



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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September 26, 2008

Mr. Geoffery Sears
Wareham Development Corporation
1120 NYE St., Suite #400
San Rafael, CA 94901-8403

Subject: SLIC Case RO0002621 and Geotracker Global ID SL0600195077, Emeryville Industrial Court, 5885 Hollis Street, Emeryville, CA 94608

Dear Mr. Sears:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the documents entitled, *July 2008 Groundwater Sampling* dated July 28, 2008 and *Site Management Completion Report* dated January 5, 2007 prepared by Treadwell and Rollo (T&R). The groundwater sampling report indicates that 670 micrograms per liter ($\mu\text{g/L}$) total petroleum hydrocarbons as gasoline (TPHg), 560 $\mu\text{g/L}$ TPH as diesel (TPHd), 38 $\mu\text{g/L}$ benzene and 72 $\mu\text{g/L}$ tert butyl alcohol (TBA) were detected in water samples collected from dewatering well DW-14 and boring TR-GW. These concentrations exceed the Regional Water Quality Control Board's environmental screening levels (ESLs) for groundwater that is a current or potential source of drinking water.

The site was formerly a Unocal bulk fuel storage facility. Apparently the Unocal property was divided and sold. Wareham Development purchased a piece of this property containing a portion of the fuel facility source area, i.e. tank locations. Wareham is a responsible for a portion of the source area. ACEH has reviewed the case and has determined that additional work is needed to progress toward closure. ACEH requests that you perform the work requested below, address the following technical comments, and submit the report requested below.

TECHNICAL COMMENTS

1. **Dissolved Contamination Plume Definition** – In the ACEH letter dated January 22, 2007, we requested that monitoring wells be installed to determine the extent of the petroleum hydrocarbons remaining in groundwater. In response, T&R submitted a work plan dated July 9, 2008 (received July 17, 2008) that did not address our technical comments (monitoring well installation) and the work was then implemented without ACEH approval on July 22, 2008, not allowing for regulatory review. T&R installed one soil boring in the vicinity of dewatering well DW-14 to 32 feet bgs and collected one groundwater sample from that depth. The work plan originally stated that a boring was to be advanced to 15 feet bgs and a temporary pre-packed well screen would be inserted into the boring at that depth, since water is typically between 9 and 14 feet bgs at the site. The boring, however, was advanced to 32

feet bgs where apparently first water was encountered and a temporary casing was set between 25 and 30 feet bgs. Static groundwater was reported at 28 feet bgs and the results of the grab groundwater sample indicated that 430 µg/L TPHg, 560 µg/L TPHd and 3.8 µg/L benzene were detected. Since the sample was collected from 28 feet bgs, it is unknown if this sample accurately reflects shallow groundwater concentrations. Also, there is no indication of groundwater flow direction based on the one sample that was obtained. ACEH requests that you install the previously requested groundwater monitoring network to evaluate your portion of the source area, determine the groundwater flow direction and define the remaining dissolved plume(s). Please submit your proposal in the work plan requested below.

2. **Solvent Characterization** – Solvent analysis was performed in soil in the storage yard area along Peladeau St. Up to 600 micrograms per kilogram (µg/Kg) benzo (a) pyrene was detected which exceeds the ESL of 38 µg/Kg. Groundwater was not sampled in these areas. Also, only limited soil analysis was performed along the Hollis Street vicinity where solvents were used. Apparently some compounds were detected. However, results have yet to be submitted to our ftp site. Also, groundwater in this area (paint storage and inks, paints and solvents, and paints and adhesives) was not analyzed for solvents. Therefore, the threat to groundwater remains uncharacterized at this site. Please submit a proposal to characterize groundwater in these areas in the work plan requested below.
3. **Analytical Reports** – The analytical reports for the post excavation samples reported in the Site Management Completion Report were requested to be uploaded along with the letter from the laboratory commenting on the methylene chloride. The letter has been uploaded but the analytical reports have not. As requested please submit all analytical reports to the ftp site as an addendum to the Site Management Completion Report by the due date requested below. Please also submit the other appendices from this report to our ftp site.
4. **Table Correction** – Since the Basin Plan designates this area as a potential drinking water source, the ESLs for current or potential source of drinking water apply to this site and are the values to be used for comparison. The ESLs that were used in the July 28, 2008 Groundwater Sampling Report are for water that is not a current or potential source of drinking water. Please correct the ESLs listed on the tables and the detection limit for ethanol and submit it in an addendum to the report by the deadline requested below.
5. **Dewatering Well Status** – Please advise ACEH as to the status of the dewatering wells and the disposition of the water that was extracted. Identify if these wells are still on-site or if they have been properly destroyed. If they have been destroyed, please submit the well destruction details in the Site Management Completion Report Addendum requested below.

TECHNICAL REPORT REQUEST

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

- **October 26, 2008** – Site Management Completion Report and Groundwater Sampling Report Addendums

- **November 26, 2008** – Work Plan
- **February 26, 2009** – First Quarter Groundwater Monitoring Report.
- **May 26, 2009** – Third Quarter Groundwater Monitoring Report.
- **August 26, 2009** – Third Quarter Groundwater Monitoring Report.
- **October 26, 2009** – Third Quarter Groundwater Monitoring 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.

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, P.G.
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Glenn Leong, Treadwell and Rollo, 501 14th Street, 3rd Floor, Oakland, CA 94612
Terry Grayson, ConocoPhillips, 76 Broadway, Sacramento, CA 95818
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)