



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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November 18, 2013

Mr. Anthony Kershaw
Solano Group
P.O. Box 9206
Berkeley, CA 94709
(sent via electronic mail to tkershaw@kershawinvestments.com)

Subject: Data Gap Work Plan Request; SCP Case RO0002857 and Geotracker Global ID T06019756124, Albany 1-Hour Cleaners, 1187 Solano Avenue, Albany, CA 94706

Dear Mr. Kershaw:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the *Site Investigation and Interim Remediation Report and Corrective Action Plan*, dated October 25, 2013. The document was prepared on your behalf by Pangea Environmental Services, Inc (Pangea). Thank you for submitting the report.

The referenced report documents subsurface investigation work since early 2013, interim remedial actions, subsequent actions based on the initial results, pilot tests of the passive and active subslab venting system installed at the site, and monitoring of groundwater, subslab vapor, indoor air, and outside ambient air for chlorinated solvents, in particular tetrachlorethene (PCE). The report concluded that all soil has been removed to below residential soil ESLs, that all subslab and indoor air vapor samples have been remediated to commercial ESL vapor values, and that groundwater has been remediated to groundwater ESLs that are protective of commercial indoor air health risks.

The report also contains a tabular Site Conceptual Model (SCM) that identified five data gaps, and proposed filling those data gaps in order to seek closure using the RWQCBs *Assessment Tool for Closure of Low-Threat Chlorinated Solvent Sites* (dated July 31, 2009). The five data gaps included verifying that the direction of groundwater flow (by surveying site wells) is consistent with site vicinity environmental investigations that have been initially relied on for that information, to continue to monitor and sample groundwater to verify contaminant trends beneath the site, to continue to collect seasonal subslab and indoor air vapor samples in order to confirm the effectiveness of remedial actions to date and to establish seasonal contaminant vapor trends at the site, to conduct a sensitive receptor survey (inclusive of vicinity water supply wells, basements, sumps, sensitive populations, etc.), and to conduct short-term contingent feasibility testing from subslab vent piping to evaluate the benefit of the operation of active or passive venting at the site as a contingency if corrective actions are determined to be needed based on additional data collection.

The report also contains a brief Feasibility Study and Corrective Action Plan should additional actions be warranted, and proposed using San Francisco Regional Water Quality Control Boards (RWQCBs) Environmental Screening Levels (ESLs; contained in the *Screening for Environmental Concerns at Sites with Contaminated Soil and Groundwater*, dated May 23, 2013), as corrective action goals.

Based on ACEH staff review of the case file, we request that you address the following technical comments and send us the reports described below.

TECHNICAL COMMENTS

1. **Request for Data Gap Work Plan** – ACEH is in general agreement with the data gaps as identified in the referenced report, and consequently requests a Data Gap Work Plan by the date identified below.
2. **Technical Comments on Report and Request for Additional Information** – The timely submittal of the referenced report is greatly appreciated and was substantially comprehensive; however, several technical comments and a request for additional information appears appropriate to further document the work undertaken, and to elucidate aspects of the work. These include:
 - a. **Interim Remedial Action Indoor Air Monitoring** – The report indicates that a photo-ionization detector (PID) and personnel monitoring devices were used to monitor for conditions protective of remedial action workers during site operations. Data from these tasks were not included in the referenced report and appear appropriate in order to complete the site record. Consequently, ACEH requests that copies of these documents be submitted by the date identified below.
 - b. **Increasing PCE Vapor Trend at 1187 Solano Avenue** – The last sampling event (August 1, 2013) of SS-9 yielded a sharply increased concentration in subslab PCE vapor concentrations to above commercial ESLs at this address. Please address this concern in actions to be taken in the requested Data Gap Work Plan.
 - c. **Health Risk Levels** – The report states that a 10 in a million risk level was accepted by ACEH for previously conducted work (*Soil Gas Investigation and Health Risk Assessment*, Avalon Environmental Consultants, June 8, 2006). Please be aware that Federal regulation (40 CFR 300.430) is not intended to imply that any risk within the risk range of 1E-4 to 1E-6 is acceptable. A risk of 1E-6 is considered to be the point of departure for making site specific risk decisions that utilize current data sets, a multiplicity of data, and multiple lines of evidence. Clear justification must be provided for risk management decisions which result in residual risk levels greater than 1E-6.
 - d. **Current Groundwater Classification** - Please be aware that all groundwater in the East Bay Plain Groundwater Basin that underlies Albany is classified as 'MUN' (potentially suitable for municipal or domestic water supply). According to the RWQCB *Water Quality Control Plan (Basin Plan)*, dated January 18, 2007, 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.' The Basin Plan also states that 'all groundwaters are considered suitable, or potentially suitable, for municipal or domestic water supply (MUN)." Therefore, the groundwater beneath the subject site is considered beneficial for these uses unless shown to be non-beneficial using criteria presented in the Basin Plan.

