



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

March 25, 2009

Mr. Montague and Carol Upshaw  
Fidelity Roof Company  
1075 41<sup>st</sup> Street  
Oakland, CA 94608

Subject: Fuel Leak Case No. RO0000186 (Global ID # T0600102117), Fidelity Roof Company, 1075 41<sup>st</sup> Street, Oakland, CA 94608

Dear Mr Upshaw:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site and the document entitled "Report of Source Removal Activities" dated April 22, 2008 and received January 2, 2009 and "Revised Work Plan for Ozone Injection Pilot Test" dated December 31, 2008 and received March 6, 2009 and both prepared by Gribi Associates (Gribi). Approximately 175 yd<sup>3</sup> of contaminated soil was removed from the source area and confirmation soil samples were collected from the excavation sidewalls and bottom at 10 feet below ground surface (bgs) and 12 feet bgs, respectively. Maximum concentrations of up to 170 mg/kg TPH as gasoline, 63 mg/kg TPH as diesel and 0.033 mg/kg benzene were detected in soil beneath the site. In addition, 2,500 gallons of contaminated water was removed during the excavation.

In March 2008 Gribi installed four soil borings in the source area to define the vertical extent of contamination. Results from the investigation detected groundwater contamination at concentrations of up to 320 parts per billion (ppb) TPHg, 4.6 ppb benzene and 180 ppb MtBE at 16 feet below ground surface. Gribi has also proposed a three month ozone injection pilot test. Prior to review of the proposed pilot test proposal, ACEH requests that you complete post excavation remediation groundwater monitoring, soil vapor sampling, source area characterization and MtBE plume definition. Based on ACEH staff review of the case file, we request that you address the following technical comments and send us the reports described below.

#### **TECHNICAL COMMENTS**

1. **Source Area Soil Removal.** Prior to the source area removal, seven groundwater monitoring wells located within the excavation footprint were decommissioned under permit from Alameda County Public Works Agency. During the excavation, Gribi observed the thickness of the contaminated soil "smear zone" increase from 4 feet thick at the north end of the excavation to 8 feet thick at the south end of the excavation near MW-3. Approximately 170 yd<sup>3</sup> of contaminated soil was removed from the excavation, once the limit of the excavation was reached confirmation soil samples were collected from the excavation sidewalls and bottom. A total of 15 verification soil samples were collected from the excavation (9 sidewall samples at 10 feet bgs and 6 bottom samples at 12 feet bgs). Elevated levels of petroleum hydrocarbon contamination were detected in soil at concentrations of up to 170 mg/kg TPHg, 63 mg/kg TPHd, 0.033 mg/kg benzene. MtBE was not detected above laboratory reporting limits in any confirmation soil samples. It appears that the excavation was successful in removing free product in the vicinity of MW-3; however to evaluate the effectiveness of the remedial action

groundwater monitoring will is necessary. You may consider semi-annual groundwater monitoring according to the schedule below.

