



**CONESTOGA-ROVERS
& ASSOCIATES**

5900 Hollis Street, Suite A, Emeryville, California 94608
Telephone: 510-420-0700 Facsimile: 510-420-9170
www.CRAworld.com

September 20, 2010

Reference No. 540188

Mr. Jerry Wickham
Alameda County Environmental Health
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502

RECEIVED

9:24 am, Sep 21, 2010

Alameda County
Environmental Health

Dear Mr. Wickham:

Re: Response to ACEH Letters of January 26, 2010 & July 19, 2010
Estate of A. Bacharach/ Barbara Jean Borsuk Property
1432 Harrison Street
Oakland, California 94612
Fuel Leak Case #RO0000266
UST Fund Claim #2219

Responses to technical comments to the December 4, 2009 *Additional Site Characterization Report*, and the May 6, 2010 *Sensitive Receptor Survey* are addressed below.

Responses to ACEH Letter of January 26, 2010

1) Well Survey/Sensitive Receptor Survey

Mr. Borsuk brought to CRA's attention that former Chevron SS #9-4816 was located at 301 14th Street, approximately 150-200 feet from the subject site. The Case Closure Summary Form for that site, dated September 9, 2005, indicates that three "production" wells were located within a ½ mile radius of that site. As documented on the form, the two wells in the downgradient direction are located 2,000 and 2,640 feet from the former Chevron site. That would make these wells, at the closest, approximately 1,800 and 2,440 feet from the subject site at 1432 Harrison. We have obtained a copy of the report referencing Chevron's Well Survey/Sensitive Receptor Survey to further comply with your request to identify sensitive receptors in the vicinity. Chevron's well survey was conducted in 1996. It is unlikely that any wells have been drilled and installed in the area in the past 14 years. The SWRCB Five Year Review Summary Report, dated March 2010, for the 1432 Harrison St. site states that no wells are identified within a ½ mile radius of the site. As stated in your January 26 letter, the Geotracker website may not contain complete information about all wells in the area.

CRA has acquired and reviewed DWR and ACDPW well records for addresses nearby the site. As you are aware, CRA sent a questionnaire to property owners inquiring about wells, vaults, elevator shafts, sumps or other structures beneath their buildings. The responses are presented in the report titled, *Sensitive Receptor Survey*, dated May 6, 2010. CRA uploaded this report to the ACEH FTP website on May 20, 2010. Additionally, an EDR report for this site was acquired and contains a sensitive receptor map (Detail Map - 2027578.2s) with an approximately

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1,450-foot search area radius. The EDR report identified six potential receptors within this radius. Four are located upgradient of the site, one is located crossgradient of the site and the last one is located down- and crossgradient of the site, very near the edge of the search area. These are identified as three schools, all upgradient of the subject site; The Oakland Unified School District Yuk Yao Child Development Center, also upgradient of the site; the Oakland YWCA 13th Street site crossgradient of the site; and the Lake Park Retirement Residence, downgradient and, almost equally, crossgradient of the subject site. Records from the DPW contain information about The only other potential sensitive receptor identified is Lake Merritt, located approximately 1,700 feet down- and cross-gradient of the subject site. All this information is contained in the *Sensitive Receptor Survey* report referenced above.

2) Boring B-24 Location

The location originally proposed for boring B-24 was in the sidewalk between the former UST locations. Due to utility conflicts beneath the sidewalk, CRA moved the location 10 feet onto the property from the sidewalk and approximately 8 feet southwest (parallel to the sidewalk) of its originally proposed location. This placed the boring in the former remediation compound, approximately 17 feet south-southeast of its original location. While this provided a utility-free and safe drilling location, the assertion that boring B-24 may be outside the area of greatest impacts to soil could be correct. While the placement of this boring could perhaps have been closer to the former UST field, the proposed plan for site redevelopment includes subsurface excavation to 24 feet below grade (fbg) and also proposes the extension of that excavation to include the area beneath the sidewalk where the USTs had been. Therefore, to the extent feasible, hydrocarbon impacted soil above a yet-to-be-determined concentration will be removed during the initial phases of site redevelopment activities.

