

Khatri, Paresh, Env. Health

From: Khatri, Paresh, Env. Health
Sent: Friday, November 04, 2011 4:35 PM
To: Jim Roessler
Cc: 'Mehrdad Javaher'; Drogos, Donna, Env. Health
Subject: RE: Crow Canyon Dry Cleaners Fact Sheet-Update Montessori Pre School Move
Attachments: DIR_L_2011-10-07.pdf; DIR_L_2011-09-01.pdf; RO0002863_FactSheet_2011-11-04.pdf

Dear Mr. Roessler,

Thank you for the Draft Fact Sheet prepared by Endpoint. ACEH requests that you continue with proposed distribution of the Fact Sheets (enclosed) since the Draft CAP includes both cleanup goal scenarios, one with the Montessori School and one without.

However, prior to distributing the Fact Sheet, please submit the previous Fact Sheet distribution list as well as the revised or current list, as requested in our September 1, 2011 and October 7, 2011 correspondences (attached). Please submit the distribution lists no later than **Wednesday, November 9, 2011**, as these were due on September 23, 2011 and are now considered past due.

Fact Sheet mailing may commence once the requested distribution lists are submitted to ACEH.

Sincerely,

Paresh C. Khatri
Sr. Hazardous Materials Specialist
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502-6577

Phone: (510) 777-2478
Fax: (510) 337-9335

E-mail: Paresh.Khatri@acgov.org

<http://www.acgov.org/aceh/index.htm>

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From: Mehrdad Javaher [\[mailto:mehrdad@endpoint-inc.com\]](mailto:mehrdad@endpoint-inc.com)
Sent: Thursday, October 20, 2011 3:33 PM
To: Khatri, Paresh, Env. Health
Cc: Jim Roessler
Subject: Crow Canyon Dry Cleaners Fact Sheet-Update Montessori Pre School Move

Hi Paresh-

Please find attached a copy of the Draft Fact Sheet for RO 2863 for your review. Please let me know if this draft requires update to your ftp site.

Please also see attached a staff report containing information recently obtained by the PRP group regarding the pending move of the Montessori School. Specifically, the school was recently approved for a conditional use permit by the Planning Commission for a move to a new location. Following a two-week appeal period after the Planning Commission's approval, there was one appeal which is scheduled to be heard by November 15th.

Since it appears that the school may be moving and since the Draft CAP incorporates a less stringent cleanup goal if the school be moved, the PRP group is requesting that submittal of interested party addresses to the County (and subsequent dissemination of the Fact Sheet) be delayed until the referenced appeal is heard by the City Council and a final decision is made regarding the school's move.

Please advise if this is acceptable.

Thanks in advance.
Mehrddad

----- Original Message -----

Subject:Update Montessori Pre School Move

Date:Tue, 11 Oct 2011 14:03:23 -0700

From:Jim Roessler <jim@roesslerinvestmentgroup.com>

To:<GabrielHC8@aol.com>, <DWP5334@aol.com>, "John Park" <jpark1015@gmail.com>, "Mehrddad Javaher" <mehrddad@endpoint-inc.com>, "Tiana C. Jenkins" <tianacjenkins@aol.com>

CC:<bburrowsre@aol.com>

Bruce Burrows called and said that the Montessori Pre School was approved for a Conditional Use Permit ("CUP") by the Planning Commission on Sept 27th. Attached is the Staff Report. There was a two (2) week appeal period and there was one (1) appeal. The appeal will be heard on November 15th by the City Council. If the City Council approves the CUP, then the school will probably move. This would affect the clean up levels required by the ACEH.

Jim Roessler
Roessler Investment Group
360 Post Street, Suite 602
San Francisco, CA 94108
Phone: (415) 837-3722
Fax: (415) 837-3717
Email: Jim@RoesslerInvestmentGroup.com
Website: www.RoesslerInvestmentGroup.com
CA DRE #00339311



FACT SHEET ON ENVIRONMENTAL ASSESSMENT

Crow Canyon Cleaners

7272 San Ramon Road, Dublin, CA 94568
Fuel Leak Case No. RO0002863 and
GeoTracker Global ID T06019764784

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

Site Remediation Summary

This fact sheet has been prepared to inform community members and other interested stakeholders regarding the status of the soil and groundwater cleanup at Crow Canyon Cleaners site located at 7272 San Ramon Road, in Dublin, California. Crow Canyon Cleaners and other Responsible Parties are the lead responsible parties for the case and their environmental consultant is Endpoint Consulting, Inc. (Endpoint). The dry cleaners that operated at the site from 1988 to 2004 utilized PCE as a cleaning solvent. The current dry cleaning operation does not use PCE.

