

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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Alameda, CA 94502-6577
(510) 567-6700
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May 29, 2008

Paul Garg
Abe Petroleum
33090 Mission Boulevard
Hayward, CA 94544

Subject: Fuel Leak Case No. RO0000257 and Geotracker Global ID T0600102154, Abe Petroleum, 17715 Mission Boulevard, Hayward, CA 94544

Dear Mr. Garg:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the recently submitted document entitled, "Subsurface Investigation & Site Conceptual Model," dated July 30, 2006, which was prepared by Sierra Environmental, Inc. (Sierra) for the subject site. Please note that all reports must be uploaded to ACEH's ftp website and the State Water Resources Control Board's GeoTracker website (see Electronic Submittal of Reports below). The report summarizes the installation of soil borings, off-site groundwater monitoring wells, and presents a site conceptual model (SCM). Sierra recommended continued quarterly groundwater monitoring and evaluating soil and groundwater remediation alternatives for the site.

ACEH generally concurs with the proposed scope of work and requests that you address the following technical comments and send us the technical work plans and reports described below.

TECHNICAL COMMENTS

1. **Contaminant Source Area Characterization** – On September 16, 1997, one waste oil and four gasoline underground storage tanks (USTs) were removed from the site. Concentrations of total petroleum hydrocarbons (TPH) as gasoline (g) and benzene were detected as high as 2,700 mg/kg and 0.460 mg/kg, respectively in confirmation soil samples collected at 14 feet below the ground surface. Significantly elevated concentrations of dissolved-phase petroleum hydrocarbons are present in on-site monitoring wells. Based on the analytical data, the vertical and lateral extent of contamination in the source area appears undefined. Please propose a scope of work to address the above-mentioned concerns and submit a work plan by the date specified below.
2. **Site Conceptual Model** – In Section 7.0 of the above mentioned report, Sierra presents an SCM. Sierra utilizes Environmental Data Resources (EDR) to identify sensitive receptors. In the Federal USGS Well Information database, four wells were identified within ¼ to 1 mile cross to down-gradient of the site. Sierra states that "[n]o well was identified in the State database information within 1 mile of the site." Based on this information, Sierra concluded that ingestion is not a potential or completed exposure pathway. However, it appears that EDR does not review or include records from the Department of Water Resources (DWR), Alameda County Department of Public Works (ALCO PW), or Alameda County Water District

(ACWD). These three agencies would likely retain records of wells since DWR is the State record depository for wells in California and ALCO PW and ACWD are the local agencies. Please propose a scope of work that addresses the above-mentioned concerns and submit a work plan by the date specified below.

In Table VII Tier 1 ESLS FOR SOIL, average concentrations of BTEX are reported in mg/kg. However, based on the laboratory analytical sheets, the concentrations listed on the table are in µg/Kg and are misreported as concentrations in mg/kg. Please correct the erroneous data and revise the discussion in the text and any recommendations and/or conclusions if applicable. Also, in Figures 4, 10 and 11, on-site and off-site features are difficult to discern since they appear to be color photographs that were scanned in grayscale. In future reports, please include figures that clearly depict site and adjacent structures, and sensitive receptors in relation to the groundwater contaminant plume.