3) Soil Vapor Sampling Results

Soil vapor probes SV-1 and SV-2 were proposed for installation adjacent to wells MW-4 and MW-5. Rectangular areas averaging approximately 20 x 30 feet were marked out for utility clearance to install these probes. CRA's safety protocols prohibit drilling within 5 feet of a marked utility since the actual mark out is an approximation and its accuracy cannot be easily verified. It would have required additional traffic control and created added safety issues during future sampling to move beyond the boundaries of the marked areas. Another alternative was to negotiate access to nearby private property. CRA was unsuccessful in negotiations to access 1515 Harrison Street for installation of an additional downgradient well or vapor probes. Alternate proposals for additional soil vapor probe installation can be discussed upon review of the Sensitive Receptor Survey Report.



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4) Downgradient Plume Extent

We agree with your statement that further evaluation of the need for additional downgradient assessment should be based on a review of possible sensitive receptors in the vicinity. The Sensitive Receptor Survey report, submitted May 6, 2010, suggested that no sensitive receptors in the downgradient direction are likely to be affected by residual hydrocarbons in either soil or groundwater emanating from the subject site, with the possible exception of the building located at 1445 Harrison (aka 315 15th Street). This building reportedly has a basement and this basement may be susceptible to vapors emanating from groundwater and entering the through the basement sump. In the ACEH letter of July 19, 2010, a workplan is requested to evaluate the potential for vapor intrusion. This workplan will be submitted as requested. However, as described in 5) below, the ratios of dissolved hydrocarbon constituent concentrations observed in well MW-5 suggests a possible nearby and newer source, rather than migration of dissolved hydrocarbons from the subject site. Therefore, CRA's workplan will also have the objective of investigating potential alternate source(s) of dissolved hydrocarbons observed in well MW-5. See the following response to the Plume Stability technical comment for a description of this reasoning.

5) Plume Stability

It appears from a review of groundwater elevation data that the apparent mounding of groundwater in the remediation area did not become apparent until approximately December 2003 and lasted through perhaps September 2006. ACEH has speculated that this mounding had caused changes in plume migration that resulted in the increased dissolved hydrocarbon concentrations observed in MW-5. Since submittal of the ASC report, CRA has become aware of a paper written by Robert Morrison, Ph.D., of R. Morrison & Associates (now associated with DPRA) in Escondido, CA, titled *Forensic Techniques for Establishing the Origin and Timing of a Contaminant Release*. In this document, Dr. Morrison presents a method of calculating the age of a release based on the ratio of benzene + toluene to ethylbenzene + xylenes (B+T/E+X). We have inquired whether this method is valid for estimating the age of the dissolved composition observed in well MW-5, considering the distance between the site source area and MW-5. The response received from Dr. Jeffrey Alan of DPRA/Zymax Forensics, and an associate of Dr. Morrison, indicates that dissolution of "free product" or gasoline entrained in the soil, may reset the ratio "clock," making the release look younger than it is. Considering the distance between MW-5 and the subject site source area that appears possible with respect to MW-5 only if the source of dissolved hydrocarbons observed in MW-5 is much closer than the former USTs at 1432 Harrison. The calculated ratios from MW-5 suggest a nearby release having occurred within the past 5 years. A view of the historical groundwater data for MW-5 indicates that dissolved hydrocarbon concentrations were first detected and began increasing approximately 5 years ago. Considering the increasing trend of historical dissolved hydrocarbon concentrations and the calculated ratios, a closer source, upgradient of



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MW-5 seems much more likely than migration of these resulting high dissolved concentrations originating from the former USTs beneath the sidewalk at 1432 Harrison.

