

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



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ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
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April 18, 2008

Lalji & Arvinda Patel  
VIP Service Station  
385 Century Circle  
Danville, CA 94526

Pawan K. & Meera Gupta  
224 Castro Lane  
Fremont, CA 94539

Subject: Fuel Leak Case No. RO0000209 and Geotracker Global ID T0600101516, VIP Service Station, 3889 Castro Valley Boulevard, Castro Valley, CA 94546

Dear Mr. & Mrs. Patel and Mr. & Ms. Gupta:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the recently submitted documents entitled, "Remedial Investigation/Feasibility Study Work Plan," dated May 17, 2005, and "Remedial Investigation/Feasibility Study Work Plan Addendum," dated August 13, 2007, which were prepared by P & D Environmental, Inc. (P & D) for the subject site. The proposed scope of work includes installing soil borings P28 through P31 to further define the horizontal extent of petroleum hydrocarbons in soil and water, described in the May 17, 2005 work plan, and the installing soil borings P32 through to P34 to evaluate the vertical extent of petroleum hydrocarbons in groundwater, described in the August 13, 2007 work plan addendum. P & D also proposes to conduct feasibility study testing of groundwater pumping to achieve hydraulic control and lowering the groundwater elevation, and vapor extraction and air injection to remediate soils within the fine-grained and deeper coarse-grained soil with appropriately screened wells installed in each layer.

Although ACEH generally concurs with the proposed scope of work, it appears that a Feasibility Study, prepared in accordance with California Code of Regulations, Title 23, Division 3, Chapter 16, §2725(f), which evaluates cost effective remedial approaches having likelihood of attaining site cleanup objectives has not been submitted. The UST Cleanup Fund typically reimburses costs associated with the most cost-effective remedial alternative. Since it has not been determined that the remedial approach to be tested is the most cost-effective remedial alternative, the UST Cleanup Fund may not fully reimburse all costs associated with the proposed feasibility testing. Please contact the UST Cleanup Fund to address cost reimbursement concerns.

ACEH recommends that the proposed borings be installed prior to feasibility testing, since adequate site characterization is necessary to effectively evaluate remedial options likely to succeed in remediating the site. ACEH requests that you conduct the proposed site characterization, address the following technical comments, and send us a detailed Feasibility

Study work plan that not only summarizes, but also incorporates the new data collected from the proposed site characterization.

### **TECHNICAL COMMENTS**

1. **On-site & Off-site Risk Mitigation** – In October 1997, P & D conducted a TIER 2 risk evaluation and determined that an unacceptable risk exists to on-site and off-site receptors. In July 1999, P & D collected soil vapor samples off-site. Elevated concentrations of benzene, up to 35,141  $\mu\text{g}/\text{m}^3$  (11 ppmv) were detected in soil gas samples, significantly above the Regional Water Quality Control Board's Environmental Screening Level of 84  $\mu\text{g}/\text{m}^3$  for benzene, indicating a potential risk to human health and the environment. Please propose a scope of work to address the above-mentioned concerns in the FS work plan due by the date specified below. Interim remedial action appears warranted to address potential risk to off-site receptors.
2. **Feasibility Testing** – P & D proposes to conduct feasibility study testing of groundwater pumping to achieve hydraulic control and lowering the groundwater elevation. After achieving lower groundwater elevation, vapor extraction and air injection will be conducted to remediate soils within the fine-grained and deeper coarse-grained soil with appropriately screened wells installed in each layer. It is not clear how groundwater contaminant and vapor plume migration will be monitored or mitigated during FS pilot testing. There also is a concern that air injection (i.e. air sparging) may cause additional hydrocarbons to be generated by transforming from adsorbed and/or dissolved phase to vapor phase exacerbating groundwater contaminant and vapor plume migration since it is our understanding that vapor extraction will not be operating concurrently with air injection. Please propose a scope of work to address the above-mentioned concerns in the FS work plan due by the date specified below.
3. **Groundwater Contaminant Plume Monitoring** – Since November 1993, only three permanent groundwater monitoring points have been installed at the site. Of the three wells, two appear to be located up-gradient to cross-gradient yielding low to non-detect concentrations of contaminants. Based on the "grab" groundwater investigations conducted to date, it appears that additional down-gradient monitoring wells need to be installed off-site to adequately monitor and determine groundwater contaminant plume stability. Please propose a scope of work to address the above-mentioned concerns in the FS work plan due by the date specified below.

### **TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Paresh Khatri), according to the following schedule:

- **June 19, 2008** – FS Work Plan (to include Soil and Groundwater Characterization Report and Interim Remediation Plan, if proposed)
- **July 30, 2008** - Quarterly Monitoring Report (2<sup>nd</sup> Quarter, 2008)

- **October 30, 2008** - Quarterly Monitoring Report (3<sup>rd</sup> Quarter, 2008)
- **January 30, 2009** - Quarterly Monitoring Report (4<sup>th</sup> Quarter, 2008)
- **April 30, 2008** - Quarterly Monitoring Report (1<sup>st</sup> Quarter, 2009)

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

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. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

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. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for 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 monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

#### 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

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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**

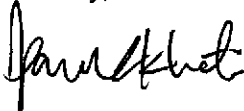
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

#### **AGENCY OVERSIGHT**

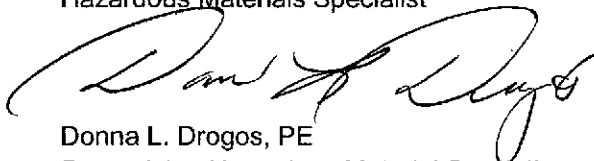
If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section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

If you have any questions, please call me at (510) 777-2478 or send me an electronic mail message at [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org).

Sincerely,



Paresh C. Khatri  
Hazardous Materials Specialist



Donna L. Drogos, PE  
Supervising Hazardous Material Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Paul King, P & D Environmental, Inc., 55 Santa Clara Avenue, Suite 240, Oakland, CA  
94610  
Donna Drogos, ACEH  
Paresh Khatri, ACEH  
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 Alicia Lam-Finneke.
  - 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)