2. **Source Area Investigation.** Gribi installed four soil borings (B1 through B-4) in the former tank pit to evaluate the vertical extent of contamination in the source area. Results from the investigation detected residual petroleum hydrocarbon contamination in shallow soil collected from 8 feet below ground surface (bgs) at concentrations of up to 170 mg/kg TPHg, 410 mg/kg TPHd, 0.044 mg/kg benzene and 1.4 mg/kg MtBE. However, soil samples collected from 16 feet bgs, which was the maximum depth of soil sampling, detected elevated levels of up to 18 mg/kg TPHg, 11 mg/kg TPHd, 1.1 mg/kg benzene and 3.8 mg/kg MtBE. The high levels of benzene and MtBE at 16 feet bgs indicate that the vertical extent of contamination in the source area is undefined. Therefore, we request that you propose a scope of work to define the vertical extent of contamination in the source area and submit your proposal according to the schedule below.
3. **Soil Vapor Sampling.** Historically, high levels of benzene have been detected in soil and groundwater beneath your site at concentrations of up to 16 mg/kg and 13,000 µg/L, respectively. The proximity of the former tank pit to adjacent buildings, combined with the high concentrations of benzene in soil and groundwater require the evaluation of the soil vapor pathway to assess the human health risk. Please propose a scope of work to evaluate the soil vapor to indoor air migration pathway and present your proposal according to the schedule outlined below.
4. **MtBE Plume Definition.** In June 2006 dissolved phase MtBE was detected in MW-2 at concentrations of up to 19,000 µg/L, the highest concentrations detected on site since 1997. In January 2007 monitoring wells MW-5 and MW-6 were installed downgradient of the source area; however, the linear separation between MW-5 and MW-6 is approximately 50 feet and it appears that the core of the dissolved phase MtBE plume was not encountered during well installation and sampling. High residual concentrations of MtBE remains in source area soil at concentrations of up to 3.8 mg/kg. We recommend the installation of a transect of soil borings downgradient of MW-2 to determine if the MtBE plume may be migrating offsite. Please prepare a scope of work to evaluate if the dissolved phase MtBE plume may be migrating offsite and submit a work plan according to the schedule below.
5. **Ozone Injection Pilot Test Work Plan.** Gribi has proposed a three month pilot test to determine if ozone injection will be effective at reducing dissolved phase TPHg and MtBE contamination in groundwater. The pilot test proposes the installation of three injection wells, two vapor monitoring wells will be installed to monitor the volatilization of dissolved phase contamination into the vadose zone, and five monitoring wells will be installed to monitor the efficacy of the pilot test and assess groundwater quality. Prior to consideration of the proposed ozone injection pilot test, ACEH requests that you complete post excavation remediation groundwater monitoring, soil vapor sampling, source area characterization and MtBE plume definition.

#### **TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Mr. Steven Plunkett), according to the following schedule:

- **May 21, 2009** – Work Plan for Soil and Groundwater Investigation and Soil Vapor Sampling
- **December 1, 2009** – Semi-annual Groundwater Monitoring and Sampling Report
- **June 15, 2010** – Semi-annual Groundwater Monitoring and Sampling Report

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.

#### LANDOWNER NOTIFICATION REQUIREMENTS

Pursuant to California Health & Safety Code Section 25297.15, the active or primary responsible party for a fuel leak case must inform all current property owners of the site of cleanup actions or requests for closure. Furthermore, ACEH may not consider any cleanup proposals or requests for case closure without assurance that this notification requirement has been met. Additionally, the active or primary responsible party is required to forward to ACEH a complete mailing list of all record fee title holders to the site.

Montague and Carol Upshaw  
March 25, 2009  
RO0000186  
Page 4

UNDERGROUND STORAGE TANK CLEANUP FUND

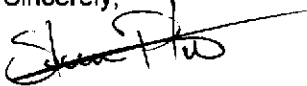
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

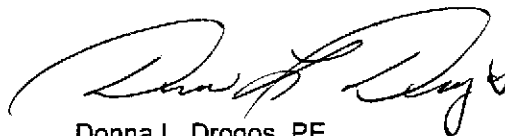
If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

If you have any questions, please call me at (510) 383-1767 or send me an electronic mail message at [steven.plunkett@acgov.org](mailto:steven.plunkett@acgov.org)

Sincerely,



Steven Plunkett  
Hazardous Materials Specialist



Donna L. Drogos, PE  
Supervising Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Jim Gribi  
Gribi Associates  
5900 Hollis Street, Suite A  
Emeryville, CA 94608

Leroy Griffin  
Oakland Fire Department  
250 Frank H. Ogawa Plaza Ste. 3341  
Oakland, CA 94612-2032

Donna Drogos, Steven Plunkett, file

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>ISSUE DATE:</b> July 5, 2005
	<b>REVISION DATE:</b> December 16, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> Electronic Report Upload (ftp) Instructions

Effective **January 31, 2006**, 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

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- 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)

#### Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

#### 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)  
or
    - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of ftp site Coordinator.
  - 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 and Firefox browsers will not open the FTP site.
  - b) Click on File, then on Login As.
  - 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 at acgov.org. (e.g., [firstname.lastname@acgov.org](mailto: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)