



April 4, 2018

Hoi Phua and Linll Lee, Trustees  
141 Woodland Way  
Piedmont, CA 94611  
(Sent via electronic mail to: [billphua@yahoo.com](mailto:billphua@yahoo.com))

Subject: **Request for Work Plan Addendum and Partial Conditional Work Plan Approval; SCP**  
Case RO0002895, Wash Time Laundromat, 1815 Park Boulevard, Oakland, CA 94606

Dear Mr. Hoi Phua and Linll Lee:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the *Work Plan, Data Gap Investigation*, dated February 7, 2018. The work plan was prepared and submitted on your behalf by AEI Consultants. The work plan proposed to update the current well survey within 2,000 feet of the site; trace underground utilities onsite and in the offsite vicinity; install ten soil bores to collect soil and grab groundwater samples to determine current concentrations beneath the site and vicinity; collect six sub-slab vapor samples within the site; collect a sewer grab sample from the site sewer lateral; collect three indoor air samples paired with sub-slab vapor samples; and conduct a sewer gas sampling event.

ACDEH is in general agreement with a portion of the referenced work plan, and partially, and conditionally, approves that portion of the work plan below. However, prior to approving the full remaining scope of work, ACDEH requests that you prepare an Addendum to the Work Plan to address the Technical Comments provided below.

### **TECHNICAL COMMENTS**

1. **Partial and Conditional Work Plan Approval** – The referenced work plan proposes several actions with which ACDEH is in general agreement of undertaking, and several actions that require the submittal of a Work Plan Addendum prior to approval. This Technical Comment conditionally approves a limited scope of work included in the referenced work plan, while following Technical Comments discuss the rationale for the requested Work Plan Addendum. With regards to the conditionally approved scope of work, ACDEH requests several modifications to the approach as discussed below:
  - a. **Modified Bore Locations** – Ten soil bores were proposed in the referenced work plan, largely, but not exclusively, near areas previously investigated, in an effort to determine current concentrations in soil and grab groundwater beneath the site and vicinity. ACDEH is in general concurrence with the proposed locations; however, requests the slight relocation of two bores to locations closely proximal to the location of the onsite sanitary sewer lateral. In particular, bores proposed to be placed in proximity to former soil bores AWB-10 and AWB-11 are requested to be placed within a few feet of the lateral location, which has been proposed to be confirmed by an underground utility locating service prior to field work. ACDEH requests that all work be included in a single final report, by the date identified below.
  - b. **Utility Locating with Depth and Flow Direction**– The work plan proposes to locate underground utilities at the site and vicinity. ACDEH additionally requests that the depth and flow direction of the utilities be determined in order to determine potential migration pathways (soil, groundwater, or vapor) that may be in play at the site and vicinity. The data will additionally assist in potential future sampling within the utility conduit backfill, should it be necessary. ACDEH requests that all utilities be accounted for, and the location of overhead utility lines be included so that the assessment is understood to be complete.