Please note that the proposed "Zone B Berkeley / Albany Groundwater Management Zone" contained in the June 1999 *East Bay Plain Groundwater Basin Beneficial Use Evaluation Report* that was referenced in the report was not adopted in the 2007 Basin Plan. Please adjust future evaluations to reflect these classifications; however, please also be aware that case closure does not require cleanup to MUN cleanup goals, rather that those goals can be met within an identified reasonable timeframe. This approach is consistent with the RWQCBs *Assessment Tool for Closure of Low-Threat Chlorinated Solvent Sites*.
 - e. **RWQCBs Assessment Tool for Closure of Low-Threat Chlorinated Solvent Sites** – ACEH is in general agreement that this assessment tool may be useful at the subject site. In order to clarify use of this tool, please be aware that this document seeks robust, site specific evidence for natural attenuation at chlorinated solvent sites should natural attenuation be proposed for a site. Additionally, please be aware that a survey of closed solvent sites in 2007 (prior to issuing the RWQCB guidance tool) found that most sites were closed with solvent concentrations less than 20 times the Maximum Contaminant Level (MCL). At present the PCE concentration in groundwater at this site is approximately 40 times the MCL.

Please be aware that this information is offered in order to provoke thoughtful insight relevant to the subject site, and the classification of groundwater as defined by the Basin Plan.

- f. **Extent of Groundwater Plume** – Based on the MUN classification of groundwater beneath the site, the extent of the groundwater plume has not been determined. Please address this data gap in the requested Data Gap Work Plan.
- g. **FS / CAP** – Provided the proposed additional data to be collected does not indicate a concern, the recommended alternative presented in the FS / CAP has been presumed to be Monitored Natural Attenuation (MNA). This alternative involves no active remediation and assumes that residual contaminants in soil and groundwater will attenuate naturally. Please note, as discussed in Technical Comment 2e, this alternative requires robust evidence of MNA in groundwater that demonstrate a decreasing contaminant concentration trend.

ACEH concurs that this is a viable approach if supported by the proposed additional data collection activities. If the additional (post-interim remediation) monitoring identifies potential concerns, Pangea recommends implementation of one or more of the following alternatives:

- Passive ventilation of subslab gas
- Additional monitoring of groundwater, subslab gas and indoor air
- Excavation of additional shallow soil
- Expansion of the passive ventilation system
- Installation of an extraction blower to provide active ventilation, and
- Installation of a vapor intrusion barrier

ACEH generally concurs that the proposed alternatives are appropriate for providing short-term mitigation of vapor intrusion to indoor air and are protective of human health and the environment. Please note however, that ACEH considers the proposed vapor mitigation measures to be short-term measures used in conjunction with the identified source removal measure, if necessary.