6) Speculative Conclusion Regarding Rebound in Well MW-2

It is CRA's and our client's understanding that further investigation of conditions associated with the closed in place USTs beneath the sidewalk at 1424 Harrison Street is still pending. The USTs beneath the sidewalk in front of 1424 Harrison Street are located approximately 10 feet south of the southern end of the former USTs beneath the sidewalk in front of 1432 Harrison. For all practical purposes, they are essentially in the same location. Technical comment No. 5 indicates that there was a mounding of groundwater in the remediation area during the AS/SVE operation. If this is true, then a greater vertical column of impacted soil was subjected to the effects of remediation. Reported TPHg and benzene concentrations decreased in MW-1 throughout the remediation process. CRA calculated the removal of approximately 10,000 pounds of hydrocarbon mass during remediation operations, resulting in the nearly three orders of magnitude reduction of TPHg and nearly four orders of magnitude reduction of benzene. Since the termination of remedial activities, dissolved TPHg and benzene concentrations had exhibited rebound in MW-1, but had remained at least an order of magnitude lower than pre-remediation levels. Decreased concentrations of TPHg and benzene were also evident in well MW-2, as was the same subsequent concentration rebound. While it is possible that the rebound of dissolved hydrocarbons in MW-2 is a result of residual hydrocarbons in the source area, it is of particular interest that during the March 1, 2010 sampling event, light non-aqueous phase liquid (LNAPL) hydrocarbons were observed entering well MW-2 as it was purged. A sample of this LNAPL was collected and submitted to the laboratory for "fingerprinting." The laboratory results of fuel fingerprinting indicated that this LNAPL "has a significant hydrocarbon pattern between C6 and C12 that resembles unmodified to weakly modified gasoline." If this LNAPL originated from residual hydrocarbons in the former tankpit source area, it is perplexing how its first occurrence in well MW-2 (excluding a laboratory-stated sheen in June 2007) could exhibit unmodified to weakly modified gasoline approximately 20 years (+/-) after retail fuel sales ceased at the site. The fuel fingerprint laboratory report does not implicate the USTs on the adjacent property at 1424 Harrison, but rather suggests some other "fresh" source migrating through an, as of yet, undefined preferential pathway near the site. The possible migration of "unmodified to weakly modified gasoline" LNAPL through a utility conduit may also explain the trend and conditions observed in well MW-5. A revised and more thorough conduit study may identify possible pathways of migration and alternate source(s).



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7) Site Development and Recommendations

The redevelopment of the site is dependant upon several factors, not the least of which is the current state of the economy. To the extent possible, Mr. Borsuk will provide a tentative schedule for site redevelopment.

8) Redevelopment of well MW-1

CRA's remediation activities included only air sparge and soil vapor extraction. The *Third Quarter 2009 Groundwater Monitoring Report* recommends this well redevelopment due to "deposition of fine-grained materials into the well during groundwater extraction." Since the author of that report is no longer with CRA, we cannot explain this statement, and neither can we explain how the well has come to contain so much sediment. Considering the recent observation of "fresh" gasoline in MW-2, it is all the more crucial to redevelop MW-1 and determine current conditions in the former source area.

9) Groundwater Monitoring

Groundwater monitoring and reporting will continue, per your request, on a semi-annual basis during the first and third quarters of the year.

Responses to ACEH Letter of July 19, 2010

- 1) The Sensitive Receptor Survey submitted May 6, 2010 did indicate the presence of a basement at 1445 Harrison Street, based on discussion with the property owner or their representative. As stated in your letter, "free product", upon pre-sample purging, was observed flowing into well MW-2. From this observation, and the reported increasing concentrations of benzene in well MW-5, it was extrapolated that the source was the former tank location associated with 1432 Harrison Street. As provided in the laboratory report documenting the First 2010 Semi-Annual groundwater monitoring and sampling, this "free product" was fingerprinted and the sample was described "has a significant hydrocarbon pattern between C6 and C12 that resembles unmodified to weakly modified gasoline." As described above in responses 5) and 6), the length of time since gasoline was stored and sold at either 1432 Harrison or 1424 Harrison suggests that fresh or weakly modified "free product" would likely have to originate from some as-of-yet undefined source. Additionally, the ratio of benzene+toluene to ethylbenzene+xylenes, based on the referenced document, suggests that the source of dissolved hydrocarbons in MW-5 is much closer than either the former USTs or MW-2 are. CRA suggests conducting a revised and more thorough conduit study that may identify possible pathways of migration and



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source(s). Additionally, a review of recently digitized (higher resolution) Sanborn maps and EDR reports may help to identify possible sources at or near 1445 Harrison Street.

CRA suggests conducting this conduit study and Sanborn map review immediately and, based on the results of the study, submit an addendum if identified potential conduits are identified. Completing this proposed work will assist in most appropriate location for investigation and installation of one or more additional wells. The workplan to define the extent of "free product" will include a proposal to evaluate the potential of vapor intrusion into the basement of 1445 Harrison. However, if other potential sources or preferential migration pathways are identified, a determination will be made whether or not to proceed with that investigation.

