ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

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ENVIRONMENTAL PROTECTION
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April 8, 2008

Mr. Richard Saut
Penske Truck Leasing Company
Route 10 Green Hills road
P.O. Box 76335
Reading, PA 19603-7635

Subject: Fuel Leak Case No. RO0000354 and Geotracker Global ID T0600101062, Hertz Penske, 725 Julie Ann Way, Oakland, CA 94621

Dear Mr. Saut:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the recently submitted document entitled, "Request for Conditional Site Closure," dated March 2, 2004, which was prepared by Secor International Incorporated for the subject site. The report details site assessment activities conducted, which includes Fenton's Reagent injection conducted in October 2000. Subsequently, Secor requests conditional case closure to limit the site to commercial industrial use with a deed restriction, based on groundwater sample analytical data that indicates that "free product" is no longer present at the site following Fenton's Reagent injection.

However, ACEH cannot concur with the proposed conditional case closure since sheen was detected in MW-1 on December 5, 2002, post remedial confirmation soil samples were not collected, the monitoring wells may not be appropriately constructed based on site conditions, and preferential pathways have not been evaluated due to shallow groundwater conditions at the site. ACEH requests that you address the above-mentioned concerns (detailed below), and send us the work plan and technical reports by the due dates specified below. Please note that this decision to deny closure at this time is subject to appeal to the State Water Resources Control Board (SWRCB), pursuant to Section 25299.39.2(b) of the Health and Safety Code (Thompson-Richter Underground Storage Tank Reform Act - Senate Bill 562). Please contact the SWRCB Underground Storage Tank Program at (916) 341-5851 for information regarding the appeal process.

TECHNICAL COMMENTS

1. **Contaminant Source Area Characterization** – Compliance soil samples were collected following the underground storage tank (UST) removals in October 1989. Elevated concentrations, up to 13,000 milligrams per kilogram (mg/kg) of total petroleum hydrocarbons (TPH) as diesel (d), 2,100 mg/kg TPH as gasoline (g), and 36 mg/kg benzene were detected in the soil. Fenton's Reagent was injected into the subsurface in October 2000 to remediate the site. Although a decrease in contaminant concentrations in groundwater have been observed generally at the site, elevated concentrations of TPH-d continue to be detected in

groundwater monitoring wells MW-1, MW-4, and MW-7, with product sheen observed on the groundwater surface in monitoring well MW-1. Although Secor suggests the product sheen may be ferrous iron oxidation sheen, groundwater sample analytical results detected up to 17,000 µg/L TPH-d in a groundwater sample collected from in MW-1, indicating dissolved-phase and perhaps free-phase diesel remains in groundwater at the site. In addition, confirmation soil samples have not been collected to verify remedial success in soil. Since significantly elevated concentrations of benzene (up to 36 mg/kg) were detected in soil, the contaminant volatilization to outdoor air and indoor air exposure pathways also warrants further evaluation. Please propose a scope of work to address the above-mentioned concerns and submit a work plan.

2. **Monitoring Wells and Hydrogeologic Setting** – Monitoring wells MW-1, MW-3, MW-4, and MW-5 are installed to a depth of 36.5 feet below the ground surface (bgs) screened intervals from 10 feet to 35 feet bgs and MW-2, MW-6, MW-7, and MW-8 are installed to a depth of approximately 30 feet bgs with screened intervals from 10 feet to 30 feet bgs. Depth to groundwater at the site has been measured as shallow as 5 feet bgs. Since groundwater elevation is above the screened interval for site monitoring wells and petroleum hydrocarbons have a specific gravity that is lower than water (therefore, float on water); concentrations of contaminants detected may not be representative of actual site conditions. Therefore, the monitoring wells appear to be incorrectly constructed, which may affect the contaminant concentrations detected in groundwater. Please evaluate and discuss the effect that groundwater elevations rising above monitoring well screens have on hydrocarbon concentrations for each monitoring well at the site. Please address the above-mentioned concerns and include your analysis and proposal to address this data gap in the work plan requested below.

3. **Preferential Pathway Study** – The purpose of the preferential pathway study is to locate potential migration pathways and conduits and determine the probability of the NAPL and/or 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 (wells, utilities, pipelines, etc.) for vertical and lateral migration that may be present in the vicinity of the site.

   Discuss your analysis and interpretation of the results of the preferential pathway study and report your results in the soil and groundwater investigation work plan 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 and trenches (including sewers, storm drains, pipelines, trench backfill, etc.) within and near the site and plume area(s) is required as part of your study. Please include 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 shall include a detailed 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. As part of your detailed well survey, please perform a background study of the historical land uses of the site and properties in the vicinity of the site. Use the results of your background study to determine the existence of unrecorded/unknown (abandoned) wells, which can act as contaminant migration pathways at or from your site. Please review and submit copies of historical maps, such as Sanborn maps, aerial photographs, etc., when conducting the background study.

4. **Groundwater Contaminant Plume Monitoring** – Several years of quarterly groundwater monitoring data exists for the site. Your consultant may propose a reduction in groundwater sampling frequency for monitoring wells at the site. Should you wish to reduce the groundwater sampling frequency, please submit a groundwater sampling schedule that adequately justifies a sampling frequency reduction for review. Please note that all monitoring points must be gauged semi-annually.

5. **GeoTracker Compliance** – A review of the case file and the State Water Resources Control Board's (SWRCB) GeoTracker website indicate that electronic copies of analytical data have not been submitted, rendering the site to non-compliance status. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the UST or LUST program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. Additionally, beginning January 1, 2002, all permanent monitoring points utilized to collect groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level and latitude and longitude to sub-meter accuracy using NAD 83. A California licensed surveyor may be required to perform this work. Additionally, pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3893, 3894, and 3895, beginning July 1, 2005, the successful submittal of electronic information (i.e. report in PDF format) shall replace the requirement for the submittal of a paper copy. Please complete the surveying and upload all applicable electronic submittal types such as the analytical data (EDF), survey data (GEO_XY and GEO_Z), and PDF reports from July 1, 2005 to current to GeoTracker. Electronic reporting is described below.

REQUEST FOR INFORMATION

ACEH's case file for the subject site contains the following reports listed on our website (http://www.acgov.org/aceh/lop/ust.htm). You are requested to submit copies of all other reports related to environmental investigations for this property (including Phase I and Phase II reports) by **May 7, 2008**.

TECHNICAL REPORT REQUEST

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

- **May 7, 2008** – Complete uploads to SWRCB's GeoTracker website

- **June 6, 2008** – Soil and Water Investigation Work Plan (to include results of the Preferential Pathway Evaluation.)
- **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

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

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 paresh.khatri@acgov.org.

Sincerely,

Paresh Khatri
Hazardous Materials Specialist

Donna L. Drogos, PE
Supervising Hazardous Material Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Angus McGrath, Secor International Incorporated, 57 Lafayette Circle, 2nd Floor, Lafayette CA 94549

Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032
Donna Drogos, ACEH
Paresh Khatri, ACEH
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