



ENVIRONMENTAL HEALTH DEPARTMENT
ENVIRONMENTAL PROTECTION
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July 26, 2010

Mr. J.W. Silveira
J.W. Silveira Realty
499 Embarcadero
Oakland, CA 94606

Subject: Request for Interim Remedial Action and Additional Investigation; Fuel Leak Case No. RO0000387 and Geotracker Global ID T0600101212, Mel Senna Brake Service, 2301 East 12th Street, Oakland, CA 94601 – Work Plan Approval

Dear Mr. Silveira:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site, including the *Subsurface Investigation Report (SB7 through SB13 and SG1 through SG6)*, submitted on your behalf by P&D Environmental, Inc, and dated July 7, 2009. Thank you for submitting the report. This recent work has helped the understanding of the extent of impacted soil and groundwater at the site; however, a number of data gaps require further elucidation. Most critically from a potential human health perspective this includes soil vapor; however, remaining data gaps are not limited to soil vapor. Based on ACEH staff review of the case file, we request that you address the following technical comments and send us the reports described below.

TECHNICAL COMMENTS

1. **Sub-Slab Vapor Sample Work Plan** - The referenced report recommends the collection of sub-slab vapor samples at four locations, SG7 to SG10, and ACEH is in agreement that the proposed work is appropriate due to the potential risk to human health. Please submit a work plan to conduct the work with the installation of permanent vapor points by requested date identified below. Please also account for potential vapor intrusion pathways potentially allowed by utility conduits to interior air spaces by vapor point placement.
2. **Interim Remedial Action Plan** - A review of site data indicates that identification and implementation of appropriate interim remedial actions will likely result in a reduction in the soil vapor concerns, and likely in an ability to achieve groundwater objectives sooner. In addition to the existing soil vapor sample data this comment is based on the following observations:
 - a. Review of the UST removal report (Epigene International, August 31, 1993) indicates that unremediated excavation spoils from the USTs were reused as backfill, and that a Visqueen plastic layer separated backfill from clean import material in both excavations. The only documentation that impacted soil was exported from the site or otherwise remediated appears to be waste manifests for approximately 49 tons of soil that are located in the UST removal report dated March 28, 1991. If additional reports exist that support the removal of additional soil or groundwater please submit the documents to the ACEH website.
 - b. Overexcavation in the vicinity of the 6,000-gallon and 1,000-gallon USTs (as implied by the hachured area on recent site figures) does not appear to be supported in documents currently submitted for the site. The lithologic soil bore log for well EW-1, apparently installed after site excavations were complete, supports this observation. As depicted,

well EW-1 appears to be within the implied overexcavation area; however, the soil lithology suggests a normal soil section rather than a fill section.

- c. Review of well construction details for wells MW-1 to MW-6 and EW-1 suggests that the depth to first groundwater in well MW-1 is anomalous for the site. Recent depth to static groundwater in all wells appears reasonably consistent at approximately 7 to 8 feet bgs and may suggest the well is not appropriately screened. Although the screen interval may have been appropriate for groundwater as encountered at the time of drilling, a review of the soil analytical data associated with well MW-1 could also suggest that groundwater may occur at a higher level than screened in the well. The collective set of data may suggest that the well screen interval is submerged, and if so, would not be representative of concentrations in groundwater in the source area. Because well MW-1 has historically contained the highest concentrations in groundwater at the site (including free phase), this observation can be crucial to site remediation and understanding.

Please submit an Interim Remedial Action Plan, specifically addressing these points and including geologic cross sections that illustrate subsurface features, man-made conduits, and lateral and vertical extent of contamination according to the schedule identified below.

3. **Soil and Groundwater Investigation Work Plan** – Additional investigation of the site and / or vicinity appears to be warranted to verify the extent of impacted soil or groundwater in order to help determine if additional corrective actions may be appropriate in the future. This comment is based on the following observations:

- a. Data collected from soil bores SB7 and SB8 were used to support the contention that no further investigation of utility conduits (storm drain & telephone) is warranted to the southeast of the site. ACEH notes that based on Figure 3 of the *Preferential Pathway Survey Report* (P&D Environmental, December 15, 2008) the sanitary sewer is the most likely utility to intercept groundwater based on depth, flows towards the northwest and then northeast (Figure 5, July 2009, *Subsurface Investigation Report*), but remains unevaluated as the closest utility that could conceivably preferentially conduct impacted fluids.
- b. Elevated detections in groundwater collected at soil bore SB11 is suggested to be from an unknown source; however, elevated concentrations were also detected in bores SB12 and SB-4 and wells MW-4 and MW-5, at a minimum. ACEH is not yet convinced that data collected from bore SB11 implies another source, but may be a preferential pathway of concern for the site.
- c. ACEH is not convinced that sufficient effort to determine the extent of contamination towards the southwest has been extended. Soil bore SB9 indicates sufficient contamination is present at that location to warrant further investigation, including infiltration into the documented preferential pathways in that direction.
- d. The deep water supply well at 1091 Calcot Street (a distance of approximately 235 feet directly downgradient) was stated to be inactive, while the *Sensitive Receptor Survey Report* (P&D Environmental, December 8, 2009) indicates the well was abandoned (but not destroyed). Because the abandoned well is 345 foot deep and the *Subsurface Investigation Report* documented a downward groundwater gradient at the subject site, additional investigation as to the status of the well appears appropriate in light of volatile organic compound (VOC) concentrations which exceeded Environmental Screening Levels (ESLs) at a number of locations., and the fact that the highest VOC concentrations were documented at the downgradient extent of the recent investigation.

Please submit a Subsurface Investigation Work Plan to address each of these technical comments and any additional points of concern that have been identified by the date requested below.

4. **Groundwater Monitoring** - The last groundwater monitoring event of site and vicinity wells appears to have been June 2007, while the previous event appears to have occurred in May 2000. In accordance with the State Water Resource Control Board Resolution 2009-0042, and in order to assess impacts to groundwater at the site, ACEH requests the wells be included into a regularly scheduled (semi-annual) groundwater monitoring program due to the extended gap in groundwater monitoring. Based on a review of historic groundwater monitoring results please collect samples in the first and third quarters of a year. Please present results from the groundwater monitoring and sampling in the reports requested below.

TECHNICAL REPORT REQUEST

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

- **September 10, 2010** – Sub-Slab Vapor Sample Work Plan
- **October 8, 2010** – Interim Remedial Action Plan
- **November 5, 2010** – Subsurface Investigation Work Plan
- **December 10, 2010** – Groundwater Monitoring and Sampling Report
- **60 Days after approval of Sub-Slab Vapor Sample Work Plan** - Site Investigation Report

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,

Mark E. Detterman, PG, CEG
Hazardous Materials Specialist

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

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

Paul King, P&D Environmental, Inc, 55 Santa Clara Avenue, Suite 240, Oakland, CA 94610

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

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.

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| Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) | REVISION DATE: July 20, 2010 |
| | ISSUE DATE: July 5, 2005 |
| | PREVIOUS REVISIONS: December 16, 2005; October 31, 2005; March 27, 2009; July 8, 2010 |
| SECTION: Miscellaneous Administrative Topics & Procedures | SUBJECT: Electronic Report Upload (ftp) Instructions |

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

REQUIREMENTS

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

RO#_Report Name_Year-Month-Date (e.g., RO#5555_WorkPlan_2005-06-14)

Submission Instructions

- 1) Obtain User Name and Password
 - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
 - i) Send an e-mail to dehloptoxic@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 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.