- 3. Feasibility Study/Corrective Action Plan** - Once the contaminant source areas are adequately characterized, a Feasibility Study/Corrective Action Plan (FS/CAP) prepared in accordance with Title 23, California Code of Regulations, Section 2725 appears appropriate, as recommended by Sierra. The FS/CAP must include a concise background of soil and groundwater investigations performed in connection with this case and an assessment of the residual impacts of the chemicals of concern (COCs) for the site and the surrounding area where the unauthorized release has migrated or may migrate. The FS/CAP should also include, but not limited to, a detailed description of site lithology, including soil permeability, and most importantly, contamination cleanup levels and cleanup goals, in accordance with the San Francisco Bay RWQCB's Water Quality Control Plan (Basin Plan) and appropriate ESL guidance for all COCs and for the appropriate groundwater designation. Please note that according to the Basin Plan for the San Francisco Bay Basin, "the term 'groundwater' includes all subsurface waters, whether or not these waters meet the classic definition of an aquifer or occur within identified groundwater basins. It is also stated in the Basin Plan that 'all groundwaters are considered suitable, or potentially suitable, for municipal or domestic water supply (MUN)." Therefore, the groundwater beneath the subject site must be considered beneficial for these uses unless shown to be non-beneficial using criteria presented in the Basin Plan. It is also stated in the Basin Plan that "[a]t a minimum, groundwaters designated for use as domestic or municipal supply shall not contain concentrations in excess of the secondary maximum contaminant levels (Secondary MCLs) specified in Tables 64449-A (Secondary MCLs-Consumer Acceptance Limits) and 64449-B (Secondary MCLs-Ranges) of Section 64449 of Title 22 of the California Code of Regulations, which is incorporated by reference into this plan." Currently, concentrations of contaminants in groundwater are significantly above RWQCB's ESLs as well as the secondary MCLs. Also note that soil cleanup levels should ultimately (within a reasonable timeframe) achieve water quality objectives (cleanup goals) for groundwater in accordance with San Francisco Regional Water Quality Control Board Basin Plan. Please propose appropriate cleanup levels and cleanup goals in accordance with 23 CCR Section 2725, 2726, and 2727 in the FS/CAP.

The FS/CAP must evaluate at least three viable alternatives for remedying or mitigating the actual or potential adverse effects of the unauthorized release(s) in addition to the 'no action' and 'monitored natural attenuation' remedial alternatives. Each alternative shall be evaluated for cost-effectiveness and the Responsible Party must propose the most cost-effective corrective action.

REQUEST FOR INFORMATION

ACEH's case file for the subject site contains the following electronic reports as listed on our website (<http://www.acgov.org/aceh/lop/ust.htm>). You are requested to submit electronic copies of all other reports related to environmental investigations for this property (including Phase 1 reports) by **June 27, 2008**.

TECHNICAL REPORT REQUEST

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

- **July 28, 2008** – Soil and Water Investigation Work Plan and FS/CAP.
- **July 30, 2008** - Quarterly Monitoring Report (2nd Quarter 2008)
- **October 30, 2008** - Quarterly Monitoring Report (3rd Quarter 2008)
- **January 30, 2009** - Quarterly Monitoring Report (4th Quarter 2008)
- **April 30, 2009** - Quarterly Monitoring Report (1st 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

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).

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

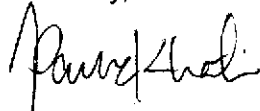
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

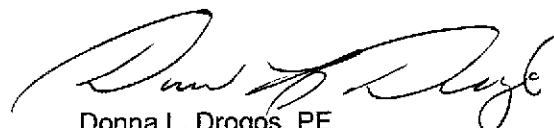
If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section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

If you have any questions, please call me at (510) 777-2478 or send me an electronic mail message at pareskhatri@acgov.org.

Sincerely,



Paresh C. Khatri
Hazardous Materials Specialist



Donna L. Drogos, PE
Supervising Hazardous Material Specialist

Mr. Garg
RO0000257
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cc: Reza Baradaran, Sierra Environmental, 980 W. Taylor Street, San Jose, CA 95126
Donna Drogos, ACEH
Paresh Khatri, ACEH
File

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: December 16, 2005
	PREVIOUS REVISIONS: October 31, 2005
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: 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
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 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)
- c) The subject line of the e-mail must start with the RO# followed by **Report Upload**. (e.g., Subject: RO1234 Report Upload)

**Alameda County CC4580
Environmental Health Services
1131 Harbor Bay Parkway, #250
Alameda, CA 94502-6577**

RETURN TO SENDER

NO SUCH NUMBER
HAYWARD, CA

2008 JUN -6 PM 3:58

**Paul Garg
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