

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

REBECCA GEBHART, Acting Director



ENVIRONMENTAL HEALTH DEPARTMENT
ENVIRONMENTAL PROTECTION

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April 18, 2016

Dr. Joginder Sikand
c/o Jasminder & Sonia Sikand
1066 Rock Harbor Point
Hercules, CA 94547

Mr. Anis Rahman
Albany Hill Mini Mart
800 San Pablo Avenue
Albany, CA 94706

Subject: Conditional Work Plan Approval; Fuel Leak Case No. RO0000262 and Geotracker Global ID T0600102131, Albany Hill Mini Mart, 800 San Pablo Avenue, Albany, CA 94706

Dear Dr. Sikand and Mr. Rahman:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the *Workplan for a Off-Site Indoor Air Assessment*, dated February 25, 2016, and the *Quarterly Groundwater Monitoring and Soil Vapor Sampling Report*, dated March 3, 2016. The reports were prepared and submitted on your behalf by Aqua Science Engineers, Inc. (ASE). Thank you for submitting the reports.

The referenced groundwater monitoring report additionally included the resampling of offsite vapor wells SVW-4 and SVW-5, installed to depths of 5 and 10 feet below surface grade (bgs), respectively, proximal to the offsite basement located at the Mallard Club, north across Washington Avenue from the subject site. With the assumption that the basement is approximately eight feet in depth, the nether vapor well is five feet below the basement foundation; however, the benzene vapor concentration in well SVW-5 (installed to 10 feet bgs) was 7,700 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$), ethylbenzene was 1,600 $\mu\text{g}/\text{m}^3$, and oxygen was 0.81 percent (%). The referenced work plan proposed indoor air sampling of the basement located at the Mallard Club in an effort to determine if the basement had been impacted by the documented elevated petroleum vapor concentrations within 12 feet of the basement.

Based on the data submitted with the reports, ACDEH has re-evaluated site data, in conjunction with case files, and the State Water Resources Control Board's (SWRCBs) LTCP. Previously, ACDEH had determined that the site appeared to meet all General Criteria, the Media-Specific Groundwater Criteria, and the Media-Specific Criteria for Direct Contact and Outdoor Air. At the time of the previous directive letter (December 2015), it had not been determined if the site vicinity meet the LTCP Media-Specific Criteria for Vapor Intrusion to Indoor Air due to the presence of the basement as discussed above.

The previous determination that the site appeared to meet the Media-Specific Groundwater Criteria was based on decreasing groundwater concentrations in perimeter wells. Based on recent data trends and with consideration of the location of former or abandoned underground storage tanks (USTs) in San Pablo Avenue that at one time were associated with the site, the length of the groundwater plume does not appear to be defined in the downgradient direction. For example groundwater concentrations of Total Petroleum Hydrocarbons as gasoline (TPHg) in downgradient wells MW-6 and MW-5R appear to be increasing since approximately June 2015.

Based on ACEH staff review of the work plan, the proposed scope of work appears to be adequate to address the remaining data gaps and is conditionally approved for implementation provided that the technical comments below are incorporated during the proposed work. Submittal of a revised work plan or a work plan addendum is not required unless an alternate scope of work outside that described in the work plan or these technical comments is proposed. We request that you address the following technical comments, perform the proposed work, and send us the report described below. Please provide 72-hour advance written notification to this office (e-mail preferred to: mark.detterman@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Work Plan Modifications** – The referenced work plan proposes a series of actions with which ACDEH is in general agreement of undertaking; however, ACDEH requests several modifications to the approach. Please submit a report by the date specified below.
 - a. **Basement Indoor Air Sampling** – Please conduct a building chemical inventory survey, and utilize tenant notification procedures identified in, and Fact Sheets contained in, the Department of Toxic Substances Control (DTSC) *Vapor Intrusion Public Participation Advisory*, March 2012 to communicate the intent of the indoor air sampling, and the importance of determining and removing, all consumer products that may result in false vapor detections during indoor air sampling. Please include final and completed copies in the requested report.
2. **LTCP Media Specific Criteria for Groundwater** – To satisfy the media-specific criteria for groundwater, the contaminant plume that exceeds water quality objectives must be stable or decreasing in areal extent, and meet all of the additional characteristics of one of the five classes of sites listed in the policy.

Our review of the case files indicates that insufficient data collection and analysis has been presented to support the requisite characteristics of plume stability or plume classification as follows:

- a. **Groundwater Plume Stability** – Since the ozone sparge system was turned off, concentrations of TPHg in groundwater appear to have risen in downgradient perimeter wells MW-5R and MW-6, thus affecting the concentration stability of the groundwater plume, and affecting the downgradient defined extent of the plume. However, there appear to be limited volatiles associated with the downgradient concentrations of TPHg.

The *Technical Justification for Groundwater Media-Specific Criteria*, (SWRCB, April 24, 2012) indicates that maximum length of a TPHg plume is approximately 855 feet, without the presence of a preferential pathway. In an effort to determine the extent of the TPHg groundwater plume, ACDEH requests that a survey of preferential pathway and sensitive receptors (utilities potentially installed in the groundwater zone, water supply wells, sensitive populations, dewatering structures, such as basements, and etc.) be conducted within a 1,000 foot downgradient radius of the site. ACDEH requests that the water supply well survey be updated due to the potential for wells to have been installed in the intervening years. Shallow wells, such as most groundwater monitoring wells, are not of significant concern; however, deep wells, including cathodic protection wells are. Please tabulate the data and locate the wells on a site vicinity map for quick review by ACDEH and eventually the public, during a public comment period. Please include the data included in the requested report.
3. **Groundwater Monitoring** – Due to the rising concentrations of TPHg in groundwater, ACDEH is not in agreement with the recommendation to move the site to semi-annual quarterly groundwater monitoring at this time. Additionally, ACDEH requests resumption of groundwater monitoring from wells MW-2, MW-3, MW-7, and MW-8, until the groundwater concentration trend rebound is better understood. Please continue to include naphthalene in the analytical suite in order to evaluate the dissolved-phase plume with respect to the LTCP. Please submit groundwater monitoring reports by the dates identified below.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACDEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with the specified file naming convention below, according to the following schedule:

- **May 27, 2016** – First Quarter 2016 Quarterly Groundwater Monitoring Report and Remedial Progress Report
File to be named: RO262_GWM_REM_R_yyyy-mm-dd
- **July 1, 2016** – Site Investigation Report
File to be named: RO262_SWI_R_yyyy-mm-dd
- **August 26, 2016** – Second Quarter 2016 Quarterly Groundwater Monitoring Report and Remedial Progress Report; File to be named: RO262_REM_R_yyyy-mm-dd

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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.

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>. If your email address is not listed on the first page of this letter, or in the list of cc's listed below, ACDEH is requesting your email address to help expedite communications and to help lower overall costs.

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 Detterman, PG, CEG
Senior Hazardous Materials Specialist

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

cc: Robert Kitay, Aqua Science Engineers, Inc, 55 Oak Court, Suite 220, Danville, CA 94526,
(sent via electronic mail to rkitay@aquascienceengineers.com)

Dilan Roe, ACDEH, (sent via electronic mail to dilan.roe@acgov.org)

Mark Detterman, ACDEH, (sent via electronic mail to mark.detterman@acgov.org)

Geotracker, Electronic File

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: May 15, 2014
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 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.