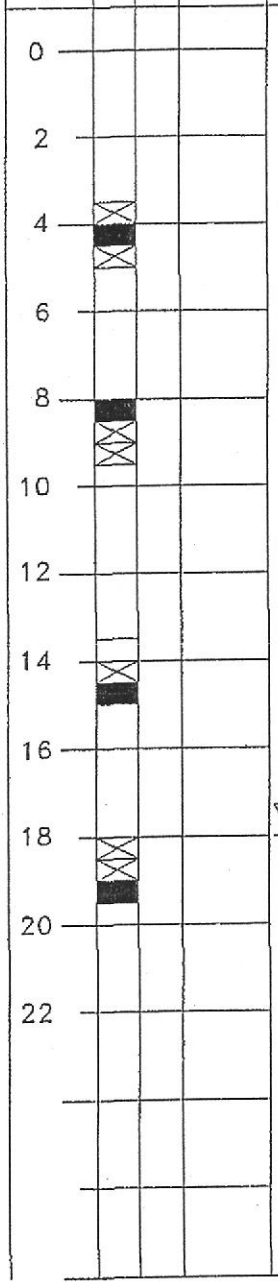
SIERRA ENVIRONMENTAL, INC.
Environmental Consultants

Page 1 of 1	Boring N°: SB6
Drilling Date : 05-29-07	Project N°: 06-137.06
Drilling Co. : Vironex	Field Personnel:M.H.

CET Environmental Services, Inc.
5845 Doyle Street, Suite 104
Emeryville, CA 94608
(510) 652-7001

BOREHOLE LOG

PROJECT NAME: GRAFFENSTATTE	PROJECT NUMBER: 3602-206	BOREHOLE NUMBER: MW1
PROJECT LOCATION: 186 E. LEWELLING BOULEVARD, SAN LORENZO, CALIFORNIA		
NOTES: NO HAMMER, NO BLOW COUNTS	LOGGED BY: BERMAN	DATE STARTED 06/15/94 TIME 09:45
*CUSTOM RIG: LIMITED ACCESS	EDITED BY: BERMAN	DATE COMPLETED 06/15/94 TIME: 11:05
	REVIEWED BY:	DATE BACKFILLED. TIME BY
	DRILLING CONTRACTOR: EXPLORATION GEOSERVICES	DRILL RIG TYPE: CUSTOM*
	TOTAL DEPTH [FT] 22.5	DEPTH TO WATER [FT]: DATE: TIME. NUMBER OF SAMPLES: 4
	SAMPLING METHOD MOSS CONTINUOUS SAMPLER	BOREHOLE DIAMETER [IN]. 8



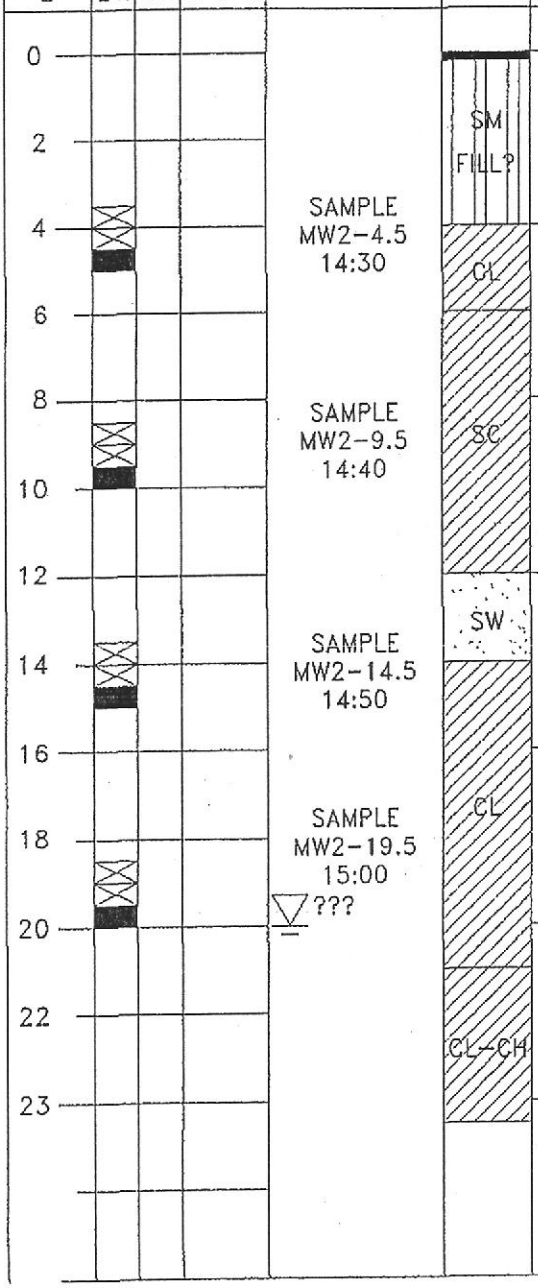
SOIL DESCRIPTION/CONDITIONS ENCOUNTERED/COMMENTS

0'-0.2'	ASPHALT
0.2'-1.5'	GRAVEL AND SOIL BASE FILL
1.5'-14'	CLAYEY SAND; DARK BROWN (10YR 3/3); 50% TO 70% VERY FINE SAND; MEDIUM DENSE; STIFF; MINOR ROOTLETS BEGINNING AT ~5'; SLIGHTLY DAMP.
14'-15'	SAND; DARK BROWN; ~99% VERY FINE TO FINE SAND; LOOSE TO MEDIUM DENSE; MINOR IRON STAINING; MOIST.
15'-21'	SILTY CLAY; DARK BROWN; MEDIUM PLASTICITY; FIRM TO STIFF; VERY MINOR IRON STAINING; SLIGHTLY DAMP. BEGINNING AT ~18'; VERY MINOR COMPONENT OF VERY FINE SAND; MINOR IRON STAINING; VERY MOIST TO WET.
21'-22.5'	SILTY CLAY; VERY DARK GRAY (5Y 3/1); VERY STIFF TO HARD; MEDIUM TO HIGH PLASTICITY; SLIGHTLY DAMP.
	B. O. H. @ 22.5'

