

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

REBECCA GEBHART, Acting Director



ENVIRONMENTAL HEALTH DEPARTMENT
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
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March 30, 2016

City of Emeryville
Successor to Emeryville Redevelopment Agency
c/o Nancy Humphrey
1333 Park Ave.
Emeryville, CA 94608
(sent via electronic mail to: nhumphrey@ci.emeryville.ca.us)

Park Emery Assoc. LTD Partnership
Address Unknown

Longs Drug Stores California, Inc.
c/o CVS #9553-01
Attn: Nadine.King@CVSCaremark.com
One CVS Drive, Mail Code 2340
Woonsocket, RI 02895

Subject: Conditional Work Plan Approval; Fuel Leak Case No. RO0000068 and GeoTracker Global ID T0600101848, City of Emeryville Fire Station, 4331 San Pablo Avenue, Emeryville, CA 94608

Dear Responsible Parties:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the *Data Gap Investigation Work Plan and Focused Site Conceptual Model*, dated February 4, 2016. The work plan proposed the installation of two soil bores and soil and grab groundwater sampling downgradient of the former underground storage tank (UST) location and the waste oil sump. Laboratory analysis was proposed to include Total Petroleum Hydrocarbons (TPH) as gasoline, as diesel, and as motor oil, benzene, toluene, ethylbenzene, total xylenes (BTEX), methyl tert butyl ether (MTBE), and naphthalene. The work plan additionally proposed conducting a water well and surface water body survey within ¼-mile of the site. With respect to the Low Threat Closure Policy (LTCP), the focused Site Conceptual Model (SCM) indicated that the site may not meet General Criteria d (free product has been removed to extent practicable) and f (secondary source removal to extent practicable), the Groundwater Media Specific Criteria (plume length determination, presence of any free product, plume stability, and others), the Vapor Intrusion Media Specific Criteria, and the Direct Contact and Outdoor Air Criteria, but proposed no current actions pending the availability of more recent site analytical data.

Based on ACDEH 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. **Conditional Work Plan Approval** – The referenced work plan proposes a several actions with which ACEH is in general agreement of undertaking; however, ACEH requests several modifications to the approach. Please submit a Site Investigation Report by the date identified below.
 - a. **Analytical Suite** – The referenced work plan did not recommend inclusion of chlorinated volatile organic compounds in the analytical suite as they have previously not been reported at the site.

Conversely ACDEH bases analytical requests on standard analytical suites required at the time of tank or sump removal. Because the sump is reported to have been used for waste oil and transmission fluids collection, and chlorinated VOC compounds do not appear to have been previously analyzed for in conjunction with the sump at the site. Thus it appears appropriate to conduct a minimum of one event with chlorinated VOCs analysis included.

- b. Soil Selection Protocols** – The work plan proposes to collect soil samples in the 0 to 5 and the 5 to 10 foot depth zones. To eliminate miscommunication ACDEH 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. Consistent with the LTCP, soil samples are required at indications of contamination 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 remains a standard requirement.
- c. Water Well Survey** – In addition to a surface water body survey, the referenced work plan states that a water well survey will be conducted within an area ¼-mile in radius. To clarify, ACDEH requires utilization of both the Alameda County Public Works Agency (ACPWA) and the Geotracker Ambient Monitoring and Assessment Program (GAMA) databases. The databases are sufficient different to yield results of interest.

In order to enable a rapid assessment of the results, ACDEH requests that all deep wells and cathodic protection wells found be plotted on a vicinity map, and the data be tabulated. Please be aware that shallow, typically environmental case related wells, do not need to be included on the map or table; ACDEH is typically concerned with the protection of deep water bearing zones.

TECHNICAL REPORT REQUEST

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

- **June 10, 2016** – Site Investigation Report
File to be named: RO63_SWI_R_YYYY-MM-DD

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 is not listed on the first page of this letter, or in the list of cc's listed below, ACEH is requesting your email address to help expedite communications and to help lower overall costs.

Thank you for your cooperation. Should you have any questions, please contact 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: Xinggang Tong, OTG Engineering, Solutions, Inc, 770 Edgewater Drive, Suite 260, Oakland, CA 94621
(sent via electronic mail to xtong@otgenv.com)

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

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.