- 2) If data obtained from the additional offsite investigation requested in your July 19, 2010 letter indicates that further delineation of the downgradient, dissolved plume is warranted, then further assessment/delineation should occur. That is, of course, unless other sources are identified that are not associated with the subject site of 1432 Harrison Street.
- 3) Technical Comment No. 3 in the July 19, 2010 letter requests a description of the expected schedule for site development in the workplan. To the extent possible, based on the many factors that determine the economic feasibility of site redevelopment, this description will be included.
- 4) CRA will redevelop well MW-1 as soon as it can be coordinated. It will be beneficial to observe current groundwater conditions in this location to further assess whether unmodified to weakly modified "free product" observed in MW-2 could be originating from the former tankpit excavation, the abandoned in place USTs on the adjacent property or from some other undefined source.

Mr. Borsuk provided CRA with a copy of a January 15, 2010 report prepared by Aquifer Sciences, Inc. pertaining to 1424 Harrison Street. The property at 1424 Harrison Street is directly adjacent to the subject site, and the distance between the southern edge of the former USTs at 1432 Harrison and the northern extent of the USTs, abandoned in place, at 1424 Harrison is approximately 10 feet. This report hypothesizes that a groundwater divide exists somewhere near 1424/1432 Harrison St, based on reported groundwater flow directions at various sites within approximately 3,000 feet of the subject sites. This supposed groundwater divide would represent a high in groundwater elevations where groundwater north and east of the divide would flow toward Lake Merritt and groundwater south and west of the divide would flow toward the Oakland Inner Harbor. This interpretation provides justification for claiming that 1424 Harrison is frequently downgradient of the site at 1432 Harrison. However, it would be incredibly coincidental that this divide exists directly beneath the former tankpit at 1432 Harrison. Redevelopment of MW-1 will assist in resolution of the question of



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groundwater flow in the vicinity. Other possible conditions, such as a leaking water line or the more permeable nature of the pea gravel tankpit backfill (from UST removal at 1432 Harrison) may also explain the historically elevated groundwater level in MW-1 relative to MW-2 and MW-6. This issue should be revisited after well redevelopment and subsequent monitoring of water table elevations.

If you have any questions regarding this cost estimate or any issues associated with the project, please contact Robert Foss at (510) 420-3348.

Sincerely,

CONESTOGA-ROVERS & ASSOCIATES

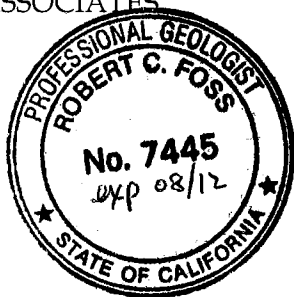
A handwritten signature in black ink that reads "Robert Foss".

Robert Foss, P.G.

RCF/aa/6

Encl.

cc: Mr. Mark Borsuk



ATTACHMENT A

ACEH LETTER DATED JANUARY 26, 2010

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
ALEX BRISCOE, Acting Director



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-8577
(510) 567-6700
FAX (510) 337-9335

January 26, 2010

Sydney & Barbara Borsuk Trust, Shiela Siegel Trust
C/o Mr. Mark Borsuk
1626 Vallejo Street
San Francisco, CA 94123-5116

Mr. Leland Douglas
Douglas Parking Company
1721 Webster Street
Oakland, CA 94612

Subject: Fuel Leak Case No. RO0000266 and Geotracker Global ID T0600100682, A Bacharach Trust & B Borsuk, 1432 Harrison Street, Oakland, CA 94612

Dear Mr. Borsuk and Mr. Douglas:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the subject site including the recently submitted documents entitled, "*Additional Site Characterization Report, Allright Parking, 1432 Harrison Street, Oakland, California,*" dated December 4, 2009 (Site Characterization Report) and "*Groundwater Monitoring Report – Third Quarter 2009, Allright Parking, 1432 Harrison Street, Oakland, California,*" dated October 16, 2009 (Groundwater Monitoring Report). The Site Characterization Report, which was prepared by Conestoga-Rovers & Associates, presents results from site characterization activities conducted at the site in August and September 2009. Site characterization activities were proposed in a document entitled, "*Additional Site Characterization Report, Allright Parking, 1432 Harrison Street, Oakland, California,*" dated July 1, 2009. As proposed in the July 1, 2009 Work Plan, the scope of work was to include one soil boring adjacent to the former tanks, one soil boring downgradient of the former waste oil tank, collection of soil vapor samples at five locations, installation of one downgradient well to define plume extent, and a sensitive receptor survey. However, due to the presence of utilities and access limitations, several elements of the proposed scope of work were eliminated. The proposed soil boring adjacent to the former tanks was moved outside the area of the former tanks, the soil boring downgradient of the waste oil tank was not advanced, proposed soil vapor sampling probes SV-1 and SV-2 were not installed, and the downgradient well was not installed. In addition, a sensitive receptor survey was not adequately completed.