CET Environmental Services, Inc.
5845 Doyle Street, Suite 104
Emeryville, CA 94608
(510) 652-7001

BOREHOLE LOG

PROJECT NAME: GRAFFENSTATTE	PROJECT NUMBER: 3602-206	BOREHOLE NUMBER: MW2
PROJECT LOCATION: 186 E. LEWELLING BOULEVARD, SAN LORENZO, CALIFORNIA		
NOTES: NO HAMMER, NO BLOW COUNTS	LOGGED BY: BERMAN	DATE STARTED: 06/14/94 TIME: 14:25
*CUSTOM RIG: LIMITED ACCESS	EDITED BY: BERMAN	DATE COMPLETED: 06/14/94 TIME: 15:00
	REVIEWED BY:	DATE BACKFILLED: TIME: BY:
	DRILLING CONTRACTOR: EXPLORATION GEOSERVICES	DRILL RIG TYPE: CUSTOM*
	TOTAL DEPTH [FT]: 23.5	DEPTH TO WATER [FT]: DATE: TIME: NUMBER OF SAMPLES: 4
	SAMPLING METHOD: MOSS CONTINUOUS SAMPLER	BOREHOLE DIAMETER [IN]: 8



SOIL DESCRIPTION/CONDITIONS ENCOUNTERED/COMMENTS

0'–0.2'	ASPHALT
0.2'–4'	SILTY SAND; VERY DARK BROWN (10YR 3/3); SLIGHTLY DAMP; ~50% TO 70% VERY FINE SAND(ENGINEERED FILL?).
4'–6'	SILTY CLAY; VERY DARK GRAYISH BROWN (2.5Y 3/2); MEDIUM PLASTICITY; SLIGHTLY DAMP.
6'–12'	CLAYEY SAND; DARK BROWN (10YR 3/3); 50% TO 70% VERY FINE SAND; SLIGHTLY DAMP.
12'–14'	SAND; BROWN (10YR 5/3); ~99% FINE SAND; MOIST.
14'–21'	CLAYEY SAND TO SANDY CLAY; DARK BROWN (10YR 3/3); ~20% TO 70% VERY FINE SAND.
	~19', AGED HYDROCARBON DISCOLORING, ODOR.
21'–23.5'	SILTY CLAY; VERY DARK GRAY (5Y 3/1); VERY STIFF TO HARD; MEDIUM TO HIGH PLASTICITY; SLIGHTLY DAMP.
	B. O. H. @ 23.5'

CET Environmental Services, Inc.
5845 Doyle Street, Suite 104
Emeryville, CA 94608
(510) 652-7001

BOREHOLE LOG

PROJECT NAME: GRAFFENSTATTE	PROJECT NUMBER 3602-206	BOREHOLE NUMBER: MW3
PROJECT LOCATION: 186 E. LEWELLING BOULEVARD, SAN LORENZO, CALIFORNIA		
NOTES NO HAMMER, NO BLOW COUNTS	LOGGED BY BERMAN	DATE STARTED 06/14/94 TIME 09:00
*CUSTOM RIG: LIMITED ACCESS	EDITED BY: BERMAN	DATE COMPLETED 06/14/94 TIME 13:15
	REVIEWED BY.	DATE BACKFILLED TIME BY
	DRILLING CONTRACTOR: EXPLORATION GEOSERVICES	DRILL RIG TYPE CUSTOM*
	TOTAL DEPTH [FT] 23.5	DEPTH TO WATER [FT] DATE TIME: NUMBER OF SAMPLES. 4
	SAMPLING METHOD MOSS CONTINUOUS SAMPLER	BOREHOLE DIAMETER [IN]: 8

DEPTH [FT]	INTERVAL RECOVERY	BLOW COUNT (PER 0.5 FT)	METER READING TYPE UNITS	SAMPLE DATA & REMARKS (IDENTIFICATION, COLLECTION TIME, GWL, ETC.)	USCS GRAPHIC	SOIL DESCRIPTION/CONDITIONS ENCOUNTERED/COMMENTS
0					FILL	0'–0.1' ASPHALT 0.1'–1.5' GRAVEL AND SOIL BASE FILL.
2						1.5'–12' CLAYEY SAND; BLACK (10YR 2/1); ~60% VERY FINE TO FINE SAND; DAMP; DARK BLUISH-GRAY AGED HYDROCARBON DISCOLORING TO ~4'; HYDROCARBON ODOR CONTINUOUS.
4				SAMPLE MW3-4.5 12:45		
6					SC	
8				SAMPLE MW3-9.5 12:50		
10						
12						12'–20.5'' SANDY CLAY; BLACK (10YR 2/1); ~20% TO 40% VERY FINE SAND; FIRM MATERIAL; DAMP TO MOIST.
14				SAMPLE MW3-14.5 13:00		
16					CL	
18				SAMPLE MW3-19.5 13:15		
20				▽???	SW	20.5'–21' SAND; DARK GRAY (5Y 4/1); ~95% VERY FINE SAND; SATURATED.
22					CL-CH	21'–23.5' SILTY CLAY; DARK GRAY (5Y 4/1); VERY STIFF TO HARD; MEDIUM TO HIGH PLASTICITY; DAMP.
23						B. O. H. @ 23.5'

CHROMALAB, INC.