Site Background

The site is located in a suite within a commercial building located on the west side of San Ramon Road, within a mixed residential/commercial area of Dublin, CA. The site has been occupied by a dry-cleaning facility since 1988. The dry-cleaning and solvent storage areas were located in the back of the building.

Immediately adjacent (to the south) to the suite housing the dry cleaners is an occupied commercial/retail space. The suite next to this commercial/retail space is a Montessori Pre-School.

Site Investigations

Alameda County Environmental Health (ACEH), the local regulatory agency, oversees investigation and cleanup activities at the site. From 2005 to 2011, soil, groundwater, and soil vapor investigations were completed at the site. These investigations characterized the hydrogeology, subsurface conditions, and the nature, and extent of the solvent, primarily PCE in soil and groundwater.

Remediation Alternative: Soil Vapor Extraction

Soil Vapor extraction (SVE) is proposed to remediate the soil contamination at the site. SVE is an in-situ remediation technology in which a vacuum is applied to the soil matrix to create a negative pressure gradient that causes movement of volatile constituents adsorbed to soils (i.e. vapors) toward extraction wells. The SVE system would then capture the vapor phase contaminant "stripped" from the soil, thus reducing contaminant concentrations in soil.

Next Step

Crow Canyon Cleaners is working with ACEH to implement a soil and groundwater cleanup at the site. The proposed alternative is described in a report prepared by Endpoint on behalf of Crow Canyon Cleaners: "Draft Corrective Action Plan," dated September 22, 2011. The public is invited to review and comment on the cleanup action proposed in the Report. The report and case file are available for review on ACEH's website (<http://www.acgov.org/aceh/lop/ust.htm>) or the State Water Resources Control Board's GeoTracker website (<http://www.geotracker.waterboards.ca.gov/>). The case file is also available for review on-line at the ACEH located at 1131 Harbor Bay Parkway in Alameda, California. Please send a fax to 510-337-9335 to request a date and time to review the case file. Please send written comments regarding the proposed action to Paresh Khatri or Mehrdad Javaherian at the addresses below. All written comments received by **Wednesday, December 14, 2011** will be forwarded to the Responsible Party and will be considered and responded to prior to a final determination on the proposed cleanup action.

For Additional information, please contact:

Paresh Khatri
Alameda County Environmental Health
1131 Harbor Bay Parkway, Ste 250
Alameda, CA 94502
Phone: 510-777-2478
E-mail: Paresh.Khatri@acgov.org

Mehrdad Javaherian
Endpoint Consulting
98 Battery Street, Suite 200
San Francisco, CA 94111
Phone: 415-706-8935
E-mail: Mehrdad@endpoint-inc.com

