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

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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January 30, 2009

Ms. Elaine Kirk
Marks Management Co
505 Sansome St. #1400
San Francisco, CA 94111

Subject: Fuel Leak Case No. RO0002520 and Geotracker Global ID T06019788682, Maz Glass, 3800 San Pablo Avenue, Emeryville CA 94608

Dear Ms. Kirk:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the document entitled, *Preliminary Investigation and Evaluation Report*, dated August 28, 2007 and prepared by Enviro Soil Tech Consultants (ESTC). Maximum concentrations of 780,000 micrograms per liter (µg/L) total petroleum hydrocarbons as gasoline (TPHg) and 6,700 µg/L benzene were detected in groundwater during this investigation. Based on these results, the investigation report recommended installing monitoring wells at the site and performing additional evaluation of the site.

We concur with your proposal to perform additional evaluation of the source area, to define the extent of the plume and to install monitoring wells at the site. We request that you submit a work plan which addresses the following technical comments.

**TECHNICAL COMMENTS**

1. **Regional Geologic and Hydrogeologic Setting.** The regional and local geologic and hydrogeologic setting must be understood in order to begin preparing a site conceptual model (SCM) and to install groundwater monitoring wells. Please prepare a concise narrative discussion of the regional geologic and hydrogeologic setting. Include a list of technical references you reviewed. Include a concise discussion of the on-site geology, hydrogeology, presumed groundwater flow direction, preferential pathways, and potential threat to down-gradient and above-ground receptors (e.g. contaminant fate and transport). Please include the contaminant volatilization from the subsurface to indoor/outdoor air exposure route (i.e. vapor pathway) in the analysis in the work plan requested below.

2. **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 (including the detailed well survey and utility survey requested below) and report your results in the 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 the location and depth of all utility lines and trenches within and near the site and plume areas(s) on an expanded site map. After the investigation is performed we request that you update the cross-sections with the new boring information and utility information.

b. Well Survey

The preferential pathway study shall include a 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.

3. **Source Area Definition.** Proposed soil borings to the east and south of the tank pits were not installed, leaving the source area undefined in those areas. In addition, the investigation report identified areas with contamination immediately adjacent to the building which ESTC suggests may be from two former 1,000-gallon underground storage tanks (USTs) that were removed in 1981. Please indicate the suspected location of these USTs on a map and submit a work plan to assess the source area and the extent of hydrocarbons in soil and groundwater immediately adjacent to the tank locations and in the areas where the two other tanks were expected to be located.

4. **NAPL and Dissolved Contamination Plume Definition.** Maximum concentrations of 780,000 µg/L TPHg and 6,700 µg/L benzene were detected in groundwater samples collected from soil borings. The high TPHg values from the boring located in the presumed downgradient direction from the USTs are indicative of non-aqueous phase liquid (NAPL). The maximum concentration was detected in boring B-5 at the southwestern most corner of the site and elevated concentrations were also detected in B-1 and B-3 which were located adjacent to the building, leaving the lateral extent of groundwater contamination undefined. Please submit a work plan to define the lateral extent of contamination in groundwater. In addition, ACEH agrees that groundwater monitoring wells should be installed to monitor the groundwater contamination. We recommend that you consider installing wells capable of monitoring multiple depth discrete intervals with sand pack intervals no longer than 2 to 5 feet. This may require that you install multiple wells or multichamber wells. Installing depth discrete wells can help to define the location of the plume. Please ensure that the most shallowly screened well intersects the water table. The proposed depths and construction details of the wells are to be presented in the work plan requested below.

5. **Vertical Delineation of Dissolved Contamination Plume.** Groundwater samples collected at the site indicate that the vertical extent of the contamination has not been defined.

Groundwater samples obtained from 20 feet below ground surface (bgs) reported maximum concentrations of 780,000 µg/L TPHg and 6,700 µg/L benzene. Three soil samples collected from 20 feet bgs in borings B-1, B-3 and B-6 detected benzene at a maximum concentration of 85 micrograms per kilogram (µg/Kg) which exceeds the current environmental screening level for this constituent. No samples were collected below 20 feet to define the vertical extent of contamination, leaving the vertical extent of contamination undefined at the site. Submit your proposal to evaluate the vertical extent of contamination in the work plan requested below.

6. **Soil Vapor Pathway.** Contaminant concentrations near the building are elevated and concentrations beneath the building have not been evaluated, as stated in ESTC's report. ACEH requests that you evaluate the vapor intrusion pathway by performing soil vapor sampling. Please submit your proposal in the work plan requested below.

7. **Soil Boring Logs and Groundwater Depth.** Neither the soil boring logs nor the groundwater table specified if 20 feet was the first encountered groundwater, the static groundwater depth or the depth that the samples were collected. Please clarify this information in an addendum to the 8/28/2007 soil and water investigation (SWI) report requested below and in future reports place this information in the boring logs and on the groundwater data table.

## TECHNICAL REPORT REQUEST

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

- **March 30, 2008** – SWI Addendum.
- **April 30, 2008** – Work plan including preferential pathway study.

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) 639-1287 or send me an electronic mail message at barbara.jakub@acgov.org.

Sincerely,

Barbara Jakub

Barbara Jakub, P.G.
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Lawrence Koo, Enviro Soil Tech Consultants, 131 Tully Rd., San Jose, CA 95111
Donna Drogos, ACEH
Barbara Jakub, ACEH
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)