



ENVIRONMENTAL HEALTH DEPARTMENT
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
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October 5, 2011

Mr. Jeff Kerry
Kerry & Associates
151 Callan Avenue, Suite 300
San Leandro, CA 94577

Mr. Jeffery Kerry
Jeffery & Dolores Kerry Trust & Jame Donnelley Et. Al.
19655 North Ripon Road
Ripon, CA 95366

Subject: Request for a Work Plan Addendum; Fuel Leak Case No. RO00000208; Palace Garage (Global ID #T0600101043), 14336 Washington Avenue, San Leandro, CA 94578

Dear Mr. Kerry:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the *Second Quarter 2011 Groundwater Monitoring Report*, dated May 27, 2011, and the *Additional Investigation and Remediation Pilot Test Work Plan*, dated July 22, 2011. The reports were prepared and submitted on your behalf by Closure Solutions, Inc. (Closure Solutions). Thank you for submitting the reports; they help to move the site forward. The work plan proposes the installation of two groundwater monitoring wells, one to help define the downgradient extent of groundwater contamination and a second to determine the radius of influence during a Dual-Phase Extraction (DPE) pilot test; the surveying of all wells to Geotracker standards; the collection of groundwater parameters to determine if microbial activity will assist in the mitigation of downgradient groundwater contamination; and a three day DPE pilot test.

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. **Request for a Work Plan Addendum** – The work plan addresses many of the elements of the May 18, 2011 directive letter from ACEH; however, a number of elements of the work plan may be of potential concern. This letter is an attempt to clarify those items and to request a work plan addendum to in order to provide further information on those elements. These are discussed further below:
 - a. **Well Screen Intervals** – The work plan specified 25-foot wells, with 15-foot screen intervals. ACEH requires shorter screen intervals in order to collect more representative groundwater samples, generally with no more than a 5 foot sand interval; however, ACEH recognizes that fully screened water-bearing zones are appropriate in thinner permeable zones. ACEH requests an effort to minimize the screen length at each well location to the extent possible, with well screens minimally longer than the water-bearing zone, including the capillary fringe. If longer screen intervals are judged appropriate well clusters or CMT multilevel wells may be appropriate. This requested well construction will also facilitate evaluation of the proposed DPE pilot test (see also Technical Comment 2, below). Please document intended changes in a brief work plan addendum by the date identified below.
 - b. **Well Construction Details** – The work plan proposes the use of a well screen with 0.020-inch slots and No. 3 filter sand. Due to the fine-grained nature of the water-bearing zone and capillary fringe, a finer well screen slot and filter sand pack appears warranted to minimize well sedimentation. Please document or discuss changes in a brief work plan addendum by the date identified below.

- c. **Bio-Attenuation Parameters** – The work plan proposes to collect bio-attenuation parameters in well MW-4; however, does not define the parameters, nor indicate the purpose for the limited number of wells the parameters will be collected from. Typical published protocols compare parameter changes across a plume, from upgradient to core to downgradient wells. ACEH requests further details on the intent and extent of the proposed scope of work, including analytes. Please discuss changes in a brief work plan addendum by the date identified below.
 - d. **Utility and Lateral Conduits** – Because of the potential for utilities and their laterals to act as preferential pathways, ACEH requests that future site plans depict the location of these structures, both on- and off-site. To help understand the site and vicinity, please also include an extended site map using an aerial photographic base map to depict both the site and vicinity.
2. **DPE Pilot Test** – While presumed included in pilot test tasks but not described in the pilot test description, please employ a minimum of three to four vacuum steps to assist in the determination of the radius-of-influence for the system. Monitoring frequency should be higher at the beginning of the steps, with a subsequent reduction commensurate with the rate of change.

TECHNICAL REPORT REQUEST

Please submit the following deliverable to ACEH (Attention: Mark Detterman), according to the following schedule:

- **November 11, 2011** – Work Plan Addendum
- **60 Days After Approval of Work Plan Addendum** – Soil and Groundwater Investigation Report or Interim Corrective Action Plan (ICAP)
- **January 6, 2012** – Groundwater Monitoring Report
- **90 Days After Approval ICAP** – Interim Corrective Action 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.

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: Kathleen Waldo, Closure Solutions, Inc, 4600 Northgate Blvd, Suite 230, Sacramento, CA 95834
(sent via electronic mail to: kwaldo@closureolutions.com)
Donna Drogos, ACEH, (sent via electronic mail to donna.drogos@acgov.org)
Mark Detterman, ACEH, (sent via electronic mail to mark.detterman@acgov.org)
Geotracker, Electronic 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.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: July 20, 2010
	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 (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.