FACT SHEET ON ENVIRONMENTAL ASSESSMENT

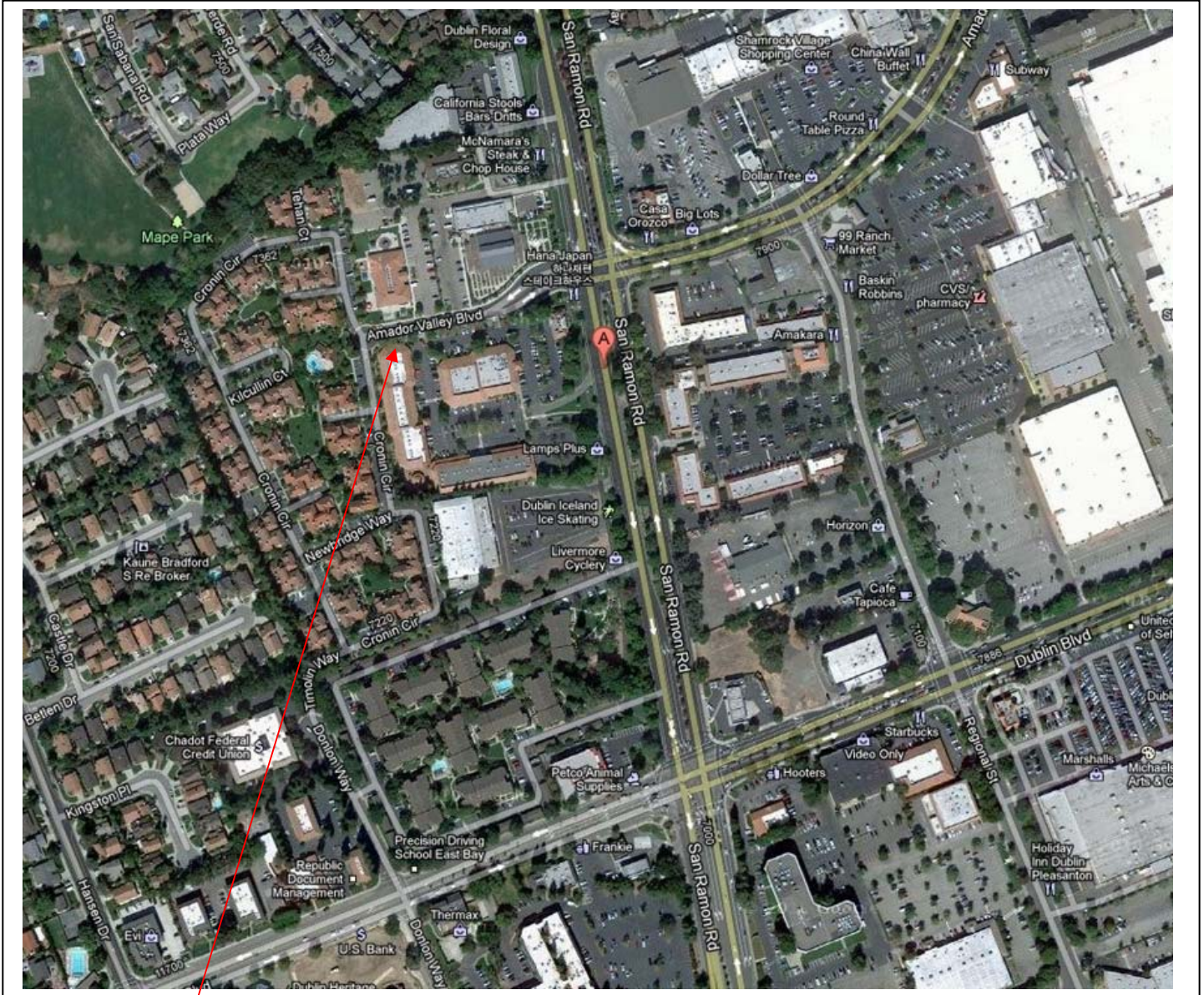
Crow Canyon Cleaners

7272 San Ramon Road, Dublin, CA 94568

Fuel Leak Case No. RO0002863 and

GeoTracker Global ID T06019764784

Page 2 of 2



Crow Canyon Cleaners
7272 San Ramon Road, Dublin

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
ALEX BRISCOE, Director



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

September 1, 2011

Bruce Burrows
(Sent via E-mail to: bburrowsre@aol.com)
The Burrows Company
6 South Point Road
Orinda, CA 94563

Dwight & Carleton Perry
P.O. Box 20610
Castro Valley, CA 94546

Gabriel Chui
(Sent via E-mail to: GabrielHC8@aol.com)
Gabriel H. Chui & Lai H. Trust
10898 Inspiration Circle
Dublin, CA 94568

Lee Family
20117 Forest Ave., #3
Castro Valley, CA 94546

Nam Sun and Seung Hee Park
(Sent via E-mail to: jpark1015@gmail.com)
Crow Canyon Cleaners
7242 San Ramon Road
Dublin, CA 94568

William Karkozian
Robert Wiebe
Robert Jeha
Dublin Town & Country Association
318 Diablo Road, Ste. 255
Danville, CA 94526

Subject: Summary of Meeting (August 26, 2011), Interim Remedial Action, and Feasibility Study/Corrective Action Plan for Spills, Leaks, Investigations, and Cleanup (SLIC) Case No. RO0002863 and GeoTracker Global ID T06019764784, Crow Canyon Cleaners, 7272 San Ramon Road, Dublin, CA 94568

Ladies and Gentlemen:

This letter is being sent to memorialize the meeting on August 26, 2011 between Paresh Khatri, Donna Drogos (Alameda County Environmental Health), Jim Roessler (Roessler Investment Group), and Mehrdad Javaherian (Endpoint Consulting, Inc.). The meeting was requested by Mr. Roessler and Mr. Javaherian with the primary objective of discussing the necessity of ACEH's June 9, 2011 request for a Feasibility Study/Corrective Action Plan (FS/CAP) and whether the Interim Remedial Action (IRA) consisting of Soil Vapor Extraction (SVE) can be re-started due to the significant PCE concentration rebound exhibited in soil vapor samples collected at the site, foregoing the FS/CAP preparation.

