



ENVIRONMENTAL HEALTH DEPARTMENT  
ENVIRONMENTAL PROTECTION  
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June 17, 2011

Mr. Leland Douglas (Sent via E-mail to: lee@douglasparking.com)  
Douglas Parking  
1721 Webster St.  
Oakland, CA 94612

Subject: Work Plan Denial for Fuel Leak Case No. RO0000129 and Geotracker Global ID T0600100140, Douglas Parking Company, 1721 Webster Street, Oakland, CA 94612–Groundwater Monitoring Requirements

Dear Mr. Douglas:

Alameda County Environmental Health (ACEH) staff has reviewed case file for the site including the most recently submitted documents entitled *Cross Section and Response to Agency Letter of November 19, 2010* dated March 23, 2010 and *Groundwater Monitoring and Remediation Summary Report – First Half 2011* dated April 1, 2011 both prepared by Pangea which reevaluates remedial options. Pangea's recommended remedial option is to inject the additive NONTOX™ into well MW-2 to reduce hydrocarbon concentrations.

ACEH does not concur that this remedial action would be effective and requests that you address the following technical comments, perform the proposed work, and send us the report specified below.

#### **TECHNICAL COMMENTS**

- 1. Evaluation of Remedial Alternatives** – ACEH concurs with the UST Fund that a reevaluation of the remediation method should be performed. However, ACEH does not concur with the remediation method selected. Pangea proposes injecting NONTOX™ directly into MW-2, a monitoring well that is also being used as a compliance point. In the past, (before air-sparge and soil vapor extraction were performed) wells MW-2 and MW-3 were used as injection points for oxygen releasing compound (ORC) and/or hydrogen peroxide (H<sub>2</sub>O<sub>2</sub>) with no overall apparent decrease in contaminant mass. None of the three remedial options that were implemented at the site appears to have effectively addressed the remaining source at the site and no evaluation or analysis of why these methods have been ineffective has been performed. Therefore, injecting a new substance in the same monitoring wells does not appear to be an effective use of resources.

At this juncture, it may be advantageous to develop a site conceptual model (SCM), which synthesizes all the analytical data and evaluates all residual sources (location, depth, contaminant mass, etc.) while considering effectiveness of previous remediation strategies and identifying remaining data gaps. The analysis should lead to proposing an effective remedial option with an appropriate monitoring network that addresses the remaining contaminant mass. At a minimum, the SCM should include:

- (1) 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;
- (2) Geologic cross section maps that illustrate subsurface features, man-made conduits, and lateral and vertical extent of contamination;
- (3) Plots of chemical concentrations versus time;
- (4) Plots of chemical concentrations versus distance from the source;
- (5) Summary tables of chemical concentrations in different media (i.e. soil, groundwater, and soil vapor); and
- (6) Well logs, boring logs, and well survey maps;
- (7) Discussion of likely contaminant fate and transport.

If data gaps (i.e. potential contaminant volatilization to indoor air or contaminant migration along preferential pathways, etc.) are identified in the SCM or if you feel there is not enough data to determine the appropriate remediation technology and target area, please include a proposed scope of work to address those data gaps in the SCM by the date specified below.

2. **Cross Sections** – Please add soil analytic data and in depth lithologic information and the conduit locations to the cross-sections.
3. **Preferential Pathway Survey** – As requested in our November 19, 2010 letter, please perform the well survey with a minimum of 1,000 foot radius and include the results in the SCM. Please review Department of Water Resources and Alameda County Public Works Agency records. No door to door well survey is needed at this time nor was it initially requested.

### **TECHNICAL REPORT REQUEST**

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

- **August 17, 2011 – SCM**

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

Sincerely,

Barbara J. Jakub, P.G.

Mr. Douglas  
RO0000129  
June 17, 2011, Page 3

Hazardous Materials Specialist

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

cc: Bob Clark-Riddell, Pangea, 1710 Franklin Street, Suite 200, Oakland, CA 94612 (Sent via E-mail to: [briddell@pangeaenv.com](mailto:briddell@pangeaenv.com))  
Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (Sent via E-mail to: [lgriffin@oaklandnet.com](mailto:lgriffin@oaklandnet.com))  
Donna Drogos, ACEH (Sent via E-mail to: [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))  
Barbara Jakub, ACEH (Sent via E-mail to: [barbara.jakub@acgov.org](mailto:barbara.jakub@acgov.org))  
GeoTracker, e-file

## Responsible Party(ies) Legal Requirements/Obligations

### REPORT REQUESTS

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

### ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of reports in electronic form. The electronic copy replaces paper copies and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) GeoTracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the GeoTracker database over the Internet. Beginning July 1, 2005, these same reporting requirements were added to Spills, Leaks, Investigations, and Cleanup (SLIC) sites. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites is required in GeoTracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.swrcb.ca.gov/ust/electronic\\_submittal/report\\_rqmts.shtml](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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>REVISION DATE:</b> July 20, 2010
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> 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 [dehloptoxic@acgov.org](mailto:dehloptoxic@acgov.org)
  - b) In the subject line of your request, be sure to include **"ftp PASSWORD REQUEST"** and in the body of your request, include the **Contact Information, Site Addresses**, and the **Case Numbers (RO# available in Geotracker) you will be posting for.**
- 2) Upload Files to the ftp Site
  - a) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
    - (i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site.
  - b) Click on Page located on the Command bar on upper right side of window, and then scroll down to Open FTP Site in Windows Explorer.
  - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
  - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
  - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
  - a) Send email to [dehloptoxic@acgov.org](mailto:dehloptoxic@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.