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

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February 19, 2009

Mr. Victor Ivry
Pacific Pipe Company
29 Brookside Road
Orinda, CA 94563

Mr. Jabari Herbert
Capital Stone Group
1485 8th Street
Oakland, CA 94607

Subject: Fuel Leak Case No. RO0002568 and GeoTracker Global ID T06019758726, Pacific Pipe Company, 1685 24th Street, Oakland, CA 94607

Dear Messrs. Ivry and Herbert:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the recently submitted document entitled, "Summary of Subsurface Investigations Activities," dated October 22, 2008 (electronically received on December 2, 2008), which was prepared by ACC Environmental Consultants for the subject site. Several borings have been installed at the site from August 2002 through July 2008. However, soil and groundwater contamination at the site remains undefined. Soil sample analytical results detected a maximum TPH-g concentrations of 2,000 mg/kg in soil sample TB-19 collected at 4.5 feet bgs in July 2008, TPH-d at a concentration of 870 mg/kg in soil sample TB-19 collected at 4.5 feet bgs in July 2008, and benzene at a concentration of 4.6 mg/kg in soil sample B-25 collected at 8 feet bgs in August 2002, indicating that the contaminants in soil remain undefined and the site poses a potential risk to human health and the environment. Groundwater sample analytical results collected in August 2002 detected TPH-g and benzene as high as 2,100,000 µg/L and 51,000 µg/L, respectively, in a groundwater sample collected from boring B-25. In a groundwater sample collected in June 2004, TPH-g and benzene were detected as high as 20,000 µg/L and 8,800 µg/L, respectively, in a groundwater sample collected from boring TB-10. Elevated concentration of TPH-g, TPH-d, and benzene were again detected in July 2008 at concentrations of 38,000 µg/L, 24,000 µg/L and 78 µg/L, respectively, in a groundwater sample collected from boring TB-19-S, indicating that the extent of contaminants in groundwater is undefined and the site poses a potential risk to human health and the environment.

ACEH request that you address the following technical comments, perform the proposed work, and send us the technical reports requested below.

TECHNICAL COMMENTS

1. **Soil and Groundwater Characterization** – As mentioned above, significantly elevated concentrations of petroleum hydrocarbons and benzene have been detected in soil and groundwater samples collected at the site. Specifically, TPH-g, TPH-d, and benzene were detected in soil samples as high as 2,000 mg/kg, 870 mg/kg, and 4.6 mg/kg, respectively. These concentrations are significantly above the TPH-g, TPH-d, and benzene Environmental Screening Level (ESL) of 83 mg/kg, 83 mg/kg, and 0.044 mg/kg, respectively, listed in the California Regional Water Quality Control Board's (RWQCB) Screening for Environmental

Concerns at Sites with Contaminated Soil and Groundwater, Interim Final - November 2007 (Revised May 2008) document.

Similarly, elevated concentrations of TPH-g, TPH-d, and benzene were detected in groundwater samples as high as 2,100,000 µg/L, 20,000 µg/L, and 51,000 µg/L, respectively. These concentrations are significantly above the TPH-g, TPH-d, and benzene Environmental Screening Levels (ESLs) of 100 µg/L, 100 µg/L, and 1.0 µg/L, respectively. Based on the analytical results and the locations of the samples, the vertical and lateral extent of soil and groundwater contamination appears undefined and the site appears to pose a potential risk to human health and the environment. Additionally, since elevated concentrations of diesel have been detected naphthalene analysis is required. Please propose a scope of work to address the above-mentioned concerns and submit a work plan due by the date specified below. Also, please include figures that illustrate all sampling locations (past and proposed) as well as contaminant concentrations (i.e. soil and groundwater iso-concentration maps).