Please note that the FS/CAP is a requirement of the site cleanup process. Therefore, as discussed in our meeting, preparation of an FS/CAP as described in our June 9, 2011 correspondence is required and is now due by September 30, 2011.

In the interim, Mr. Roessler and Mr. Javaherian requested to continue the formerly implemented IRA and re-start the SVE system. ACEH is not opposed to restarting IRA provided that you address the following technical comments and send us the technical reports described below.

TECHNICAL COMMENTS

1. **Interim Remedial Action** – As mentioned above, Mr. Roessler and Mr. Javaherian requested to re-start the SVE system and continue IRA while the FS/CAP is being prepared. At this time, please submit a brief, but concise Technical Memorandum that justifies re-starting the SVE system. To that end, please address the following:
 - a. In the “Interim Remedial Action Report” dated January 26, 2010, Endpoint stated that “the SVE operation has met its primary objective of PCE concentration reduction in both the source area and near the Montessori School. The system operational data (e.g. mass removal rates and influent samples) indicated that continued operation of the SVE system yields minimal returns in terms of mass removal.” Please justify that SVE is the most cost-effective interim measure and should be re-started while the FS/CAP is being prepared.
 - b. Endpoint refers to the former dry cleaning machine as the source area. Please elaborate in detail the nature and extent of the source area. Include a discussion on whether PCE vapor contamination is primarily in the shallow vadoze zone near the former dry cleaning machine (based on soil vapor samples collected at the site) or whether there is a potential PCE source that is residing directly below the concrete and within the baserock and above the shallow vadose zone soil, which has resulted in PCE vapor detections in sub-slab sampling locations or a combination of both. Adequate comprehension of the source area is necessary to precisely target the contaminated zone, support extraction well locations and screened intervals, and ultimately, cost-effective and successful cleanup of the site. Please include figures/cross-sections that illustrate the source area(s) and support your conclusions.
 - c. During our meeting on August 26, 2011, Mr. Javaherian stated that induced vacuum was measured to determine the radius of influence during the IRA operation. I apologize in advance, but please direct ACEH to the report(s) and page(s) where this and other SVE system analysis information/discussion can be found. If information is not available in previous submittals, please include the information in the Technical Memorandum.

2. **Fact Sheet List of Recipients** – Following the submittal of the above-mentioned FS/CAP, a Fact Sheet describing the selected remedial alternative must be prepared and sent out to the affected stakeholders in the vicinity of the subject site, including parents of the children attending the Montessori School. In an effort to expedite review of the FS/CAP and to move this case forward, please submit a List of Recipients, by September 23, 2011, who will be receiving the updated Fact Sheet. ACEH expects that this list would be different than the previously compiled List of Recipients as it is expected that some children will leave the Montessori School and new children will be enrolled. Therefore, to aid in our review, please

submit the Previous List of Recipients along the newly revised list by the date specified below.

3. **Cleanup Goals** – During our August 26, 2011 meeting, ACEH raised concerns regarding Endpoint's Site-Specific School Cleanup goal of 2,600 µg/m³ for PCE. Endpoint stated that this cleanup goal is appropriate based on the three to four year duration that children will spend at the school. However, it does not appear that this goal accounts for the school teachers who may spend more than three to four years at the facility (i.e. 1,400 µg/m³ for PCE, commercial exposure scenario). Therefore, as stated in Endpoint's June 21, 2010 "Addendum Letter to Vapor Well Installation and Monitoring Work Plan" and as discussed in our August 26, 2011 meeting, the "...cleanup goal for screening of detected vapor concentrations at the site will correspond to the residential soil vapor intrusion environmental screening level...of 410 µg/m³ [for PCE and] will be used as the preliminary clean up goal" to be protective of human health and the environment.