Environmental Services (SDB)

June 29, 1994 *Submission #:* 9406199

CET ENVIRONMENTAL SERVICES, INC

Atten: Benjamin Berman

Project: 3602-206
Received: June 16, 1994

re: 9 samples for Gasoline and BTEX analysis.

Matrix: SOIL
Sampled: June 14, 1994 *Lab Run#:* 3227 *Analyzed:* June 28, 1994
Method: EPA 5030/8015M/8020

Lab #	SAMPLE ID	Gasoline (mg/Kg)	Benzene (ug/Kg)	Toluene (ug/Kg)	Ethyl Benzene (ug/Kg)	Total Xylenes (ug/Kg)
54980	MW2-9.5	N.D.	N.D.	N.D.	N.D.	12
54981	MW2-14.5	N.D.	N.D.	N.D.	N.D.	8.1
54982	MW2-19.5	8.5	13	14	120	50
54983	MW3-9.5	4.2	5.1	9.3	63	100
54984	MW3-14.5	120	N.D.	N.D.	520	640
Note: DETECTION LIMIT FOR BENZENE & TOLUENE IS 50ug/Kg						
54985	MW3-19.5	110	N.D.	N.D.	870	2300
Note: DETECTION LIMIT FOR BENZENE & TOLUENE IS 50ug/Kg						
54986	MW1-9.5	N.D.	N.D.	N.D.	N.D.	8.7
54987	MW1-14.5	N.D.	N.D.	N.D.	N.D.	N.D.
54988	MW1-19.5	N.D.	N.D.	N.D.	N.D.	N.D.
DETECTION LIMITS		1.0	5.0	5.0	5.0	5.0
BLANK		N.D.	N.D.	N.D.	N.D.	N.D.
BLANK SPIKE RECOVERY(%)		116	102	104	105	103

ChromaLab, Inc.

Jack Kelly
Chemist

Ali Kharrazi
Organic Manager

JACK 16:24:16

2239 Omega Road,#1 • San Ramon, California 94583
(510) 831-1788 • Facsimile (510) 831-8798
Federal ID #68-0140157

FACSIMILE TRANSMITTAL COVER SHEET

CET ENVIRONMENTAL SERVICES, INC.
5845 Doyle Street, Suite 104
Emeryville, California 94608
(510) 652-7001 FAX: (510) 652-7002

DATE: 11-6-95

FAX NO: 337-9335

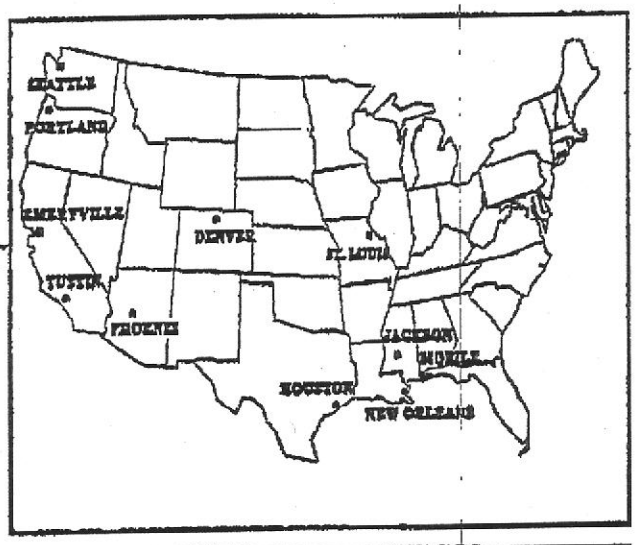
ATTN: Amy Leech

CO. NAME: Alameda County Health

FROM: Benjamin / Aaron

RE: Young Property, San Lorenzo

PAGES: 3
(including cover)



COMMENTS:

Groundwater and soil sample results, and soil boring locations. 186 E. Lewelling Blvd., San Lorenzo, CA.