2. **Work Plan Addendum** – ACDEH is not yet in agreement that the following scopes of work can be approved without the submittal of a work plan addendum to clarify the approach. Please submit a work plan addendum by the date identified below.
- a. **Sub-Slab Vapor Point Installation** – The referenced work plan proposes to insert a gas sampler just below the slab, and does not further describe the sampling method, and did not include Standard Operating Procedures (SOPs) to reference. Due to the potential for vapor intrusion, standard Department of Toxic Substances Control (DTSC) guidance state that repeat vapor samples are required in order to determine temporal and seasonal changes in vapor concentrations. Therefore, ACDEH requests the installation of permanent sub-slab vapor points, such as vapor pins, or another permanent approach, at the site. Consequently, ACDEH requests vapor point installation and sampling SOPs be forwarded in the requested work plan addendum.
  - b. **Building Plan View** – To help assess the appropriateness of the vapor point locations and indoor air sampling locations with respect to current, and more importantly, past site layouts, ACDEH requests the generation and use of site figures that include these details, with proposed vapor point locations, and proposed indoor air sampling points located on the figure. ACDEH requests the figures include at a minimum the adjacent tenant space, and that the figures be at a usable scale. To help communicate these details, and to keep the figure less busy, ACDEH suggests that previous site details be shaded to gray to help distinguish the two floor plans. This is requested to include the locations of bathrooms, sumps, staining, dry cleaning machines, any remaining cut bolts in the floor, and etc. Please include these figures in the requested work plan addendum.
  - c. **Building Survey** – A building survey was not discussed in the work plan, and must be conducted in order to determine if consumer products are present that can influence the results of the indoor air samples. Because many consumer products do not list trace concentrations of chlorinated solvents that can influence the results of the sampling efforts, all consumer products require removal prior to indoor air sampling. Building survey forms and communication with building occupants can be found in DTSC guidance (see below). Please forward copies of the proposed building survey forms with the work plan addendum.
  - d. **Collection Length of Indoor Air Samples** – The referenced work plan proposes the collection of 8 hour indoor air samples; however, DTSC guidance indicates that first samples should be 24 hours in length in order to potentially capture diurnal vapor fluctuations at a site, and to quickly determine potential exposures to occupants of the site. In general ACDEH follows DTSC guidance, and requests inclusion of this change in the work plan addendum.
  - e. **Outdoor Air Sample Location** – An outdoor air sample was proposed in the referenced work plan; however, was not located on site figures. Because the location will influence the quality of the air data, ACDEH requests the location be placed upwind of the site, and located on site figures discussed above. Venting from the subject site must be considered in the selection of the sample location.
  - f. **Public Notification of Building Occupants** – Per DTSC guidance (*Vapor Intrusion Public Participation Advisory*, March 2012), tenant notification is necessary prior to subslab and indoor air sampling. Example fact sheets can be found in Appendix B and C of the referenced DTSC guidance. ACDEH requests the submittal of draft tenant notifications in Word format by the date identified below. This is requested to include tenant notification sheets, subslab sampling activity communication, fact sheets for VOCs in household products, instructions to the occupants, and others as needed.
  - g. **Sanitary Sewer Sampling** – At this time the updated DTSC and Regional Water Quality Control Board (RWQCB) vapor intrusion guidance remains pending, and sewer sampling protocols have not been promulgated. With the presumption that protocols will be included, ACDEH holds approval until they are released.

- 3. Electronic Report and Data Upload Compliance** – Thank you for claiming the site in Geotracker; however, a review of the case file and the State's Geotracker database indicates that the site is not yet in compliance with previous directive letters. Compliance is a State requirement that ACDEH is tasked with enforcing. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the UST or LUST program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs, including SLIC programs. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites was required in GeoTracker. At present missing data and documents include, but may not be limited to all existing GEO BORES, GEO MAPS, and older reports. Please be aware that your consultant does not take responsibility for the quality of work associated with the documents, but is merely providing copies of them. Please see Attachment 1 for limited additional details, and the state GeoTracker website for full details. ACDEH requests notification of, and a list of, the documents uploaded to Geotracker. Please upload all submittals to GeoTracker by the date specified below.

### **SUBMITTAL ACKNOWLEDGEMENT STATEMENT**

Please note that ACDEH has updated Attachment 1 with regard to report submittals. ACDEH will now be requiring a Submittal Acknowledgement Statement, replacing the Perjury Statement, as a cover letter signed by the Responsible Party (RP). The language for the Submittal Acknowledgement Statement is as follows:

*"I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to the State Water Board's GeoTracker website.*

Please make this change to your submittals to ACDEH.

### **TECHNICAL REPORT REQUEST**

Please submit the following technical reports and deliverables to the State Water Board's Geotracker website and notify your case worker by electronic mail ([mark.detterman@acgov.org](mailto:mark.detterman@acgov.org)), in accordance with the following specified file naming convention and schedule, as provided below, and in the Responsible Party(ies) Legal Requirements/Obligations which is included as Attachment 1. Please note ACDEH no longer accepts reports on the ftp site.

- **May 18, 2018** – Work Plan Addendum  
File to be named: RO66\_WP\_ADEND\_R\_YYYY-MM-DD
- **60 Days After Work Plan Addendum Approval** – Soil and Groundwater Investigation Report

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

Thank you for your cooperation. ACDEH looks forward to working with you and your consultants to advance the case toward closure. If you have any questions, please call me at (510) 567-6876 or send me an electronic mail message at [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org).

