

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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March 17, 2009

Mr. George Jaber
George H. Jaber Trust
2801 Encinal Avenue
Alameda, CA 94501-4726

Subject: Fuel Leak Case No. RO00000373 Olympic Station (Global ID #T0600102256), 1436 Grant Avenue, San Lorenzo, CA 94580

Dear Mr. Jaber:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site and the document entitled, "Site Investigation, Preferential Pathway and Work Plan Report," dated April 29, 2008 prepared by Conestoga Rover and Associates (CRA). CRA advanced eight soil borings both on and off-site and results from the site investigation detected significantly elevated levels of petroleum hydrocarbon contamination in soil adjacent to the former dispenser island at concentrations of up to 1,700 parts per million TPHd (mg/kg), 290 mg/kg TPHg, 0.72 mg/kg benzene and 1.8 mg/kg MtBE. In addition, grab groundwater samples collected from the soil borings detected dissolved phase contamination at concentrations of up to 260,000 micro grams per liter ($\mu\text{g/L}$) TPHd 7,300 $\mu\text{g/L}$ TPHg, 330 $\mu\text{g/L}$ benzene and 2,700 $\mu\text{g/L}$ MtBE.

During a preferential pathway study, CRA determined that the utility corridor in Grant Avenue may be acting as a potential pathway for the offsite migration of contamination. In addition, CRA has proposed the installation of seven soil borings, one groundwater monitoring well and four soil vapor points to define the extent of contamination and evaluate the vapor intrusion pathway. ACEH generally agrees with the scope of work as proposed in the work plan, provided the technical comments discussed below are addressed prior to the implementation of the work plan.

We request that you perform the proposed work, and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to steven.plunkett@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Utility Corridor Evaluation.** CRA has identified a storm drain and sanitary sewer line within Grant Avenue that may be acting as potential pathway for the downgradient migration of dissolved phase contamination. Please attempt to collect groundwater samples in the utility corridor backfill to determine if the utility trench may be acting to transmit dissolved phase contamination downgradient of your site and present the results of your investigation in the report requested below.
2. **Proposed Soil Vapor Assessment.** CRA has proposed the installation of four soil vapor points to evaluate the soil vapor to indoor air migration pathway. We generally concur with the proposal to install soil vapor probes; however, we request that you perform the soil vapor assessment in accordance with the January 2003 DTSC "Advisory – Active Soil Gas Investigations". In addition, please include naphthalene in the soil vapor sample analysis. Please present the result from the soil vapor investigation in the report requested below.

3. **Proposed Soil Boring Locations and Soil Sampling.** Results from the subsurface investigation completed in May 2008 detected elevated levels of petroleum hydrocarbon contamination in soil boring B-1 at concentrations of up to 1,700 mg/kg TPHd and 290 mg/kg TPHg, 0.42 mg/kg benzene and 1.8 mg/kg MtBE. CRA has proposed the installation of seven soil boring to define the extent of contamination. However, the two proposed soil borings upgradient of the site (in Channel Street) are not justified, and the UST cleanup fund may not provide reimbursement for their installation. ACEH generally concurs with the proposed soil sample analysis provided that you include chemical analysis of naphthalene. Please present results for the soil boring installation in the report requested below.
4. **Proposed Monitoring Well Installation.** CRA has proposed the installation of one monitoring well in the vicinity of the former fuel dispenser island to evaluate the dissolved phase hydrocarbon plume. CRA recommends that the monitoring well be constructed with a 15 foot screen interval. ACEH does not concur with the use of long screen wells, as data from these wells is not likely to be representative of the actual groundwater conditions. ACEH recommends the use of monitoring wells designed with sand pack interval of 5 feet or less, as these wells will likely be representative of groundwater conditions at a specific depth interval. Please present results from the monitoring well construction in the soil and groundwater investigation report requested below.

TECHNICAL REPORT REQUEST

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

- **May 15, 2009** – Soil and Groundwater Investigation with Utility Corridor Evaluation

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

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.

LANDOWNER NOTIFICATION REQUIREMENTS

Pursuant to California Health & Safety Code Section 25297.15, the active or primary responsible party for a fuel leak case must inform all current property owners of the site of cleanup actions or requests for closure. Furthermore, ACEH may not consider any cleanup proposals or requests for case closure without assurance that this notification requirement has been met. Additionally, the active or primary responsible party is required to forward to ACEH a complete mailing list of all record fee title holders to the site.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please be aware that you may be eligible for reimbursement of the costs of investigation from the California Underground Storage Tank Cleanup Fund (Fund). In some cases, a deductible amount may apply. If you believe you meet the eligibility requirements, we strongly encourage you to call the Fund for an application.

AGENCY OVERSIGHT

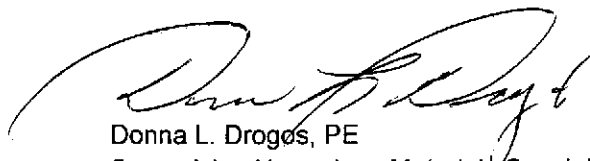
If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 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) 383-1767.

Sincerely,



Steven Plunkett
Hazardous Materials Specialist



Donna L. Drogos, PE
Supervising Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

George Jaber
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cc: Robert Foss
CRA
5900 Hollis Street
Emeryville, CA 94608

Donna Drogos, Steven Plunkett, File

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: December 16, 2005
	PREVIOUS REVISIONS: October 31, 2005
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

Effective January 31, 2006, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities.

REQUIREMENTS

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection.** (Please do not submit reports as attachments to electronic mail.)
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- Signature pages and perjury statements **must** be included and have either original or electronic signature.
- **Do not password protect the document.** Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:
RO#_Report Name_Year-Month-Date (e.g., RO#5555_WorkPlan_2005-06-14)

Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in Excel format. These are for use by assigned Caseworker only.

Submission Instructions

- 1) Obtain User Name and Password:
 - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
 - i) Send an e-mail to dehloptoxic@acgov.org
 - or
 - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of Alicia Lam-Finneke.
 - b) In the subject line of your request, be sure to include "ftp PASSWORD REQUEST" and in the body of your request, include the **Contact Information, Site Addresses, and the Case Numbers (RO# available in Geotracker) you will be posting for.**
- 2) Upload Files to the ftp Site
 - a) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
 - (i) Note: Netscape and Firefox browsers will not open the FTP site.
 - b) Click on File, then on Login As.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
 - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
 - a) Send email to dehloptoxic@acgov.org notify us that you have placed a report on our ftp site.
 - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name at acgov.org. (e.g., firstname.lastname@acgov.org)
 - c) The subject line of the e-mail must start with the RO# followed by **Report Upload.** (e.g., Subject: RO1234 Report Upload)