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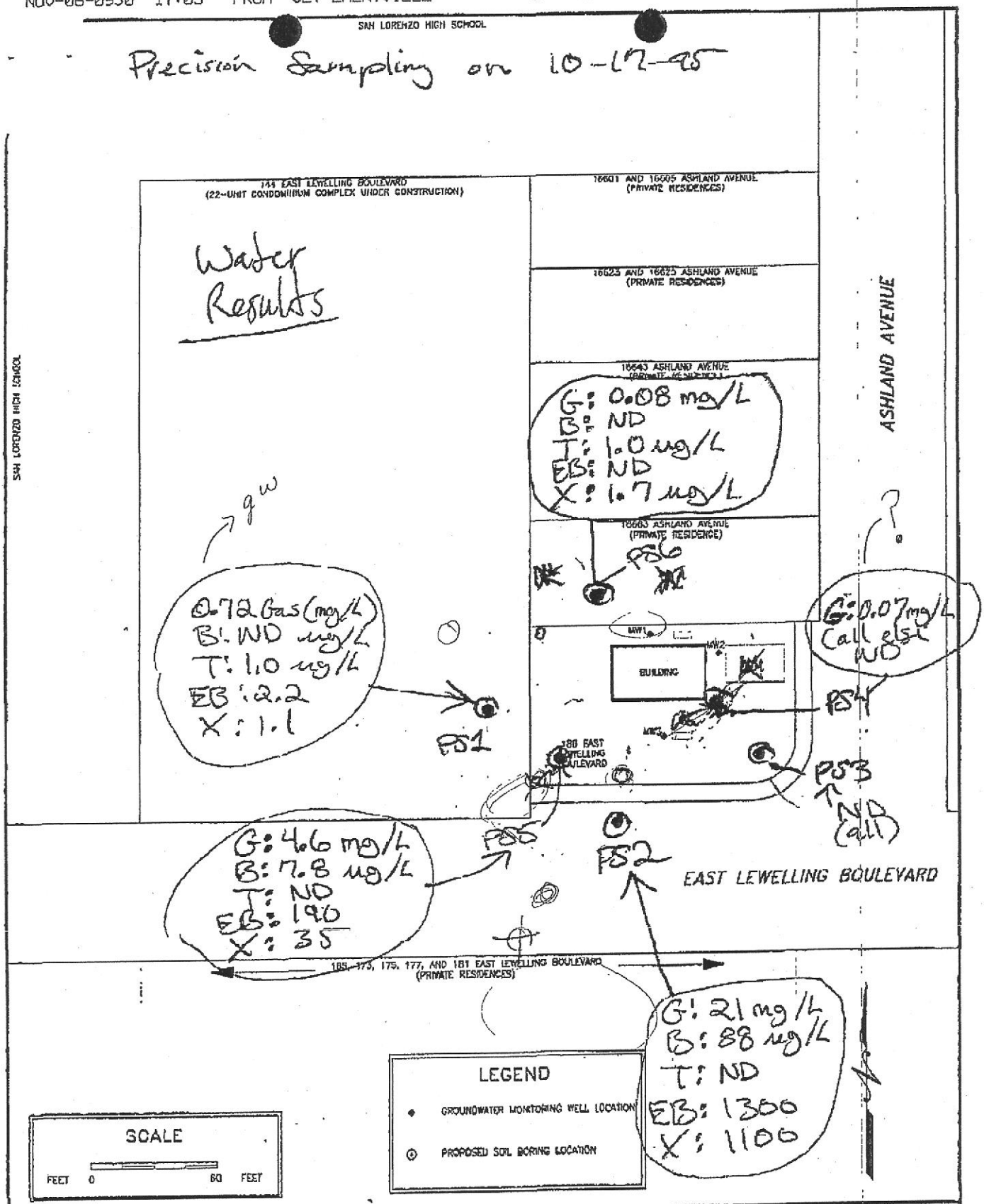
Precision Sampling on 10-17-95



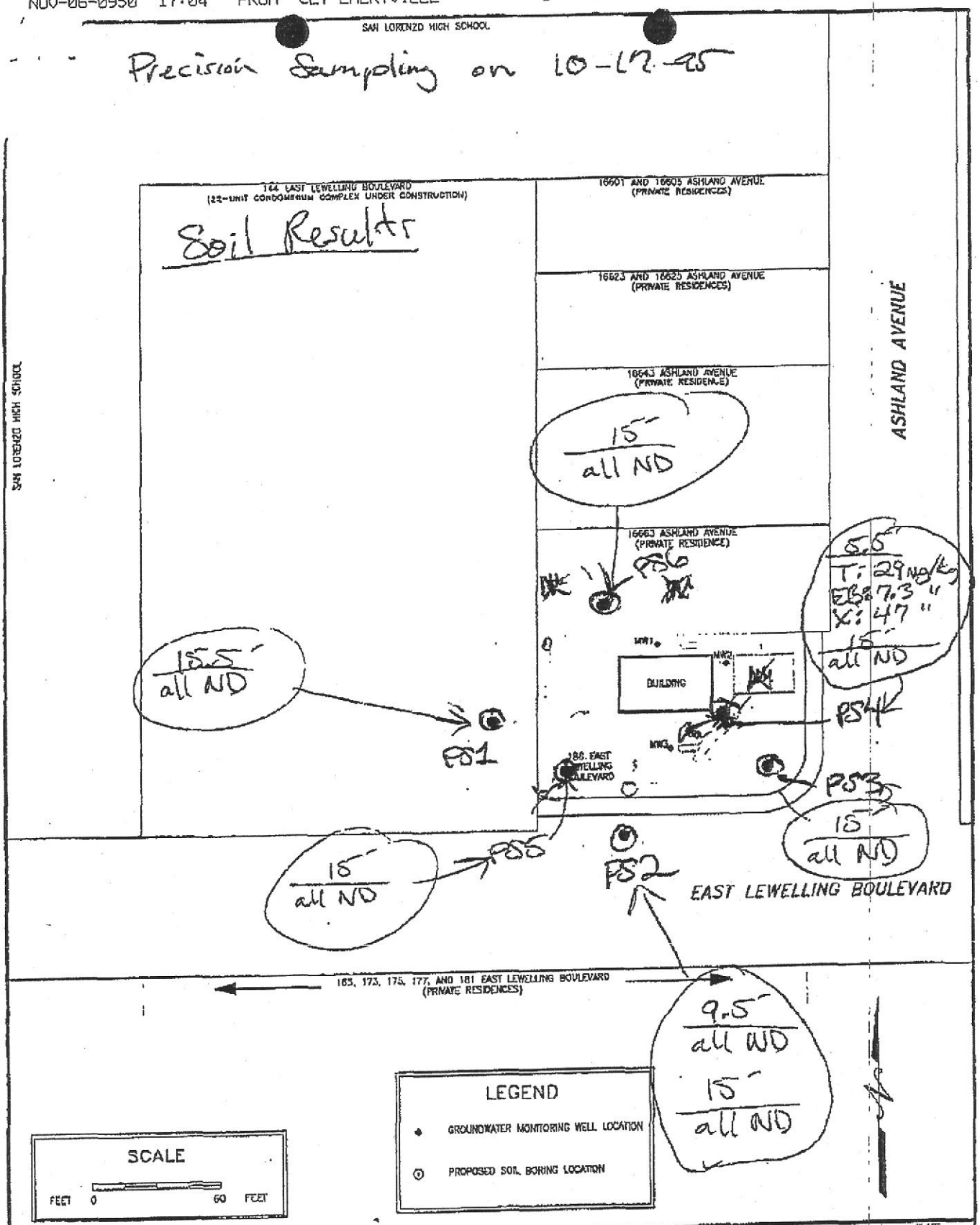
CET Environmental Services, Inc.