Sincerely,



Mark Detterman, PG, CEG  
Senior Hazardous Materials Specialist

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

cc: Peter McIntyre, 2500 Camino Diablo, Walnut Creek, CA 94523; (Sent via electronic mail to:  
[pmcintyre@aeiconsultants.com](mailto:pmcintyre@aeiconsultants.com))

Mr. Stephen Wong, CW Investment Group, 132 9<sup>th</sup> Street, Suite 200, Oakland, CA 94607 (Sent  
via electronic mail to: [stephen.wong@amberinvestment.com](mailto:stephen.wong@amberinvestment.com))

Dilan Roe, ACDEH; (Sent via electronic mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))

Paresh Khatri, ACDEH; (Sent via electronic mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org))

Mark Detterman, ACDEH; (Sent via electronic mail to: [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org))

Electronic File, GeoTracker

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> December 14, 2017
	<b>ISSUE DATE:</b> July 25, 2012
	<b>PREVIOUS REVISIONS:</b> September 17, 2013, May 15, 2014, December 12, 2016
<b>SECTION:</b> ACDEH Procedures	<b>SUBJECT:</b> Responsible Party(ies) Legal Requirements / Obligations

#### REPORT & DELIVERABLE REQUESTS

Alameda County Department of Environmental Health (ACDEH) Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) require submission of all reports in electronic form to the State Water Board's (SWB) GeoTracker website in accordance with California Code of Regulations, Chapter 30, Division 3, Title 23 and Division 3, Title 27.

#### Leaking Underground Fuel Tank (LUFT) Cases

Reports and deliverable requests are 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 (RP) in conjunction with an unauthorized release from a petroleum underground storage tank (UST) system.

#### Site Cleanup Program (SCP) Cases

For non-petroleum UST cases, reports and deliverables requests are pursuant to California Health and Safety Code Section 101480.

#### ELECTRONIC SUBMITTAL OF REPORTS

A complete report submittal includes the PDF report and all associated electronic data files, including but not limited to GEO\_MAP, GEO\_XY, GEO\_Z, GEO\_BORE, GEO\_WELL, and laboratory analytical data in Electronic Deliverable Format™ (EDF). Additional information on these requirements is available on the State Water Board's website ([http://www.waterboards.ca.gov/water\\_issues/programs/ust/electronic\\_submittal/](http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/))

- Do not upload draft reports to GeoTracker
- Rotate each page in the PDF document in the direction that will make it easiest to read on a computer monitor.

#### GEOTRACKER UPLOAD CERTIFICATION

Each report submittal is to include a GeoTracker Upload Summary Table with GeoTracker valid values<sup>1</sup> as illustrated in the example below to facilitate ACDEH review and verify compliance with GeoTracker requirements.

#### **GeoTracker Upload Table Example**

Report Title	Sample Period	PDF Report	GEO_MAPS	Sample ID	Matrix	GEO_Z	GEO_XY	GEO_BORE	GEO_WELL	EDF
<b>2016 Subsurface Investigation Report</b>	2016 S1	✓	✓	Effluent	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
<b>2012 Site Assessment Work Plan</b>	2012	✓	✓			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>2010 GW Investigation Report</b>	2008 Q4	✓	✓	SB-10	W	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				SB-10-6	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				MW-1	WG	✓	✓	✓	✓	✓
				SW-1	W	✓	✓	✓	✓	✓

<sup>1</sup> GeoTracker Survey XYZ, Well Data, and Site Map Guidelines & Restrictions, CA State Water Resources Control Board, April 2005

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> NA
	<b>ISSUE DATE:</b> December 14, 2017
	<b>PREVIOUS REVISIONS:</b> September 17, 2013, May 15, 2014, December 12, 2016
<b>SECTION:</b> ACDEH Procedures	<b>SUBJECT:</b> Responsible Party(ies) Legal Requirements / Obligations

**ACKNOWLEDGEMENT STATEMENT**

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to the State Water Board's GeoTracker website." This letter must be signed by the Responsible Party, or legally authorized representative of the Responsible Party.

**PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS**

The California Business and Professions Code (Sections 6731, 6735, and 7835) 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 licensed or certified professional and include the professional registration stamp, signature, and statement of professional certification. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

**UNDERGROUND STORAGE TANK CLEANUP FUND**

For LUFT cases, RP's non-compliance with these regulations may result in ineligibility to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse the cost of cleanup. Additional information is available on the internet at: [https://www.waterboards.ca.gov/water\\_issues/programs/ustcf/](https://www.waterboards.ca.gov/water_issues/programs/ustcf/)

**AGENCY OVERSIGHT**

Significant delays in conducting site assessment/cleanup or report submittals may result in referral of the case to the Regional Water 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.