4. **Updated Contact Information for Responsible Parties** – ACEH has e-mail contact information for most of the Responsible Parties. ACEH is requesting that each responsible party confirm or update their contact information in an e-mail to paresh.khatri@acgov.org so that we can contact maintain contact with all parties. In your e-mail message, please include your name, address, telephone number, and e-mail address. Please submit the information by September 16, 2011.

TECHNICAL REPORT REQUEST

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

- **September 16, 2011** – Technical Memorandum (IRA)
- **September 23, 2011** – List of Fact Sheet Recipients (Previous & Revised)
- **September 30, 2011**– Feasibility Study/Corrective Action Plan

Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, please call me at (510) 777-2478 or send me an electronic mail message at paresh.khatri@acgov.org.

Sincerely,

Paresh C. Khatri
Sr. Hazardous Materials Specialist

Enclosure: Responsible Party(ies) Legal Requirements/Obligations
ACEH Electronic Report Upload (ftp) Instructions

cc: Mehrdad Javaherian, Endpoint Consulting, Inc., 98 Battery Street, Suite 200, San Francisco, CA 94111 (*Sent via E-mail to: mehrdad@endpoint-inc.com*)
James Roessler, Roessler Investment Group, 360 Post Street, Suite 602 San Francisco, CA 94108 (*Sent Via E-mail to: jim@roesslerinvestmentgroup.com*)
Bud Duke, DTSC, Sacramento Schools Unit , Brownfields and Environmental Restoration, Program, Department of Toxic Substances Control, 8800 Cal Center Drive, Sacramento, CA 95826 (*Sent via e-mail to: BDuke@dtsc.ca.gov*)
Cheryl Dizon (QIC 8021), Zone 7 Water Agency, 100 North Canyons Pkwy, Livermore, CA 94551 (*Sent via e-mail to: cdizon@zone7water.com*)
Donna Drogos, ACEH (*Sent via E-mail to: donna.drogos@acgov.org*)
Paresh Khatri, ACEH (*Sent via E-mail to: paresh.khatri@acgov.org*)
GeoTracker
File

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)	REVISION DATE: July 20, 2010
	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 (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

- **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 dehloptoxic@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.
 - 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 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.

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
ALEX BRISCOE, Director



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

October 7, 2011

Bruce Burrows
(Sent via E-mail to: bburrowsre@aol.com)
The Burrows Company
6 South Point Road
Orinda, CA 94563

Dwight & Carleton Perry
(Sent via E-mail to: DWP5334@aol.com)
P.O. Box 20610
Castro Valley, CA 94546

Gabriel Chui
(Sent via E-mail to: GabrielHC8@aol.com)
Gabriel H. Chui & Lai H. Trust
10898 Inspiration Circle
Dublin, CA 94568

Lee Family
20117 Forest Ave., #3
Castro Valley, CA 94546

Nam Sun and Seung Hee Park
(Sent via E-mail to: jpark1015@gmail.com)
Crow Canyon Cleaners
7242 San Ramon Road
Dublin, CA 94568

William Karkozian
Robert Wiebe
Robert Jeha
Dublin Town & Country Association
318 Diablo Road, Ste. 255
Danville, CA 94526

Subject: Interim Remedial Action and Feasibility Study/Corrective Action Plan for Spills, Leaks, Investigations, and Cleanup (SLIC) Case No. RO0002863 and GeoTracker Global ID T06019764784, Crow Canyon Cleaners, 7272 San Ramon Road, Dublin, CA 94568

Ladies and Gentlemen:

Thank you for the recently submitted document entitled, "Draft Corrective Action Plan," dated September 2011 (received on September 23, 2011), which was prepared by Endpoint for the subject site. Alameda County Environmental Health (ACEH) staff has reviewed the case file including the above-mentioned Draft Corrective Action Plan (CAP) for the above-referenced site. Endpoint evaluated potential remedial alternatives and selected Soil Vapor Extraction (SVE) as the most cost effective remedial alternative to remediate PCE contamination detected at the site.

The remediation alternative presented in the CAP is acceptable. However, public participation is a requirement for the CAP process. Therefore, you must notify potentially affected stakeholders who live or own property in the surrounding area of the proposed remediation, including faculty and parents of children attending the Montessori School, as described in the "Draft Corrective Action Plan" through mailing of a fact sheet. Please submit a draft fact sheet (MS Word format) for agency review by the date specified below. Once the fact sheet has been approved, public comments on the proposed remediation will be accepted for a period of thirty days. Following the public comment period, the comments received including ACEH's comments described below, must be addressed and incorporated into a Final CAP.