SITE VICINITY PLAN
PROPOSED SOIL BORING LOCATION
186 E. LEWELLING BLVD
SAN LORENZO, CALIFORNIA

PLATE 2

JOB NUMBER	DATE	DRAWING	BY	REVISED
~~3602~~ 3664	01/95	OFFSITE	LONG	05/11/95

Precision Sampling on 10-12-95

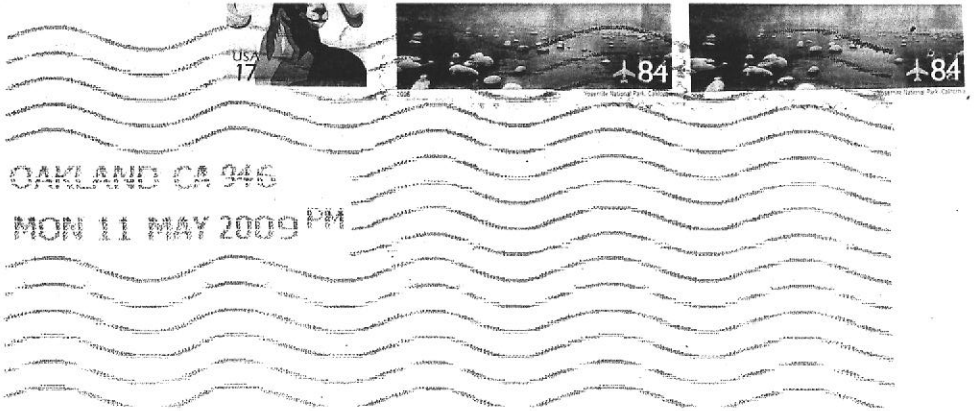


CET Environmental Services, Inc.

SITE VICINITY PLAN
PROPOSED SOIL BORING LOCATION
186 E. LEWELLING BLVD
SAN LORENZO, CALIFORNIA

PLATE 2

JOB NUMBER	DATE	DRAWING	BY	REVISED
~~3602~~	01/95	OFFSITE	LONG	05/11/95



ers
1600 Riviera Avenue, Suite 310
Walnut Creek, CA 94596

Mr. George Lockwood
State Water Resources Control Board
Division of Water Quality
PO Box 2231
Sacramento CA 95812

RECEIVED
MAY 1[illegible] 2009
DIVISION OF WATER QUALITY

SOUT
9-26-06

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

September 25, 2006

Mr. Carl and Donna Graffenstatte
Graffenstatte Corporation
PO Box 1295
Eatonville, WA 98328

Subject: Fuel Leak Case No. RO0000013, New Performance, 186 E Lewelling Blvd., San Lorenzo, CA

Dear Mr. Graffenstatte:

Alameda County Environmental Health Department (ACEH) staff have reviewed the case file and report entitled, "Fourth Quarter 2001 Groundwater Monitoring Report", dated June 15, 2002 and prepared on your behalf by Sierra Environmental Inc. Groundwater sampling conducted during December 2001 confirmed the presence of dissolved petroleum hydrocarbon contamination in onsite monitoring wells MW-2 and MW-3 at concentrations up to 24,000 µg/L TPHg, 8.1 µg/L benzene, 1,600 µg/L ethylbenzene and 4,000 µg/L xylenes, which all exceed -with the exception of benzene- the Environmental Screening Levels for sites with soil and groundwater contamination.

In May 1999 and again in February 2001, ACEH requested an additional soil and groundwater investigation to determine the extent of petroleum hydrocarbons contamination downgradient of the source area. ACEH does not agree with the conclusion that the site be considered as a low risk groundwater case. According to the California Regional Water Quality Control Board, San Francisco Bay Region; to consider a site a low risk groundwater case the following conditions must be satisfied:

1. The leak has been stopped and ongoing sources, including free product, removed or mitigated.
2. The site has been adequately characterized.
3. The dissolved hydrocarbon plume is not migrating.
4. No water wells, deeper drinking water aquifers, surface water or other sensitive receptor are likely to be impacted.
5. The site presents no significant risk to human health.
6. The site presents no significant risk to the environment

ACEH agrees that condition 1 has been satisfied. However, it is our opinion that conditions 2, 3, 4, 5, and 6 have not been adequately satisfied. In particular, because no investigation has been conducted immediately downgradient of the source areas, combined with extremely variable groundwater flow direction and inconsistent and incomplete groundwater analytical data, ACEH does not believe the subject site has been adequately characterized or the dissolved hydrocarbon plume has been accurately delineated.

