



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

December 15, 2015

MCG Investments LLC
c/o Mr. Walter Merkle
123 Estudillo Avenue
San Leandro, CA 94577

Shirley J Davini & Dorothy D McGuire
123 Estudillo Avenue
San Leandro, CA 94577

Mr. David Davini
Loretta A McGrath Family Trust
Address Unknown

Subject: Conditional Work Plan Approval; Fuel Leak Case No. RO0000063; (Global ID # T0600102099); McGrath Steel Company, 6655 Hollis Street, Emeryville, CA 94608

Dear Ladies and Gentlemen:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site including the *First Semiannual 2015 Groundwater Monitoring Report*, dated May 15, 2015 (received September 24, 2015), and the *Data Gap Investigation Workplan*, dated October 30, 2015. Both reports were prepared and submitted on your behalf by AllWest Environmental, Inc. (AllWest). Thank you for submitting the reports. Both reports were submitted as the result of a meeting that occurred on August 7, 2015 in the offices of your attorney, Mr. Jon Wactor.

The work plan proposed the installation of one soil bore (SB-26) to a depth of 25 to 30 feet below grade surface (bgs), the installation of six temporary soil vapor probes along the northern and western edges of the property to approximately 5 feet bgs, and the concurrent construction of five semi-permanent sub-slab vapor points or vapor pins along the same property margins.

Based on ACEH staff review of the work plan, the proposed scope of work is conditionally approved for implementation provided that the technical comments below are incorporated during the proposed work. Submittal of a revised work plan or a work plan addendum is not required unless an alternate scope of work outside that described in the work plan or these technical comments is proposed. We request that you address the following technical comments, perform the proposed work, and send us the report described below. Please provide 72-hour advance written notification to this office (e-mail preferred to: mark.detterman@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Work Plan Modifications** – The referenced work plan proposes a series of actions with which ACEH is in general agreement; however, ACEH requests several modifications to the approach. Please submit a report by the date identified below.
 - a. **Soil Selection Protocols** – The work plan proposes to collect three soil samples in soil bore SB-26 at predetermined depth intervals. To eliminate miscommunication ACEH requires that soil samples be collected and submitted for analysis, at signs of contamination (odor, discoloration, PID responses, etc.), at significant changes in lithology, and just above groundwater. Additionally to conform to the Low Threat Closure Policy (LTCP), soil samples are required in the 0 to 5 and the 5 to 10 foot depth intervals; however, please be aware that delineating the vertical extent of soil contamination additionally remains a standard requirement.
 - b. **Groundwater Collection From SB-26** – Soil bore SB-26 has been proposed to be installed to an approximate depth of 25 to 30 feet bgs for the purpose of the collection of groundwater. Depth to water appears to be highly variable at the site and vicinity. It is therefore important to allow sufficient time for groundwater at shallower depths to appear within the proposed borehole prior to extending the bore to 25 to 30 feet bgs in order to obtain an additional groundwater sample.

- c. **Temporary Soil Vapor Probes** - The work plan proposed the installation of six temporary soil vapor probes to a depth of approximately 5 feet bgs. Please be aware that the LTCP requires soil vapor to be collected five feet below existing building foundations. Therefore to adhere to the LTCP, ACEH will require the vapor probes to be installed to a depth five feet below building foundations. This may require an investigation into the nature of the building foundation, which should be documented in the report requested below; for example spread footings typically are approximately 18 inches deep thus necessitating a vapor probe installation depth of 6.5 feet.
- d. **Additional Soil Sampling** – As noted above, the work plan proposed the installation of six temporary soil vapor probes. In order to adhere to the LTCP, ACEH requires the collection and laboratory analysis of soil from each probe at signs of contamination (odor, discoloration, PID responses, etc.), and at significant changes in lithology. This data is expected to determine the potential extent or presence of a vapor bioattenuation zone at the site as required by the LTCP analysis.
- e. **Vapor Probe Analytical Suite** – The work plan proposes to analyze soil vapor for Total Petroleum Hydrocarbons as gasoline (TPHg), benzene, toluene, ethylbenzene, and total xylenes (BTEX), methyl tert-butyl ether (MTBE), and naphthalene by TO-15(M).

In addition ACEH requests the collection of soil gases (oxygen, carbon dioxide, and methane) in order to determine if a sufficient vapor bioattenuation zone is present beneath the site, and to determine if petroleum biodegradation by-products are present or represent a potential hazard at the site.

In order to remain consistent with existing revised Department of Toxic Substance Control (DTSC; *Advisory – Active Soil Gas Investigations*, July 2015, Appendix B) guidance for Nylaflow tubing (in regards to naphthalene adhesion to the tubing), ACEH also requires that naphthalene laboratory analysis is additionally conducted by Method TO-17. This is expected to provide multiple lines of evidence for concentrations of naphthalene, and to gather the data quickly in one mobilization.

- f. **Shroud Helium Tracer Concentration** – In the event helium (or another tracer) is detected in a vapor sample, revised DTSC documents (2015, op. cite; Appendix D) provide guidelines for the acceptability of the soil vapor result provided the shroud (helium) tracer concentration is known. Therefore, in order to increase the likelihood of the collection of acceptable data in one mobilization, ACEH requests that the tracer concentration in the shroud be documented from a minimum of 50% of the vapor samples rather than the proposed one ambient sample. While a 100% conformance to DTSC guidelines is preferred, this modification is required to ensure consistent tracer use methodology during the vapor sampling program.
2. **Semi-Annual Groundwater Monitoring** – Please resume groundwater monitoring of all site vicinity wells on a semi-annual basis, and continue analytical analysis for all chemicals of concern at the site. Please sample groundwater in the months of August and February of each year until otherwise arranged. Please include a table reporting the total volume of free-phase and groundwater removed during each servicing of the free-phase passive skimmer (past and future) in these groundwater monitoring reports. Please submit semi-annual reports by the dates identified below.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with Attachment 1 and the specified file naming convention below, according to the following schedule:

- **February 29 2016** – Site Investigation Report
File to be named: RO63_SWI_R_yyyy-mm-dd
- **May 20, 2016** – Semi-Annual Groundwater Monitoring Report
File to be named: RO63_GWM_R_yyyy-mm-dd
- **November 4, 2016** – Semi-Annual Groundwater Monitoring Report
File to be named: RO63_GWM_R_yyyy-mm-dd

Ladies and Gentlemen
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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.

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>. If your email address does not appear on the cover page of this notification, ACEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

If you have any questions, please call me at (510) 567-6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,

Mark E. Detterman, PG, CEG
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations and
Electronic Report Upload (ftp) Instructions

cc: Leonard Niles, AllWest Environmental, Inc, 530 Howard Street, Suite 300, San Francisco, CA
94105; (sent via electronic mail to: leonard@allwest1.com)

Dilan Roe, ACEH, (sent via electronic mail to: dilan.roe@acgov.org)
Mark Detterman (sent via electronic mail to mark.detterman@acgov.org)
Electronic File, GeoTracker

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

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.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/).

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: May 15, 2014
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 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 as they are NOT being supported at this time.
 - 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.