At this time, we request that you complete the well survey and sensitive receptor survey as discussed in the technical comments below. The need for further characterization activities to address the technical comments below will be evaluated pending results of the well and sensitive receptor surveys. Case closure cannot be considered until the issues described in the technical comments below are further evaluated and addressed.

We request that you address the technical comments below, perform the proposed work, and submit the documents requested below.

TECHNICAL COMMENTS

- 1. Well Survey and Sensitive Receptor Survey.** As part of the proposed sensitive receptor survey, the July 1, 2008 Work Plan proposed to review California Department of Water Resources and Alameda County Public Works records to identify water supply wells within ½ mile of the site. This scope of work does not appear to have been completed. Instead, Section 5.0 of the Site Characterization Report entitled, "Sensitive Receptor Survey," refers to a review of the GeoTracker website. Please note that the GeoTracker website does not identify all water supply wells and is not an adequate reference for a well survey. Please complete the well survey as proposed in the July 1, 2008 Work Plan. No other activities appear to have been conducted for the Sensitive Receptor Survey. A sensitive receptor survey typically identifies sensitive land use such as schools, day care centers, etc. that are adjacent to or downgradient from the site and potentially could be affected. We request that you complete a sensitive receptor survey that identifies sensitive land uses adjacent to and downgradient from the site including the full current and potential future extent of the off-site plume. All sites with basements and/or sumps are to be identified and assessed for current or potential future impact. Please present these results in the Well Survey and Sensitive Receptor Survey Report requested below.
- 2. Boring B-24.** The purposes of boring B-24 were to characterize post-remediation soil concentrations adjacent to the former USTs and to define the vertical extent of contamination. Boring B-24 was proposed in the source area adjacent to the former USTs but was moved southeast of the former USTs. Therefore, boring B-24 may be outside the area of greatest impacts to soil. TPHg and BTEX were detected in the lower three soil samples (29.5, 35, and 49.5 feet bgs) collected in boring B-24. TPHg and benzene were detected in the lowermost sample collected at a depth of 49.5 feet bgs at concentrations of 890 and 1.2 micrograms per kilogram, respectively. The Report hypothesizes that the elevated concentrations of fuel hydrocarbons in the 35 and 49.5 feet bgs soil samples are a result of saturated impacted soil caving from the borehole wall below the water table between 25 and 29.5 feet bgs and being collected in the subsequently deeper soil samples. However, benzene was detected in the lowermost two soil samples at concentrations ranging from 1.2 to 1.6 mg/kg but was detected at a maximum concentration of only 0.15 mg/kg in soil samples collected between 25 and 29.5 feet bgs. Although it is possible that the soil samples collected at depth are not representative, the vertical extent of contamination remains undefined.
- 3. Soil Vapor Sampling Results.** The Site Characterization Report indicates that extensive utilities make the installation of soil vapor probes SV-1 and SV-2 impossible. The purpose of soil vapor probes SV-1 and SV-2 is to assess the potential for vapor intrusion within the downgradient portion of the fuel hydrocarbon groundwater plume. Based on the extent of the downgradient plume, SV-1 and SV-2 can be installed over a large area. Given the large area of the downgradient plume, we do not concur that soil vapor probes cannot be installed in the downgradient portion of the plume. However, we are not requesting installation of soil vapor probes at this time. The need for soil vapor probes in the downgradient portion of the plume will be reviewed at a future date following completion of the sensitive receptor survey.
- 4. Downgradient Plume Extent.** The downgradient extent of the plume remains undefined at this time. A proposed downgradient well was not installed because an access agreement could not be completed with a downgradient property owner. In correspondence dated June 10, 2009, ACEH

indicated that, "we have no objection to proceeding with proposed field work for 1432 Harrison without installation of the proposed downgradient well at 1515 Harrison Street," and that the need for "plume definition downgradient from existing wells MW-4 and MW-5 may be re-evaluated in the future." The need for downgradient assessment will be re-evaluated pending the completion of the sensitive receptor survey discussed in technical comment 1.

