



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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September 20, 2012

Mr. Robert Stetson
Kelly Moore Painting Co, Inc.
987 Commercial Street
San Carlos, CA 94070

Mr. Vern Willirich
Firestone Tire & Rubber Co.
Address unknown

Mr. Harry Eberlin
9581 La Jolla Farms
La Jolla, CA 92037

(sent via electronic mail to rstetson@kellymoore.com)

Subject: Request for Site Conceptual Model; Fuel Leak Case No. RO0000119 (Global ID # T0600101674), Firestone #3655, 969 San Pablo Avenue, Albany, CA 94706

Dear Messrs. Stetson, Willrich, & Eberlin:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the *Preferential Pathway Survey (PPS) and Sensitive Receptor Survey (SRS)*, dated May 31, 2012, and the *Soil Gas Sampling and Analysis, Results Interpretation, and Technical Report*, dated July 9, 2012. The documents were submitted on your behalf by ProTech Consulting & Engineering (ProTech). Thank you for submitting the reports.

The soil gas sampling report documented the installation of eight vapor points, including two beneath the subject building in proximity to residual contamination left in-place due to foundation structural concerns. Five were installed to a standard depth of 5 feet below grade surface (bgs) at potentially suspect locations around the former location of the waste oil UST, and two were installed at a depth of 18-inches beneath the building. All detected BTEX and chlorinated VOCs at concentrations substantially below residential ESLs. Three of the vapor locations contained detectable concentrations of the leak check compound; however, two of these detections were sufficiently low in concentration and may not substantially affect data analysis. The conduit survey indicates that the combined sanitary sewer- storm drain line is at an approximate depth of 15 feet below grade surface (bgs), while groundwater is generally encountered at a depth of approximately 10 feet bgs, and the line is located directly downgradient of the source and groundwater plume.

Based on the review of the case file ACEH requests that you address the following technical comments and send us the documents requested below.

TECHNICAL COMMENTS

- 1. Electronic Report and Data Upload Compliance** – A review of the case file and the State's Geotracker database indicates that the site is not in full compliance with previous directive letters. Compliance is a State requirement. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, 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 UST or LUST program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs, including SLIC programs. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites was required in GeoTracker. At present missing data and documents include, but may not be limited to, older reports, all EDF submittals, all GEO_WELL data, and all bore logs. **Compliance is required by the State.** Please see Attachment 1 for limited additional details, and the state GeoTracker website for full details. ACEH requests notification of, and a list of, the documents uploaded to Geotracker. Please upload all submittals to GeoTracker as well as to ACEH's ftp website by the date specified below.

- 2. Request for an SCM and Data Gap Work Plan** - As discussed in a previous directive letter, ACEH is in concurrence with the recommendation that a Site Conceptual Model (SCM) be completed for the site. ACEH requests the SCM be combined with a data gap work plan in order to fill any apparent data gaps.

A SCM synthesizes all the analytical data and evaluates all potential exposure pathways and potential receptors that may exist at the site, including identifying or developing any appropriate site cleanup objectives and goals. At a minimum, the SCM should include the following:

- a. Local and regional plan view maps that illustrate the location of sources (former facilities, piping, tanks, etc.) extent of contamination, direction and rate of groundwater flow, potential preferential pathways, and locations of receptors;
- b. Geologic cross section maps that illustrate subsurface features, man-made conduits, and lateral and vertical extent of contamination;
- c. Plots of chemical concentrations versus time;
- d. Plots of chemical concentrations versus distance from the source;
- e. Complete summary tables of chemical concentrations in different media (i.e. soil, groundwater, and soil vapor); and
- f. Copies of well logs, boring logs, and well survey maps;
- g. Discussion of likely contaminant fate and transport, and
- h. Identification of any remaining data gaps (i.e. downgradient delineation of hydraulic oil in soil and groundwater [hydraulic lift soil sample #1-2 contained 1,400 mg/kg at a location a number of feet below groundwater], contaminant migration along preferential pathways such the sanitary sewer / storm drain system, or other).