Therefore, in the interest of moving your case through the regulatory process, ACEH request that an additional soil and groundwater investigation be completed to define the extent of soil and groundwater contamination downgradient of the source area. ACEH suggests the use of expedited site assessment techniques to delineate the vertical and horizontal extent of soil and groundwater contamination immediately downgradient of the source area. Furthermore, ACEH

considers the use of expedited site assessment an integral component in the site characterization process.

Based on ACEH staff review of the case file, we request that you address the following technical comments and prepare a work plan detailing work to be performed, and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to steven.plunkett@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Soil and Groundwater Investigation.** Results of previous investigative work performed at the site to date have been insufficient to adequately characterize the extent of soil and groundwater contamination. Additionally, the horizontal and vertical extent of soil and groundwater contamination has not been delineated for the site. Based on the concentrations of TPH and TPH constituents detected in the soil and groundwater, an additional investigation immediately downgradient of the source area is required to assess the extent of soil and groundwater contamination beneath your site.

   ACEH recommend that your investigation incorporate expedited site assessment techniques to collect soil samples and depth-discrete groundwater samples prior to the installation of groundwater monitoring wells. Expedited site assessment tools and methods are a scientifically valid and cost-effective approach to fully define the three-dimensional extent of groundwater contamination. Technical protocol for expedited site assessments are provided in the U.S. Environmental Protection Agency's "Expedited Site Assessment tools for Underground Storage Tanks: A Guide for Regulators," (EPA 510-B-97-001), dated March 1997. Other options for additional investigation or remediation may also be appropriate at your site. The Work Plan requested below is to include a detailed plan to characterize petroleum hydrocarbon contamination in soil and groundwater within the shallow soil and water bearing zones and possible deeper water-bearing zones immediately downgradient of the source area.

2. **Contamination Plume Delineation and Groundwater Flow Conditions.** The three dimensional extent of the dissolved petroleum hydrocarbon contamination has not been determined at the site. Results from the most recent groundwater monitoring conducted in December 2001 indicate that residual TPH and TPH constituents remains in groundwater beneath your site. There has been no data collected downgradient of the source area to determine the aerial extent of dissolved hydrocarbon contamination. ACEH believes the monitoring well network -in its current design- is insufficient to adequately define the extent of contamination downgradient of MW-3. To determine the extent of dissolved petroleum hydrocarbon contamination an additional soil and groundwater investigation is required downgradient of MW-3.

   Considering the variability of groundwater flow conditions that have been documented at the site. It is essential to evaluate the local geologic and hydrogeologic conditions that are present at the site, and thus determine the actual groundwater flow conditions. Review of groundwater elevations data in the vicinity of the subject site suggest the flow direction is toward the southwest, confirming that additional subsurface investigation is needed immediately downgradient to MW-3. We request that you use groundwater elevation data that

is available at other sites in the vicinity and detailed hydrogeologic cross sections to evaluate the groundwater gradient and groundwater flow conditions on site and immediately downgradient of the site. Each cross section should include the following:

a. Surface topography. The cross sections should be extended off-site where necessary to show significant breaks in slope.
b. Soil descriptions for all borings and wells along the line of section.
c. Screen and filter pack intervals for each monitoring well.
d. Sampling locations and results for soil and grab groundwater samples.
e. Site features such as the tank pit, dispensers, etc.
f. Where appropriate, monitoring well location and soil boring locations should be projected back to the strike of the cross section line.

Please discuss in detail your proposal to perform this work in the Work Plan requested below.

3. **Soil and Groundwater Sample Analysis.** All soil and groundwater samples to be collected during the investigation are to be analyzed for TPHg and TPHd by EPA Method 8015M or 8260, BTEX, EDB, EDC, MtBE, TAME, ETBE, DIPE, TBA and EtOH by EPA Method 8260 and total lead. Please present the results from the soil and groundwater sampling in the Soil and Groundwater Investigation Report requested below.

4. **Geotracker EDF Submittals** - A review of the case file and the State Water Resources Control Board's (SWRCB) Geotracker website indicate that electronic copies of analytical data have not been submitted for your site. Pursuant to CCR 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 LUFT program, must be transmitted electronically to the SWRCB Geotracker website via the internet. Additionally, beginning January 1, 2002, all permanent monitoring points utilized to collected groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level and latitude and longitude accurate to within 1-meter accuracy, using NAD 83, and transmitted electronically to the SWRCB Geotracker website. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). In order to remain in regulatory compliance, please upload all analytical data (collected on or after September 1, 2001), to the SWRCB's Geotracker database website in accordance with the above-cited regulation. Please perform the electronic submittals for applicable data and submit verification to this Agency by **October 30, 2006.**

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Mr. Steven Plunkett), according to the following schedule:

- **November 1, 2006** – Work Plan for Soil and Groundwater Investigation.
- **120 Days After Completion of Work Plan** – Soil and Groundwater Investigation Report

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

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. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

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. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for 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 monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

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.

Should you have any questions, do not hesitate to call me at (510) 383-1767.