5. **Plume Stability.** The concentrations of TPHg and benzene continue to increase in groundwater from downgradient well MW-5. The Site Characterization Report speculates that the increased concentrations observed in well MW-5 may be a result of slower lateral diffusion or may be the result of plume migration from a source other than 1432 Harrison Street. We note that a sharp increase in benzene concentrations in groundwater from MW-5 began in 2004, approximately three years after SVE and air sparging began in the source area. We also note that the SVE and air sparging caused a groundwater mound to form in the area of the former USTs. Based on these facts, it appears much more plausible that the air sparging and resultant groundwater mounding caused changes in plume migration that resulted in the increased concentrations observed in well MW-5.
6. **Speculative Conclusion Regarding Rebound in Well MW-2.** Recommendation 8 in the Site Characterization Report speculates that USTs abandoned in place at 1424 Harrison Street may be the cause of the documented rebound in dissolved hydrocarbons concentrations observed in well MW-2. The basis for this statement appears highly speculative. In future reports, please limit the degree of speculation and conjecture in presenting conclusions and recommendations.
7. **Site Development and Recommendations.** The Recommendations section in the Site Characterization Report indicates that site development will require excavation to a depth of 25 feet bgs. The Recommendation section also indicates that residual hydrocarbons appear to the outside the proposed excavation. A limited investigation of the former UST area is recommended prior to excavation with limited excavation of impacted soils occurring concurrent with the development excavation. This proposal may be acceptable to move forward with site development contingent upon a review of approved building plans. Please describe the expected schedule for site development in the Well Survey and Sensitive Receptor Survey Report requested below.
8. **Redevelopment of Monitoring Well MW-1.** The October 16, 2009 Groundwater Monitoring Report recommends redevelopment of well MW-1 to remove sediment in the bottom of the well. We have no objection to this proposal. The October 16, 2009 Groundwater Monitoring Report attributes the infilling of the well to "deposition of fine-grained material into the well during groundwater extraction." We are not aware of well MW-1 being used for groundwater extraction. Please provide further details including the purpose, dates, method, and volume of groundwater extraction conducted using monitoring well MW-1.
9. **Groundwater Monitoring.** Please continue groundwater monitoring on the established semi-annual sampling schedule.

Mr. Mark Borsuk
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January 26, 2010
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TECHNICAL REPORT REQUEST

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

- **April 29, 2010** – Well Survey and Sensitive Receptor 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.

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/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 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

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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

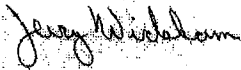
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,



Digitally signed by Jerry Wickham
DN: cn=Jerry Wickham, o, ou,
email=Jerry.wickham@acgov.org, c=US
Date: 2010.01.28 11:01:39 -08'00'

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (Sent via E-mail to: lgriffin@oaklandnet.com)

Bryan Fong, Conestoga-Rovers & Associates, 5900 Hollis Street, Suite A, Emeryville, CA 94608 2032 (Sent via E-mail to: bfong@croworld.com)

Donna Drogos, ACEH (Sent via E-mail to: donna.drogos@acgov.org)
Jerry Wickham, ACEH

Geotracker, File

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: March 27, 2009
	PREVIOUS REVISIONS: December 16, 2005, October 31, 2005
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

- 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 My Le Huynh.
 - 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 @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.

