



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

April 21, 2011

Mr. Tom McCoy 94612 (*Sent via E-mail to: tmccoy@bbiconstruction.com*)
Brush Street Group, LLC
1155 3rd Street, Suite 230
Oakland, CA 94607

Subject: SLIC Case RO0002586 and GeoTracker Global ID SL0600130797, Francis Plating, 751-785 7th Street, Oakland, CA 94607

Dear Mr. McCoy:

In correspondence dated July 13, 2010 (attached), Alameda County Environmental Health (ACEH) requested that you address our technical comments and submit a Pilot Study or Interim Remediation Work Plan. This request was based on the fact that a plume of dissolved hexavalent chromium is present beneath the site and is migrating both laterally and vertically off-site. The extent of the plume is unknown but extends at least 120 feet southwest (downgradient) from the site. Although several data gaps remain and site investigation activities have not been completed, ACEH requested that you submit a Pilot Study or Interim Remediation Work Plan no later than September 29, 2010 to begin addressing the most significant site issue which appears to be the hexavalent chromium plume. However, we did not receive the requested Pilot Study or Interim Remediation Work Plan.

On February 2, 2011, Jerry Wickham of ACEH met with you, Jim McCarty of Baseline Environmental, and Markus Niebanck of amicus to discuss future actions for the site. During the February 2, 2011 meeting, we discussed three major outstanding items that require work:

1. Beginning remedial activities for the hexavalent chromium plume;
2. Downgradient delineation of the hexavalent chromium plume;
3. Investigation of the extent of volatile organic compounds.

During the February 2, 2011 meeting, you indicated that you wanted to conduct the remaining investigation and cleanup tasks in phases that could fit with the available funding resources. In particular, you expressed a preference to reconsider the plan to move forward first with a pilot test for treating the hexavalent chromium plume. ACEH indicated that we are willing to consider conducting the outstanding investigation and cleanup work in phases. As an action item, we requested that you propose a schedule and strategy within two weeks following the February 21, 2011 meeting. To date, we have not received your proposal.

We now request that you either submit your proposed schedule and strategy for site investigation and cleanup or the previously requested Pilot Study/Interim Remediation Work Plan by June 21, 2011.

Mr. Tom McCoy
RO0002586
April 21, 2011
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TECHNICAL REPORT REQUEST

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

- **June 21, 2011** – Schedule and Strategy for Site Investigation and Cleanup or Pilot Study/ Interim Remediation Work Plan

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Attachments: ACEH Correspondence dated July 13, 2010
Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

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

Margot Lederer Prado, City of Oakland Economic Development Division, Brownfields Management, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612 (*Sent via E-mail to: MPrado@oaklandnet.com*)

Mark Gomez, City of Oakland, 250 Frank H. Ogawa Plaza, Suite 5301, Oakland, CA 94612

Jim McCarty, Baseline Environmental Consulting, 5900 Hollis Street, Suite D, Emeryville, CA 94608 (*Sent via E-mail to: jim@baseline-env.com*)

Markus Niebanck, Amicus, 580 Second Street, Suite 260, Oakland, CA 94607 (*Sent via E-mail to: markus@amicusenv.com*)

Donna Drogos, ACEH (*Sent via E-mail to: donna.drogos@acgov.org*)
Jerry Wickham, ACEH

GeoTracker, eFile



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July 13, 2010

Mr. Tom McCoy
Brush Street Group, LLC
1155 3rd Street, Suite 230
Oakland, CA 94607

Subject: SLIC Case RO0002586 and Geotracker Global ID SL0600130797, Francis Plating, 751-785 7th Street, Oakland, CA 94607 – Review of Soil and Groundwater Investigation Report

Dear Mr. McCoy:

Alameda County Environmental Health (ACEH) staff has reviewed the Spills, Leaks, Investigations, and Cleanup (SLIC) case file for the above referenced site including the document entitled, "*Phase IV Soil and Groundwater Investigation*," (Report) dated May 28, 2010. Thank you for submitting the Report, which presents the results of soil and groundwater sampling conducted in March and April 2010.

The Phase IV soil and groundwater investigation shows that soil and groundwater in the area of the former Frog Pond contains elevated concentrations of metals. The primary chemical of concern in groundwater is hexavalent chromium. Dissolved hexavalent chromium has migrated more than 120 feet southwest (downgradient) from the site. The concentrations of hexavalent chromium in the farthest downgradient groundwater samples collected along 6th street were up to 15,000 micrograms per liter. Groundwater analytical data indicate that the dissolved metals plume is migrating both laterally and vertically off-site. We request that you submit a Pilot Study Work Plan to evaluate potential remedial methods for hexavalent chromium or a Work Plan to begin interim remediation.

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

TECHNICAL COMMENTS

1. **Off-site Extent of Contamination.** The extent of contamination has not been defined in the downgradient (southwest) direction. We note that downgradient monitoring wells exist at the Safety Kleen site located at 404 Market Street, southwest of I-880. We request that you negotiate an access agreement and make arrangements to sample these downgradient wells in order to help define the extent of the hexavalent chromium plume. Please include plans to sample these wells in the Work Plan requested below.
2. **Groundwater Monitoring.** Please include a proposal for groundwater monitoring in the Pilot Study or Interim Remediation Work Plan requested below.

3. **GeoTracker EDF Submittals.** We note that several recent reports have not been uploaded to the State Water Resource Control Board (SWRCB) GeoTracker website. Pursuant to CCR Sections 2729 and 2729.1, beginning July 1, 2005 for SLIC cases, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the LUFT program, must be transmitted electronically to the SWRCB Geotracker website via the internet. Additionally, all permanent monitoring points utilized to collect groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level and latitude and longitude accurate to within 1-meter accuracy, using NAD 83, and transmitted electronically to the SWRCB Geotracker website. Beginning July 1, 2005, electronic submittal of a complete copy of all reports (LUFT or SLIC) is required in GeoTracker (in PDF format). Please upload all reports prepared after July 1, 2005 to the SWRCB's Geotracker database website in accordance with the above-cited regulation.

4. **Pilot Study or Interim Remediation.** Please submit a Pilot Study Work Plan to evaluate potential remedial methods or a Work Plan to begin interim remediation of the primary chemicals of concern. The Pilot Study or Interim Remediation Work Plan should include the following minimum information:
 - Proposed cleanup goals and the basis for cleanup goals.
 - Rationale for selection of remedial technologies to be tested in pilot study.
 - Objectives of pilot test or interim remediation.
 - Detailed description of proposed remedial action including confirmation sampling and monitoring during implementation.
 - Post-pilot test or interim remediation monitoring.
 - Schedule for implementation of cleanup.

TECHNICAL REPORT REQUEST

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

- **September 29, 2010** – Pilot Study or Interim Remediation Work Plan

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Mr. Tom McCoy
RO0002586
July 13, 2010
Page 3

Attachment: Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

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

Margot Lederer Prado, City of Oakland Economic Development Division, Brownfields Management, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612 (*Sent via E-mail to: MPrado@oaklandnet.com*)

Lydia Huang, Baseline Environmental Consulting, 5900 Hollis Street, Suite D, Emeryville, CA 94608 (*Sent via E-mail to: lydia@baseline-env.com*)

Donna Drogos, ACEH (*Sent via E-mail to: donna.drogos@acgov.org*)
Jerry Wickham, ACEH
Geotracker, File

Attachment 1
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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: July 8, 2010
	PREVIOUS REVISIONS: December 16, 2005, October 31, 2005
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

- 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 Teena Le Khan.
 - 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 Page on upper right side of browser, 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.