- 3. **Public Participation** – Public participation is a requirement for corrective action plans, including MNA, and the case closure process. In order to notify potentially affected members of the public of the CAP, ACEH requests that you generate a draft Fact Sheet for ACEH review. This is anticipated to help document to future tenants ACEH concurrence with proposed actions. Please submit the draft Fact Sheet by the date identified below.
- 4. **CAP Implementation Plan** - Please note as discussed in Technical Comment 2g above, a CAP Implementation Plan must be submitted if alternative measures are required in addition to MNA. If these additional measures are required based on the proposed data collection, ACEH requests the submittal of a CAP Implementation Plan providing details of each of the proposed measures by the due date specified below.

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:

- **January 17, 2014** – Data Gap Work Plan
File to be named: RO2857_WP_R_YYYY-mm-dd
- **January 17, 2014** – Draft Fact Sheet
File to be named: RO2857_CORRES_L_YYYY-mm-dd
- **February 28, 2014** – CAP Implementation Plan
File to be named: RO2857_CAP_R_YYYY-mm-dd

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- **60 Days After Data Gap Work Plan Approval** – Soil, Soil Vapor, and Groundwater Investigation
File to be named: RO2857_SWI_R_YYYY-MM-DD

Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,

Mark E. Detterman, PG, CEG
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations
Electronic Report Upload (ftp) Instructions

cc: Bob Clark-Riddell, Pangea Environmental Services, Inc, 1710 Franklin Street, Suite 200,
Oakland, CA 94612 (sent via electronic mail to briddell@pangeaenv.com)

Dilan Roe (sent via electronic mail to dilan.roe@acgov.org)
Mark Detterman (sent via electronic mail to mark.detterman@acgov.org)
Electronic File, GeoTracker

Attachment 1

Responsible Party(ies) Legal Requirements/Obligations

REPORT/DATA REQUESTS

These reports/data are being requested pursuant to Division 7 of the California Water Code (Water Quality), Chapter 6.7 of Division 20 of the California Health and Safety Code (Underground Storage of Hazardous Substances), and Chapter 16 of Division 3 of Title 23 of the California Code of Regulations (Underground Storage Tank Regulations).

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (Local Oversight Program [LOP] for unauthorized releases from petroleum Underground Storage Tanks [USTs], and Site Cleanup Program [SCP] for unauthorized releases of non-petroleum hazardous substances) require submission of reports in electronic format pursuant to Chapter 3 of Division 7, Sections 13195 and 13197.5 of the California Water Code, and Chapter 30, Articles 1 and 2, Sections 3890 to 3895 of Division 3 of Title 23 of the California Code of Regulations (23 CCR). Instructions for submission of electronic documents to the ACEH FTP site are provided on the attached "Electronic Report Upload Instructions."

Submission of reports to the ACEH FTP site is in addition to requirements for electronic submittal of information (ESI) to the State Water Resources Control Board's (SWRCB) Geotracker website. In April 2001, the SWRCB adopted 23 CCR, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1 (Electronic Submission of Laboratory Data for UST Reports). Article 12 required electronic submittal of analytical laboratory data submitted in a report to a regulatory agency (effective September 1, 2001), and surveyed locations (latitude, longitude and elevation) of groundwater monitoring wells (effective January 1, 2002) in Electronic Deliverable Format (EDF) to Geotracker. Article 12 was subsequently repealed in 2004 and replaced with Article 30 (Electronic Submittal of Information) which expanded the ESI requirements to include electronic submittal of any report or data required by a regulatory agency from a cleanup site. The expanded ESI submittal requirements for petroleum UST sites subject to the requirements of 23 CCR, Division, 3, Chapter 16, Article 11, became effective December 16, 2004. All other electronic submittals required pursuant to Chapter 30 became effective January 1, 2005. Please visit the SWRCB website for more information on these requirements: (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/).

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, 7835, 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, late 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 SCP)	REVISION DATE: July 25, 2012
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (petroleum UST and SCP) 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

- **Please do not submit reports as attachments to electronic mail.**
- Entire report including cover letter must be submitted to the ftp site as a **single Portable Document Format (PDF) with no password protection.**
- 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)

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 deh.loptoxic@acgov.org
 - 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, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) Click on Page located on the Command bar on upper right side of window, 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 deh.loptoxic@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.