

## Detterman, Mark, Env. Health

---

**From:** Lambert, Ralph@Waterboards [ralph.lambert@waterboards.ca.gov]  
**Sent:** Friday, December 05, 2014 1:11 PM  
**To:** Carknot@yahoo.com; Henry Pietropaoli (hpietropaoli@stellar-environmental.com)  
**Cc:** Labrado, Lisa@Waterboards; Detterman, Mark, Env. Health  
**Subject:** Oakland auto works - former Dodson LTD, CAP approval, case 01-2434  
**Attachments:** 01-2434 -approve CAP 12-5-14.pdf

Please see the attached directive letter.

Ralph Lambert, PG, CHg  
Regional Water Quality Control Board  
San Francisco Bay Region  
1515 Clay St., Suite 1400  
Oakland, CA 94612

(510) 622-2382

---

**San Francisco Bay Regional Water Quality Control Board**

December 5, 2014  
File No.: 01-2434 (RAL)

Glen & Elizabeth Poy-Wing  
240 West MacArthur Blvd.  
Oakland, CA 94611

**Sent via email:** [Carknot@yahoo.com](mailto:Carknot@yahoo.com)

**Subject: Oakland Auto Works (Former Dodson LTD), 240 West MacArthur Boulevard, Oakland, Alameda County, Approval of Revised Corrective Action Plan**

Dear Glen & Elizabeth Poy-Wing:

This letter approves your October 27, 2014, *Revised Corrective Action Plan (CAP)*. Your CAP proposes a Dual-Phase Extraction (DPE) system which would operate for approximately 30 consecutive days. This letter also requires that you submit a report documenting CAP implementation.

You as the owner of the Site and operator of Oakland Auto Works at the Site are considered the responsible party.

Summary of Proposed CAP

The objective of the DPE system is secondary source removal to lower the potential risk to workers at the Site and to the basement of the adjacent medical building. The primary route for potential exposure is hydrocarbon vapors migrating to the basement of the adjacent medical building located to the immediate north-east of the Site. The medical building is adjacent to monitoring well MW-5 containing the highest hydrocarbon concentrations (Total Petroleum hydrocarbon gasoline at 26,000 µg/L) in groundwater last sampled March 26, 2013. This concentration and past petroleum free product suggest remaining secondary source persisting to impact groundwater and soil vapor. Currently, several of the wells are essential dry, including one that has contained free product at times. High concentrations of soil vapor were collected from three dry monitoring wells in September 2012. The concentration of gasoline vapors were reported at up to 8,300,000 µg/m<sup>3</sup>, suggesting a possible threat of vapor intrusion to occupants of the on-Site building and the adjacent medical building.

You propose operating a DPE system to extract and treat both groundwater and soil vapor from existing wells located near the former underground storage tanks and closest to the adjacent medical building. The CAP identifies six wells that may be used for extraction and plans to extract from up to three wells at a time. The extracted vapors will be treated and released under permit to the atmosphere while the extracted groundwater will be treated via granular activated

carbon and discharged to the sewer system under permit. The concentration of vapors, flow rate, vacuum and depth to water will be monitored and wells selected for extraction may be rotated. In addition to real time monitoring vapor samples will be collected weekly and analyzed for gasoline and diesel range hydrocarbons, benzene, toluene, ethylbenzene, xylene, and naphthalene. Using this information mass removal rates shall be estimated. If the mass removal rates drop below about 7 pounds hydrocarbons per day from all extraction well combinations for at least three consecutive days the system may be shut down early. Groundwater samples will also be collected and analyzed prior to system startup and after the completion of the DPE remediation.

A fact sheet about the proposed CAP was sent out for a 30-day public comment period which ended on December 1, 2014. No comments were received.

Regional Water Board staff concludes that a temporary DPE system may be sufficient to remove enough mass to allow for low-threat underground storage tank<sup>1</sup> case closure for this Site after suitable monitoring. I hereby approve the CAP.

You are hereby required to submit a report by **May 29, 2015**, that includes a description of the implementation and operation of the DPE system, estimates of mass removal, and the latest sampling results.

This requirement for a technical report is made pursuant to Water Code Section 13267, which allows the Regional Water Board to require technical or monitoring program reports from any person who has discharged, discharges, proposes to discharge, or is suspected of discharging waste that could affect water quality. The attachment provides additional information about Section 13267 requirements. Any extension in the above deadline must be confirmed in writing by Regional Water Board staff.