Data gaps noted by ACEH include the following; however, are not limited to the following observations:

- a. **Appropriate Analytical Suite** – As discussed in a previous directive letter (April 27, 2011) ACEH has previously requested inclusion of TPH as motor oil (TPHmo) and TPH as hydraulic oil (TPHho) in the analytical suite due to the lack of previous analysis for TPHmo in the analytical suite at the former waste oil UST. TPH hydraulic oil also does not appear to have been incorporated in the sampling program previously as stated in intent in the *Hydraulic Lift Removal Letter Report* dated December 23, 1998. A hydrocarbon fingerprint may be appropriate to type the carbon range of any detectable petroleum hydrocarbon in groundwater at the site. Inclusion of these additional appropriate analytes in future groundwater sampling events is dependent on the results of this request; both the sampling interval and analytes requested are subject to modification. Please additionally incorporate Silica Gel Cleanup in to this extractable-range analytical suite.

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 the following specified file naming convention and schedule:

- **October 19, 2012** – Geotracker Submittal Notification
File to be named: RO119_CORRES_L_yyyy-mm-dd
- **November 9, 2012** – Annual Groundwater Monitoring Report
File to be named: RO119_GWM_R_yyyy-mm-dd
- **November 16, 2012** – SCM and Data Gap Work Plan
File to be named: RO119_SCM_WP_R_yyyy-mm-dd

- **Sixty Days After SCM and Data Gap Work Plan Approval – Site Investigation Report**
File to be named: RO3009_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 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.

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
Electronic Report Upload (ftp) Instructions

cc: Sherwood Lovejoy, Jr., TCG / ProTech - North Bay, 394 Cecilia Way, Tiburon, CA 94920
(sent via electronic mail to protech@tcg-international.com)

Donna Drogos, (sent via electronic mail to donna.drogos@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/DATA REQUESTS

These reports/data are being requested pursuant to Division 7 of the California Water Code (Water Quality), Chapter 6.7 of Division 20 of the California Health and Safety Code (Underground Storage of Hazardous Substances), and Chapter 16 of Division 3 of Title 23 of the California Code of Regulations (Underground Storage Tank Regulations).

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (Local Oversight Program [LOP] for unauthorized releases from petroleum Underground Storage Tanks [USTs], and Site Cleanup Program [SCP] for unauthorized releases of non-petroleum hazardous substances) require submission of reports in electronic format pursuant to Chapter 3 of Division 7, Sections 13195 and 13197.5 of the California Water Code, and Chapter 30, Articles 1 and 2, Sections 3890 to 3895 of Division 3 of Title 23 of the California Code of Regulations (23 CCR). Instructions for submission of electronic documents to the ACEH FTP site are provided on the attached "Electronic Report Upload Instructions."

Submission of reports to the ACEH FTP site is in addition to requirements for electronic submittal of information (ESI) to the State Water Resources Control Board's (SWRCB) Geotracker website. In April 2001, the SWRCB adopted 23 CCR, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1 (Electronic Submission of Laboratory Data for UST Reports). Article 12 required electronic submittal of analytical laboratory data submitted in a report to a regulatory agency (effective September 1, 2001), and surveyed locations (latitude, longitude and elevation) of groundwater monitoring wells (effective January 1, 2002) in Electronic Deliverable Format (EDF) to Geotracker. Article 12 was subsequently repealed in 2004 and replaced with Article 30 (Electronic Submittal of Information) which expanded the ESI requirements to include electronic submittal of any report or data required by a regulatory agency from a cleanup site. The expanded ESI submittal requirements for petroleum UST sites subject to the requirements of 23 CCR, Division, 3, Chapter 16, Article 11, became effective December 16, 2004. All other electronic submittals required pursuant to Chapter 30 became effective January 1, 2005. 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, 7835, 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, late 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 SCP)	REVISION DATE: July 25, 2012
	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 (petroleum UST and SCP) 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.