Sincerely,

Steven Plunkett
Hazardous Materials Specialist

cc: Joel Greger
Geo-logic Consulting Services
1140 5th Avenue
Crockett, CA 94525

Donna Drogos, ACEH
Steven Plunkett, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

November 14, 2006

Mr. Carl and Donna Graffenstatte
Graffenstatte Corporation
PO Box 1295
Eatonville, WA 98328

Subject: Fuel Leak Case No. RO0000013, New Performance, 186 East Lewelling Blvd., San Lorenzo, CA – Work Plan Approval

Dear Mr. Graffenstatte:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site and the document entitled, "Work Plan For Soil and Groundwater Investigation," dated October 30, 2006. The scope of work for the SWI proposes the installation of six soil borings immediately downgradient of the subject site. Soil and grab groundwater sampling will be conducted to determine the lateral and vertical extent of residual petroleum hydrocarbon contamination in the vicinity of the former UST tank pit and fuel dispenser island. ACEH generally concurs with the proposed scope of work as stated in the Work Plan, provided the following technical comments are addressed prior to the implementation of the Work Plan.

We request that you perform the proposed work, and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to steven.plunkett@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Monitoring Well Rehabilitation and Redevelopment.** ACEH requests that prior to monitoring well sampling, all onsite monitoring wells should be rehabilitated and/or redeveloped; thus allowing the collection of a representative sample of formation groundwater. During well redevelopment, water quality parameter such as temperature, pH, conductivity and turbidity should be recorded after each well volume. Note that well redevelopment may require additional well volumes be removed to assure that water quality parameters are satisfied. Please present the results of the well redevelopment and rehabilitation activities in the Soil and Groundwater Investigation report requested below.

2. **Characterization of Local Hydrogeology and Groundwater Flow Conditions**

   The purpose of this characterization is to understand the physical and geochemical characteristics of the subsurface, which may affect groundwater flow, the breakdown (fate), migration (transport), and the distribution of contaminants through the subsurface.

Additionally, factors such as water level fluctuations, gradient changes, local hydrogeology, groundwater extraction, and groundwater recharge activities (natural and artificial) can significantly alter groundwater flow conditions.

ACEH requests that you properly characterize the hydrogeology and groundwater flow conditions in the vicinity of your site. During SWI activities, we request that you gather detailed lithologic information using borings or cone penetrometer together with other methods to understand the hydrogeology at your site. We recommend that you continuously core borings at this site and prepare detailed boring logs. We require that you prepare the following: detailed cross-sections, fence diagrams, and rose diagrams for groundwater gradient. The rose diagram shall be plotted on groundwater contour maps and updated in all future reports submitted for your site. Include plots of the contaminant plumes on your maps, cross-sections, and diagrams.

While geologic and lithologic data collected at nearby sites is important to understand regional hydrogeology and groundwater flow conditions, significant variations in lithology can occur over a very limited area. Therefore, ACEH considers site-specific geologic and lithologic data integral in the site characterization process. Geologic and hydrogeologic data collected during the investigation should be used to target discrete hydeogeologic units for depth discrete groundwater sampling.

We also request that you evaluate local groundwater flow conditions that are dependent on geologic conditions and reflected on detailed geologic cross-sections and fence diagrams. Additional piezometers and/or monitoring wells/well clusters may be required to understand local groundwater flow conditions. Please present the results from the soil and groundwater investigation in the SWI Report requested below.

3. **Groundwater Sampling and Analysis.** All groundwater samples to be collected during well rehabilitation and grab groundwater sampling are to be analyzed for TPHg and TPHd by EPA Method 8015M or 8260, BTEX, EDB, EDC, MtBE, TAME, ETBE, DIPE, TBA and EtOH by EPA Method 8260 and total lead. Please present the results from soil and groundwater sampling in the SWI Report requested below.

4. **Soil Boring Locations and Soil Sampling.** At present, very limited off site investigation has been conducted to determine the lateral and vertical extent of petroleum hydrocarbon impacts to soil and groundwater downgradient of the site. Please discuss in detail your rational for choosing the soil boring locations in their current configuration.

   During the soil boring installation, soil samples should be screened with a Photo-Ionizing Detector (PID) and examined for visible staining and hydrocarbon odor. If any interval where staining, odor, or elevated PID readings occur a soil sample is to be collected and submitted for laboratory analysis. If no staining, odor, or elevated PID readings are observed, soil sample are to be collected from each boring at the capillary fringe, where groundwater is first encountered, at changes in lithology and at total depth of the soil boring. All soil samples must be analyzed for the following constituents; TPHg and TPHd by EPA Method 8015M or 8260, BTEX, EDB, EDC, MtBE, TAME, ETBE, DIPE, TBA and EtOH by EPA Method 8260 and total lead.

Review of Figure 3 from the Work Plan, which identifies the proposed soil boring locations, does not delineate the site boundary as a frame of reference for the soil boring locations. Also, the aerial photo (dated 1965) does not accurately represent current land use conditions downgradient of the subject property. Furthermore, the scale of Figure 3 (1"=282') indicates that the linear distance between soil borings SB2 and SB4 would be approximately 80 feet. This linear separation may not provide accurate characterization of the dissolved petroleum hydrocarbon contamination plume. Moreover, the proposed soil boring locations may miss the dissolved petroleum hydrocarbon plume completely. Lastly, ACEH requests that you provide a detailed site plan showing the site boundary, proposed soil boring location, site buildings, former UST and fuel dispensers locations, soil boring locations from previous investigations, monitoring well locations and projected groundwater flow direction. The revised Figure 3 combined with a detailed discussion for the selection of soil boring locations must be submitted as a Revised Work Plan requested below.