In addition to a hard copy you are also required to submit all documents in electronic format to the State Water Resources Control Board's GeoTracker database. Guidance for electronic information submittal is available at: [http://www.waterboards.ca.gov/water\\_issues/programs/ust/electronic\\_submittal/](http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/). Please note that this requirement includes all analytical data, monitoring well latitudes, longitudes, elevations, water depth, site maps, and boring logs (PDF format).

All reports submitted must have the Regional Water Board file number 01-2434 on the first page of the report. You are responsible for obtaining any necessary approvals or permits from all agencies having jurisdiction over any aspect of the proposed work. These agencies may include the local Public Works Department and the Alameda County Environmental Health Services Department.

<sup>1</sup> See State Water Board webpage:

[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/resolutions/2012/rs2012\\_0016atta.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2012/rs2012_0016atta.pdf)

Please direct all questions and correspondence regarding this matter to Ralph Lambert at (510)-622-2382 or email [RALambert@waterboards.ca.gov](mailto:RALambert@waterboards.ca.gov).

Sincerely,

Bruce H. Wolfe  
Executive Officer

**Attachment:** Fact Sheet – Requirements for Submitting Technical Reports under Section 13267 of the California Water Code

**Copy via Email with attachment:**

State Water Resources Control Board  
UST Cleanup Fund Unit  
Attn: Ms. Lisa Labrado  
[LLabrado@waterboards.ca.gov](mailto:LLabrado@waterboards.ca.gov)

Stellar Environmental Solutions, Inc.  
Attn: Mr. Henry Pietropaoli  
[HPietropaoli@stellar-environmental.com](mailto:HPietropaoli@stellar-environmental.com)

Alameda County Environmental Health  
Attn: Mr. Mark Detterman  
[Mark.detterman@acgov.org](mailto:Mark.detterman@acgov.org)

---

## San Francisco Bay Regional Water Quality Control Board

# Fact Sheet – Requirements for Submitting Technical Reports Under Section 13267 of the California Water Code

---

### **What does it mean when the Regional Water Board requires a technical report?**

Section 13267<sup>1</sup> of the California Water Code provides that "...the regional board may require that any person who has discharged, discharges, or who is suspected of having discharged or discharging, or who proposes to discharge waste...that could affect the quality of waters...shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires."

### **This requirement for a technical report seems to mean that I am guilty of something, or at least responsible for cleaning something up. What if that is not so?**

The requirement for a technical report is a tool the Regional Water Board uses to investigate water quality issues or problems. The information provided can be used by the Regional Water Board to clarify whether a given party has responsibility.

### **Are there limits to what the Regional Water Board can ask for?**

Yes. The information required must relate to an actual or suspected or proposed discharge of waste (including discharges of waste where the initial discharge occurred many years ago), and the burden of compliance must bear a reasonable relationship to the need for the report and the benefits obtained. The Regional Water Board is required to explain the reasons for its request.

### **What if I can provide the information, but not by the date specified?**

A time extension may be given for good cause. Your request should be promptly submitted in writing, giving reasons.

### **Are there penalties if I don't comply?**

Depending on the situation, the Regional Water Board can impose a fine of up to \$5,000 per day, and a court can impose fines of up to \$25,000 per day as well as criminal penalties. A person who submits false information or fails to comply with a requirement to submit a technical report may be found guilty of a misdemeanor. For some reports, submission of false information may be a felony.

### **Do I have to use a consultant or attorney to comply?**

There is no legal requirement for this, but as a practical matter, in most cases the specialized nature of the information required makes use of a consultant and/or attorney advisable.

### **What if I disagree with the 13267 requirements and the Regional Water Board staff will not change the requirement and/or date to comply?**

You may ask that the Regional Water Board reconsider the requirement, and/or submit a petition to the State Water Resources Control Board. See California Water Code sections 13320 and 13321 for details. A request for reconsideration to the Regional Water Board does not affect the 30-day deadline within which to file a petition to the State Water Resources Control Board.

### **If I have more questions, whom do I ask?**

Requirements for technical reports include the name, telephone number, and email address of the Regional Water Board staff contact.

<sup>1</sup> All code sections referenced herein can be found by going to [www.leginfo.ca.gov](http://www.leginfo.ca.gov).

*Revised January 2014*