ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
ALEX BRISCOE, Agency Director

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

March 9, 2012

Murray Stevens
Kamur Industries, Inc.
2351 Shoreline Drive
Alameda, CA 94501

George and Diane Ososke
301 Main Street, #20B
San Francisco, CA 94105

Subject: Request for Work Plan; Fuel Leak Case No. RO0000260 and Geotracker Global ID T0600101089, Plaza Car Wash, 400 San Pablo Avenue, Albany, CA 94706

Dear Mr. Stevens and Mr. and Ms. Ososke:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site, including the documents entitled, *Excavation of Contaminated Soil at the Property,* dated August 31, 2009, and the *Second Semi-Annual of 2012 Groundwater Monitoring at the Property Located at 400 San Pablo Avenue, Albany, California,* dated October 1, 2010.

The 2009 site investigation report, concluded that remediation at the site should focus on the reducing hydrocarbon concentrations within the more heavily impacted soils between 5 and 15 feet bgs. Removing impacted soil through excavation was recommended in the report. The referenced site investigation addendum added additional vapor data, but contained no further recommendations. In a May 2009 directive letter, ACEH concurred additional excavation and requested that a Remedial Action Plan be prepared to implement the excavation. An August 2009 letter entitled *Excavation of Contaminated Soil at the Property,* reported on the financial hardships that would be encountered by the two businesses at the subject site due to the excavation and subsequent soil management issues, and Mr. Stevens inability to further pay due to lack of reimbursement for earlier investigation activities at the site, and recommended case closure with a deed restriction due to elevated residual soil contamination at the site. The referenced groundwater monitoring report is the most recent document in the case file, and reports on the September 2010 semi-annual groundwater monitoring event at the site.

The 2009 site investigation and site investigation addendum reported data from nine soil vapor points installed across the site. Soil vapor was collected at a depth of four feet below grade surface (bgs) which was generally described to be two feet into native soils. Concentrations up to 130,000,000 µg/m^3 TPHg and up to 1,000,000 µg/m^3 benzene were detected. Because two of the vapor points are closely associated with two buildings at the site a vapor intrusion concern appears to be present. Based on this factor and the additional items discussed further in the technical comments below, this fuel leak case cannot be closed at this time. This decision is subject to appeal to the State Water Resources Control Board (SWRCB), pursuant to Section 25299.39(b) of the Health and Safety Code (Thompson-Richter Underground Storage Tank Reform Act - Senate Bill 562). Please contact Mr. George Lockwood in the SWRCB Underground Storage Tank Program at (916) 341-5752 or GLockwood@waterboards.ca.gov for information regarding the appeal process.

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 Vapor Survey –** As referenced above, the 2009 site investigation and addendum documented the installation of nine soil vapor points at the site. Vapor collection was provided by the installation of temporary points at a depth of four feet below grade surface (bgs). The report generally described this depth to be two feet into native soil. Collection of vapor samples with a Summa canister followed. Concentrations up to 130,000,000 µg/m^3 TPHg, and up to 1,000,000 µg/m^3 benzene were encountered (for comparison purposes only the ESL for these compounds are 29,000 µg/m^3 TPHg and 280 µg/m^3 benzene). The single highest sampling location appears to be within the likely area of overexcavation previously proposed; however, concentrations up to 32,000,000 µg/m^3 TPHg and 55,000 µg/m^3 benzene were documented within close vicinity of two buildings at the site. Of importance DTSC guidelines do not appear to have been followed, as had been requested in a September 30, 2008 directive letter, including use of a shroud, a tracer gas, standard purge and evacuation procedures, standard sampling train leak checking procedures; additional standard procedures may not have been utilized. As such the vapor survey can be considered a soil vapor reconnaissance, which requires further investigation. Because two of the vapor points are closely associated with two buildings at the site, the inclusion of sub-slab vapor sampling is specifically requested to be included with the installation of soil vapor wells at building perimeter locations, and at the locations of previous elevated vapor points VP-1, VP-5, and VP-8 in order to validate the initial data. Prior to installation of sub-slab vapor wells, ACEH requests that utility laterals beneath the slab be located (see next Technical Comment below) and that the proposed locations for the sub-slab vapor wells be located with respect to these utility lines. As a consequence, ACEH requests the submittal of a work plan, by the date identified below, to undertake this work. Soil vapor analytical is requested to include contaminants associated with the UST system (TPHg, BTEX, and all fuel oxygenates) as well as a full scan analysis for chlorinated solvents due to the presence of a dry cleaner at the site and previous chlorinated VOCs at the site. Additionally, standard atmospheric gases are requested to be included in the soil vapor analytical request (oxygen, nitrogen, carbon dioxide, methane). This data will demonstrate the integrity of the wells and establish the potential for biological degradation of petroleum hydrocarbons in the subsurface at the site.