ATTACHMENT B

ACEH LETTER DATED JULY 19, 2010



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

July 19, 2010

Sydney & Barbara Borsuk Trust, Shiela Siegel Trust
C/o Mr. Mark Borsuk
1626 Vallejo Street
San Francisco, CA 94123-5116

Mr. Leland Douglas
Douglas Parking Company
1721 Webster Street
Oakland, CA 94612

Subject: Review of Sensitive Receptor Survey for Fuel Leak Case No. RO0000266 and Geotracker Global ID T0600100682, A Bacharach Trust & B Borsuk, 1432 Harrison Street, Oakland, CA 94612

Dear Mr. Borsuk and Mr. Douglas:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the subject site including the recently submitted documents entitled, "*Sensitive Receptor Survey, Allright Parking, 1432 Harrison Street, Oakland, California,*" dated May 6, 2010 (Sensitive Receptor Survey) and "*First 2010 Semi-annual Groundwater Monitoring Report, Allright Parking, 1432 Harrison Street, Oakland, California,*" dated April 16, 2010 (Groundwater Monitoring Report). Both reports were prepared on your behalf by Conestoga-Rovers & Associates. The Sensitive Receptor Survey was prepared in response to our request in previous correspondence dated January 19, 2010. We thank you for completing this scope of work.

We request that you address the technical comments below, perform the proposed work, and submit the documents requested below.

TECHNICAL COMMENTS

- 1. Results of Receptor Survey and Potential for Vapor Intrusion.** The petroleum hydrocarbon plume originating from the former USTs extends north and continues beneath the building at 1445 Harrison Street. Groundwater from well MW-5, which is located north of 1445 Harrison Street, contained 16,000 micrograms per liter of benzene during the most recent sampling event, which significantly exceeds screening levels for potential vapor intrusion concerns due to volatilization from groundwater. The building at 1445 Harrison has a basement and a sump, which brings the subfloor of the building into closer proximity to the petroleum hydrocarbon plume. The use of the basement is not described but it does not appear to be a parking structure. During the most recent groundwater sampling event, free product was observed in well MW-2, which is located on the east side of Harrison Street immediately downgradient from the former USTs. The extent of free product and whether it extends north potentially below the building at 1445 Harrison Street, is not known. We request that you prepare a Work Plan to define the extent of free product downgradient in the area of well MW-2 and evaluate the potential for vapor intrusion to the basement at 1445 Harrison Street. We anticipate this scope of work will include installation of a monitoring well on the west side of Harrison Street and soil vapor sampling or subslab sampling within the basement at 1445 Harrison Street.

2. **Downgradient Plume Extent.** The downgradient extent of the plume remains undefined at this time. A proposed downgradient well, which was proposed in a July 1, 2009 Work Plan, was not installed because an access agreement could not be completed with a downgradient property owner. The need for downgradient assessment will be re-evaluated pending the completion of the delineation of free product and potential for vapor intrusion requested in technical comment 1.
3. **Site Development and Recommendations.** The Recommendations section in the Site Characterization Report indicates that site development will require excavation to a depth of 25 feet bgs. The Recommendation section also indicates that residual hydrocarbons appear to the outside the proposed excavation. A limited investigation of the former UST area is recommended prior to excavation with limited excavation of impacted soils occurring concurrent with the development excavation. This proposal may be acceptable to move forward with site development contingent upon a review of approved building plans. Please describe the expected schedule for site development in the Work Plan requested below.
4. **Redevelopment of Monitoring Well MW-1.** The April 16, 2010 Groundwater Monitoring Report recommends redevelopment of well MW-1 to remove sediment in the bottom of the well. We have no objection to this proposal provided that the well is structurally intact.
5. **Groundwater Monitoring.** Please continue groundwater monitoring on the established semi-annual sampling schedule.

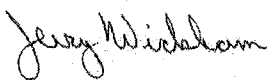
TECHNICAL REPORT REQUEST

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

- **September 29, 2010** – Work Plan

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,



Digitally signed by Jerry Wickham
DN: cn=Jerry Wickham, o, ou,
email=jerry.wickham@acgov.org, c=US
Date: 2010.07.20 15:29:27 -07'00'

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Attachment: Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

Mr. Mark Borsuk
RO0000266
July 19, 2010
Page 3

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (*Sent via E-mail to: lgriffin@oaklandnet.com*)

Robert Foss, Conestoga-Rovers & Associates, 5900 Hollis Street, Suite A, Emeryville, CA 94608 2032 (*Sent via E-mail to: bfoss@croworld.com*)

Donna Drogos, ACEH (*Sent via E-mail to: donna.drogos@acgov.org*)
Jerry Wickham, ACEH

Geotracker, 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.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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: July 8, 2010
	PREVIOUS REVISIONS: December 16, 2005, October 31, 2005
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

- 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 Teena Le Khan.
 - 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 Page on upper right side of browser, 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.

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 - 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 @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.