Also included in the CAP as Appendix A was a Request for Resumption of Interim Remedial Action (IRA). ACEH is not opposed to re-initiation the IRA during the CAP review and public participation process and requests that you address the technical comments and submit an IRA Summary Report following system start-up.

TECHNICAL COMMENTS

1. **Interim Remedial Action Summary Report** – Thank you for informing ACEH that the radius of influence data was presented on Page 4 of the January 26, 2010 IRAP and in Appendix B of the above-mentioned IRAP document. Based on a review of the above-mentioned sections, it appears that an adequate discussion was not presented. Although ACEH appreciates that the field sheets containing vacuum data readings were included, a detailed, but concise discussion evaluating the data was not included in the text. This basic information should include how vacuum pressure was measured, which wells detected vacuum pressure while which well(s) had applied vacuum (including the distance between extraction well(s) and observation well(s)), whether vacuum pressure was applied at multiple wells or individual wells and for what duration, relationship between concentration reduction and mass removal (which can be portrayed in graphical format), etc. This data and evaluation is necessary to justify operation or cessation of the SVE system. For example, if asymptotic behavior is present, but contaminant concentrations rebound, additional extraction points may be needed, or operation of the system as a bioventing system with reduced vacuum and air flow may be an effective remedial alternative. However, without an adequate evaluation and discussion of the data, these technical decisions that can expedite this case towards closure cannot be made. Therefore, following the IRA start up, please submit an IRA summary report that addresses the above-comments, by the date specified below.
2. **Cleanup Goals** – Endpoint presented two scenarios for the site, Commercial ESLs as cleanup goals if the Montessori School was no longer located at the subject commercial center, or Residential ESLs as cleanup goals if the Montessori School is still present at the site. ACEH understands that at this time, the Montessori School is still located at the site. Therefore, as such, the Residential Land-use Cleanup goal of $410 \mu\text{g}/\text{m}^3$ [for PCE] shall be adopted as the preliminary clean up goal for the site to be protective of human health and the environment.
3. **Draft Fact Sheet and Recipient List** – As mentioned above and in our September 1, 2011 correspondence, a Fact Sheet and distribution list must be submitted for review, prior to mailing. Please submit a draft Fact Sheet, the Previous List of Recipients along the newly revised distribution list by the date specified below. Once the Fact Sheet is reviewed, the 30-day Public Participation period can commence.

TECHNICAL REPORT REQUEST

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

- **October 21, 2011** – Draft Fact Sheet (in MS Word format) with List of Fact Sheet Recipients (Previous & Revised)
- **November 4, 2011** – IRA Summary Report

Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, please call me at (510) 777-2478 or send me an electronic mail message at paresh.khatri@acgov.org.

Sincerely,

Paresh C. Khatri
Sr. Hazardous Materials Specialist

Enclosure: Responsible Party(ies) Legal Requirements/Obligations
ACEH Electronic Report Upload (ftp) Instructions

cc: Mehrdad Javaherian, Endpoint Consulting, Inc., 98 Battery Street, Suite 200, San Francisco, CA 94111 (*Sent via E-mail to: mehrdad@endpoint-inc.com*)
James Roessler, Roessler Investment Group, 360 Post Street, Suite 602 San Francisco, CA 94108 (*Sent Via E-mail to: jim@roesslerinvestmentgroup.com*)
Bud Duke, DTSC, Sacramento Schools Unit , Brownfields and Environmental Restoration, Program, Department of Toxic Substances Control, 8800 Cal Center Drive, Sacramento, CA 95826 (*Sent via e-mail to: BDuke@dtsc.ca.gov*)
Cheryl Dizon (QIC 8021), Zone 7 Water Agency, 100 North Canyons Pkwy, Livermore, CA 94551 (*Sent via e-mail to: cdizon@zone7water.com*)
Donna Drogos, ACEH (*Sent via E-mail to: donna.drogos@acgov.org*)
Paresh Khatri, ACEH (*Sent via E-mail to: paresh.khatri@acgov.org*)
GeoTracker
File

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)	REVISION DATE: July 20, 2010
	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 (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

- **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 dehloptoxic@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.
 - 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 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.