2. **Request for a Preferential Pathway Survey –** Except for the documented presence of a 12-inch diameter storm drain line and a PGE gas pipeline, both offsite to the west, and another gas line along the north perimeter of the site, a preferential pathway survey, including onsite utility laterals, does not appear to have been previously conducted for the site and vicinity. This is specifically requested to address the apparent two-pronged lobe of groundwater and soil vapor contamination that appears to extend the northwest and to the southwest, presumably from the former UST location at the site. The purpose of the preferential pathway study is to locate potential migration pathways and conduits and determine the probability of a groundwater or vapor plume encountering preferential pathways and conduits that could spread contamination. We request that you perform a preferential pathway study that details the potential migration pathways and potential conduits (utilities, utility laterals, pipelines, foundational, and etc.) for vertical and lateral migration that may be present in the vicinity of the site. ACEH recognizes that the apparent distribution of contaminants at the site can be created in several ways including a previous groundwater flow direction as may have been the situation at the site, or along possible utility laterals beneath the site.

   Discuss your analysis and interpretation of the results of the preferential pathway study (including the well survey and utility survey requested below) and report your results in the report requested below. The results of your study shall contain all information required by California Code of Regulations, Title 23, Division 3, Chapter 16, §2654(b).

   a. **Utility Survey -** An evaluation of all utility lines, utility laterals, and trenches (including sewers, storm drains, pipelines, trench backfill, foundation backfill, including sub-slab locations, etc.) within and near the site and plume area(s) is required as part of your study. Please reduce, and synthesize available information and maps, and generate appropriate (vicinity and / or site specific) maps and cross-sections illustrating the location and depth of all utility lines and trenches within and near the site and plume areas(s) as part of your study.

b. **Well Survey -** The preferential pathway study is requested to include a well survey of all wells (monitoring and production wells: active, inactive, standby, decommissioned (sealed with concrete), abandoned (improperly decommissioned or lost); and dewatering, drainage, and cathodic protection wells) within a ¼ mile radius of the subject site.

3. **Request for Semi-Annual Groundwater Monitoring and Sampling –** The last groundwater monitoring and sampling event appears to have been conducted in September 2010. While a reduction in contaminant concentrations was noted in well STMW-1 in that last event, it is unknown if this trend continued or was an aberration; the data does not establish the presence of a stable plume. A significant residual source reservoir appears to be present in soil based on the modest reduction in contaminant concentrations over time documented in the hydrographs contained in the referenced groundwater monitoring and sampling report, and the consistent presence of rainbow sheens, or black spotted rainbow sheens reported in field notes for well STMW-1. As a consequence ACEH requests that semi-annual groundwater monitoring and sample resume (as previously requested in first and third quarter) at the site and report be submitted by the date identified below.

4. **Request for Inclusion of Additional Groundwater Analytical Data –** ACEH notes that concentrations up to 3,400 µg/l 1,2,4-Trimethybenzene; 870 µg/l, 1,3,5-trimethylbenzene; and 840 µg/l naphthalene have been detected in well STMW-1, STMW-2, and STMW-6. These compounds are typically associated with TPHd or heavier hydrocarbons. As a consequence, ACEH requests that an extractable hydrocarbon scan or fingerprint be conducted for the TPHd and TPHmo ranged hydrocarbons in wells STMW-1 and STMW-2 on, at a minimum, a one time basis. If an extractable range hydrocarbon is present, ACEH additionally requests that silica gel cleanup be also run for these groundwater samples, and the results for both analyzes be reported in the requested report. This request is subject to change depending on the results of the request.

5. **Request for Email Addresses –** If your email address is not listed on the first page of this letter, or in the list of cc's listed below; ACEH requests your email address to expedite communications and to lower overall costs. Because this is largely a paperless office, please provide that information in your next electronic submittal.

TECHNICAL REPORT REQUEST

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

- **June 1, 2012** – Work Plan and Preferential Pathway Survey (inclusive of sub-slab utility lines)
- **June 15, 2012** – Semi-Annual Groundwater Monitoring Report
- **60 Days After Approval of Work Plan** – Subsurface Investigation and Vapor Survey 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, do not hesitate to call me at (510) 567-6876.

Digitally signed by Mark E. Detterman
DN: cn=Mark E. Detterman, o, ou, email, c=US
Date: 2012.03.09 14:33:45 -08'00'

Mark E. Detterman, PG, CEG
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations
Electronic Report Upload (ftp) Instructions

cc: Frank Hamedi-Fard & Victor Cherven, Enviro Soil Tech Consultants, 131 Tully Road, San Jose, CA 95111; (sent via electronic mail to info@envirosoiltech.com)

Donna Drogos, (sent via electronic mail to donna.drogos@acgov.org)
Mark Detterman (sent via electronic mail to mark.detterman@acgov.org)
Electronic File, GeoTracker

Attachment 1

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.