

Detterman, Mark, Env. Health

From: Detterman, Mark, Env. Health
Sent: Tuesday, March 04, 2014 5:02 PM
To: 'Chris Baldassari'; 'Robert S. Creps'; JULIE TREINEN
Cc: Roe, Dilan, Env. Health
Subject: December 2013 Draft Memo Followup - 1650 65th Street, Emeryville (Emery Bay Plaza; RO0440)

Julie, Chris, and Rob,

ACEH has reviewed the December 17, 2013 revised draft memo (received December 27, 2013). Thank you for submitting it for review and comments. As before, ACEH has a number of comments relative to the revised draft response and these are numbered according to the numbering system in your memo. As before, our comments are intended as discussion points that can be addressed in your final document, requested below, to provide more support for your rationale or to require further analysis and data.

ACEH would also like to schedule a conference call to discuss the items listed below and to strategize about the most efficient path towards closure. ACEH requests notification of suitable dates and times for the conference call.

TECHNICAL COMMENTS

- 1) Removal of Free Product to Extent Practicable – There are no changes; ACEH is in agreement with your assessment. Please note that while free-phase appears to have been removed to the extent practicable, use of this scenario under the LTCP requires that the property owner be willing to accept a land use restriction if the oversight agency requires the use of a land use restriction. This agency would require a land use restriction (commercial use restriction and notification of any future permitted subsurface work in the vicinity of, and downgradient of, the former UST location rather than a deed restriction) to inform future users of the site of the presence of residual free-phase beneath the site (also see below for additional reasons).
- 2) Vapor Intrusion Criteria – The revised draft memo argues that soil concentrations collected beneath the building are more representative of soil concentrations beneath the building, and that detected elevated concentrations of TPH, benzene, and ethylbenzene outside of the building footprint are not representative of soil concentrations beneath the building. Specifically, on March 21, 2012 concentrations up to 13,000 mg/kg TPHg; 160 mg/kg benzene, and 290 mg/kg ethylbenzene were detected in soil samples collected approximately 10 to 15 feet upgradient of the building, at 9 or 9.5 feet below grade surface in close proximity to the former UST location. ACEH recognizes that contaminant concentrations in proximity to a source may not be representative of the downgradient extent of a soil plume; however, the extent to which the elevated concentrations of TPH (>100 mg/kg in the 0 to 10 foot zones) extend beneath the subject building has not been determined.

Conversely it appears that the passive methane mitigation system potentially provides a level of protection from vapor intrusion from petroleum volatile organics. However, prior to making this determination, please provide test verification that the M-2 zone sensors are properly functioning. Additionally, please conduct one round of vapor sampling that will additionally verify that methane generation beneath the site does not consume all available oxygen that would be used to degrade volatile petroleum hydrocarbons beneath the building. Should the additional data reaffirm your assessment, it would then appear appropriate to manage risks associated with potential petroleum vapor intrusion with institutional controls, such as required continued maintenance, operation, and testing of the passive methane system, including a commercial land use restriction, and notification of any future permitted subsurface work in the vicinity of, and downgradient of, the former UST location.

- 3) Direct Contact and Outdoor Air – The revised draft memo provides screening level risk calculations to show that health risks associated with the elevated concentrations in soil (cited above) do not provide additional substantial health risks to onsite receptors. The calculations indicate a risk not higher than 1.5×10^{-5} for volatilization from soil to outdoor air, or 1.1×10^{-5} for utility workers. ACEH notes that although the calculations are within EPA

risk levels of 10^{-6} to 10^{-4} , the LTCP screening levels for Direct Contact and Outdoor Air are representative of a 4×10^{-6} risk. ACEH does not consider these calculations to be equivalent to a site-specific risk assessment.

- 4) Well MW-8 Plume Stability and Extent – The revised draft memo states that the recent spike in groundwater concentrations of TPHg and benzene in well MW-8 is unrelated to the initial release, that groundwater flow and direction are stable, the extent is limited as the spike has not been seen in MW-2 or EW-1, and that the potential for downgradient (on the subject site) and upgradient exposure is limited as onsite the area is a parking lot, and upgradient of MW-8 the adjacent site is used as a self-storage warehouse and the office for the facility is in the southeast corner of that parcel. The revised memo also states the potential source may be the warehouse. Due to the lack of documentation about the source of the release (i.e. a potential onsite surface release near MW-8), it appears appropriate to continue to monitor site wells (MW-8, MW-2, EW-1) for stability and / or continued decreasing concentrations to document and support a limited release; especially in November of a year, coincident with historic benzene spikes.
- 5) Intrusive Earthwork Guidance Plan – No substantive changes; As before, it has been stated that the IEGP was developed due to various chemicals being detected in historic fill beneath the site, that are unrelated to the UST case and do not present a material risk to users of the site. Please understand that ACEH cannot ignore apparently unreported fill contaminants at the site. Therefore it will be necessary to disclose the contaminants and associated concentrations in order for ACEH to assess this statement. If it can be demonstrated that the contamination has been investigated to the satisfaction of other regulatory agencies under an existing case number, ACEH will not seek further information relative to the contaminants.

TECHNICAL REPORT REQUEST

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

- **April 4, 2014 – Available Dates for Conference Call**
- **April 30, 2014 – Technical Memorandum**
File to be named: RO440_CORRES_L_yyyy-mm-dd

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

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

Should you have questions, please let me know.

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PDF copies of case files can be downloaded at:

<http://www.acgov.org/aceh/lop/ust.htm>