2. **Site Conceptual Model** – ACC states that an updated Site Conceptual Model (SCM) was presented in "Additional Subsurface Investigation Report," dated April 27, 2007. Although an SCM was presented, which identified potential vapor intrusion as a completed exposure pathway, no other data gaps were identified, such as potential contaminant leaching from soil to groundwater, lack of soil and groundwater plume definition, or lack of groundwater contaminant plume stability, just to name a few. Therefore, ACEH requests that an complete SCM, which synthesizes all the analytical data and evaluates all potential exposure pathways and potential receptors that may exist at the site, including identifying or developing site cleanup objectives and goals, be prepared for the site. Additionally, should ESLs be proposed for site cleanup goals, the ESLs must be justified to be applicable to known site conditions. For example, ACC compared site concentrations of contaminants in soil and groundwater to ESLs where groundwater is a drinking water source and where groundwater is not a drinking water source. ACC states that "it is extremely unlikely that the shallow groundwater in this area will be used a drinking water source." However, ACC does not justify that statement. Please note that according to the San Francisco Bay RWQCB's Water Quality Control Plan (Basin Plan) for the San Francisco Bay Basin, "the term 'groundwater' includes all subsurface waters, whether or not these waters meet the classic definition of an aquifer or occur within identified groundwater basins." It is also stated in the Basin Plan that "all groundwaters are considered suitable, or potentially suitable, for municipal or domestic water supply (MUN)." Therefore, the groundwater beneath the subject site must be considered beneficial for these uses unless shown to be non-beneficial using criteria presented in the Basin Plan.

It is also stated in the Basin Plan that "[a]t a minimum, groundwaters designated for use as domestic or municipal supply shall not contain concentrations in excess of the secondary maximum contaminant levels (Secondary MCLs) specified in Tables 64449-A (Secondary MCLs-Consumer Acceptance Limits) and 64449-B (Secondary MCLs-Ranges) of Section 64449 of Title 22 of the California Code of Regulations, which is incorporated by reference into this plan." Currently, concentrations of contaminants in groundwater are significantly above the secondary MCLs as well as the RWQCB's ESLs. Please propose and justify site cleanup levels and cleanup goals. Please note that soil and groundwater cleanup levels should ultimately (within a reasonable timeframe) achieve water quality objectives (cleanup goals) for groundwater in accordance with San Francisco Regional Water Quality Control Board Basin Plan.

At a minimum, the SCM should include:

(1) Local and regional plan view maps that illustrate the location of sources (former facilities, piping, tanks, etc.) extent of contamination, direction and rate of groundwater flow, potential preferential pathways, and locations of receptors;

(2) Geologic cross section maps that illustrate subsurface features, man-made conduits, and lateral and vertical extent of contamination;

(3) Plots of chemical concentrations versus time;

(4) Plots of chemical concentrations versus distance from the source;

(5) Summary tables of chemical concentrations in different media (i.e. soil, groundwater, and soil vapor); and

(6) Well logs, boring logs, and well survey maps;

(7) Discussion of likely contaminant fate and transport.

If data gaps (i.e. potential contaminant volatilization to indoor air, groundwater contaminant plume definition, or contaminant migration along preferential pathways, etc.) are identified in the SCM, please include a proposed scope of work to address those data gaps in the work plan due by the date specified below. Please note that the work plan must address all technical comments presented in this correspondence and all data gaps identified in the SCM.

3. **Groundwater Contaminant Plume Monitoring** – Currently, there are no permanent groundwater monitoring points located at the site. In order to assess groundwater contaminant plume stability, permanent groundwater monitoring points will be necessary to collect and analyze groundwater samples over time. Please propose a scope of work to address the above mentioned concerns and submit a work plan due by the date specified below.

TECHNICAL REPORT REQUEST

Please submit technical reports to ACEH (Attention: Paresh Khatri), according to the following schedule:

- **April 20, 2009** – Site Conceptual Model with Soil and Water Investigation Work Plan

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.

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 C. Khatri
Hazardous Materials Specialist

Donna L. Drogos, PE
Supervising Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Tim Fallin, ACC Environmental, 7977 Capwell Drive, Suite 100, Oakland, CA 94621
Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032
Donna Drogos, ACEH
Paresh Khatri, ACEH
GeoTracker
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)