5. **Sensitive Receptor Survey.** In addition to the evaluation proposed by Sierra Environmental, ACEH recommends that the well survey should include well data from California Department of Water Resource well database and Alameda County Department of Public Works. Please present the results of the sensitive receptor survey in the SWI requested below.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Steve Plunkett), according to the following schedule:

- **November 30, 2006** – Revised Work Plan for Soil and Groundwater Investigation
- **January 30, 2007** – Soil and Groundwater Investigation Report

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) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy 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 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, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF

format). Please visit the State Water Resources Control Board for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

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.

If you have any questions, please call me at (510) 383-1767.

Sincerely,

Steven Plunkett
Hazardous Materials Specialist

cc: Mr. Reza Baradaran
Sierra Environmental Inc.
980 W. Taylor Street
San Jose, Ca 95126

Donna Drogos, ACEH
Steven Plunkett, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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December 29, 2008

Mr. Carl and Donna Graffenstatte
Graffenstatte Corporation
PO Box 1295
Eatonville, WA 98328

Wai Yee Young
4230 Harbor View Avenue
Oakland, CA 94619

Subject: Fuel Leak Case No. RO0000013 (Global ID# T0600100961), New Performance, 186 East Lewelling Blvd., San Lorenzo, CA 94580

Dear Mr. Graffenstatte:

Alameda County Environmental Health (ACEH) staff has reviewed the case file and the document entitled "Subsurface Investigation and Site Conceptual Model," received October 2, 2007 and prepared by Sierra Environmental Inc. (Sierra). Results from the investigation indicate that residual contamination in soil and groundwater remains in place beneath your site. In particular, groundwater analytical data collected from soil boring SB5 indicates that the lateral extent of contamination is undefined downgradient of your site. Therefore ACEH requests that prepare a work plan that details your proposal to evaluate the lateral extent of dissolved phase petroleum hydrocarbon plume.

Based on ACEH staff review of the case file, we request that you address the following technical comments and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to mail to: steven.plunkett@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Source Area Characterization**. Monitoring well MW-3 detected TPHg contamination in source area soil at 19.5 feet bgs., at concentrations up to 110 mg/kg. Residual TPHg contamination in the source area at 19.5 feet bgs indicates that the vertical extent of contamination in soil remains undefined beneath your site. Therefore, we request that you prepare a work to define source area soil contamination below 20 feet bgs. Please submit the work plan according to the schedule outlined below.

2. **Dissolved Contaminant Plume Characterization.** During a previous site investigation completed in October 2007, six soil borings were installed to evaluate soil and groundwater contamination downgradient of your site. Groundwater samples collected from borings SB1 and SB5 detected elevated levels of TPHg at concentrations up to 1,200 µg/L.and 11,000 µg/L, respectively. The lack of groundwater data downgradient of boring SB5 indicates that the lateral and vertical extent of the dissolved phase contamination plume is undefined. Therefore, we request that you prepare a work plan to define the lateral and vertical extent of the dissolved phase hydrocarbon plume. Please submit a work plan according to the schedule outlined below.

3. **Environmental Screening Levels (ESLs)**. To evaluate soil analytical data, Sierra has proposed ESLs that reflect a commercial/industrial setting. While the site is currently an auto repair shop (commercial/industrial), groundwater data from your site indicates that the dissolved contaminant plume has migrated to the surrounding residential properties. Therefore residential ESLs must be used. Furthermore, Sierra utilizes ESLs

for groundwater that is not a current or potential source of drinking water. ACEH request that you use ESLs consistent with the San Francisco Basin Plan which reflect this sites location as a current or potential source of drinking water.

4. **Site Conceptual Model (SCM)**. Sierra states in the SCM that the East Bay Plain groundwater basin may be used for domestic or irrigation purposes and that there is very little use of groundwater in the East Bay Plain. However, Sierra then states that groundwater flow direction at the site fluctuates, possibly due to groundwater extraction and irrigation in the area, which contradicts their previous statement. Furthermore, groundwater from the East Bay Plain is utilized for beneficial use. Please provide data to support your hypothesis that offsite groundwater pumping may be exacerbating plume migration issues.

   ACEH concurs that historic groundwater elevation ≈13feet bgs likely preclude underground utilizes from acting as a preferential pathway for offsite plume migration. In addition, Sierra identified San Lorenzo Creek as a sensitive receptor and that there is a potential risk to the aquatic habitat from offsite plume migration. ACEH requests that you evaluate any potential threats to San Lorenzo Creek that may be a result of the unauthorized release associated with your site. Please present the results from your evaluation of possible groundwater extraction and the potential impacts to San Lorenzo Creek in the work plan requested below.

5. **Extended Site Maps**. Please prepare extended site maps utilizing aerial photos as base maps, that show nearby buildings and structures, roads and other facilities in the vicinity of your site. Please present these figures in the work plan requested below.

6. **Analytical Data Reporting**. In future reports please report non-detect (ND) soil and groundwater analytical results as less than laboratory detection limit values in tabulated tables with all constituents listed.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Mr. Steven Plunkett), according to the following schedule:

- **April 1, 2009** – Work Plan

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.

If you have any questions, please contact me at (510) 383-1767 or send me an electronic mail message at steven.plunkett@acgov.org.

Sincerely,

Steven Plunkett
Hazardous Materials Specialist

Donna L. Drogos, PE
Supervising Hazardous Materials Specialist

cc: Mitch Hajiaghai, Sierra Environmental Inc., 980 W. Taylor Street, San Jose, CA 95126
Donna Drogos, Steven Plunkett, File