



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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August 20, 2008

Ms. Elana Wadler-Aabas, Trustee
Estate of Larry M. Wadler
2860 Carmel St. # D,
Oakland, CA 94602-3458

Subject: Fuel Leak Case No. RO00002901 and Geotracker Global ID T0600105641, Modern Mail Express, 2836 Union St., Oakland, CA 94608

Dear Ms. Elana Wadler-Aabas:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the December 31, 2007 *Underground Fuel Storage Tank-Related Corrective Action Report*, and all of the groundwater monitoring reports including the most recently received July 28, 2008 *Third Quarter 2008 Groundwater Monitoring Report*, all prepared by Stellar Environmental Solutions, Inc. The corrective action report indicates that a significant amount of the primary and secondary sources of hydrocarbons were removed during the excavation. However, the report also indicates that 790 milligrams per kilogram (mg/Kg) total volatile hydrocarbons as gasoline (TVH-g) were left in soil in MW-1B at a depth of 10 feet below ground surface (bgs). Subsequent groundwater monitoring reports indicate that groundwater concentrations have declined since the excavation and addition of oxygen releasing compound (ORC). The corrective action report also recommends continued groundwater sampling.

TECHNICAL COMMENTS

1. **Preferential Pathway Study** –The purpose of the preferential pathway study is to locate potential migration pathways and conduits and determine the probability of the NAPL and/or plume encountering preferential pathways and conduits that could spread contamination. We request that you perform a preferential pathway study that details the potential migration pathways and potential conduits (wells, utilities, pipelines, etc.) for vertical and lateral migration that may be present in the vicinity of the site.

Discuss your analysis and interpretation of the results of the preferential pathway study (including the well survey and utility survey requested below) and report your results in the work plan requested below. The results of your study shall contain all information required by California Code of Regulations, Title 23, Division 3, Chapter 16, §2654(b).

a. Utility Survey

An evaluation of all utility lines and trenches (including sewers, storm drains, pipelines, trench backfill, etc.) within and near the site and plume area(s) is required as part of your study. Please include maps and cross-sections illustrating the location and depth of all utility lines and trenches within and near the site and plume areas(s) as part of your study.

b. Well Survey

The preferential pathway study shall include a well survey of all wells (monitoring and production wells: active, inactive, standby, decommissioned (sealed with concrete), abandoned (improperly decommissioned or lost); and dewatering, drainage, and cathodic protection wells) within a ¼ mile radius of the subject site.

2. **Groundwater Monitoring Report.** Please continue to include the cumulative groundwater data table in future quarterly monitoring reports but also include historical and current data along with groundwater elevation data in the same table. This will facilitate evaluation of whether groundwater fluctuations influence dissolved contaminant concentrations. Since ORC has been added to the excavation area, please include pre- and post- purge field testing for dissolved oxygen in your table. At this time you may discontinue analysis for EDB, ETBE, DIPE, and TAME since those constituents have not been detected at the site. Please continue to perform quarterly groundwater sampling and analysis for all other analytes including EDC and TBA. Also, addition of ORC is a treatment method and as such, we request that you continue quarterly groundwater monitoring during the remediation phase of the project. Semi-annual monitoring is not appropriate until trends in the dissolved contaminant and oxygen concentrations can be evaluated.

All reports including groundwater monitoring reports must have a perjury statement signed by the owner of the property, not the consultant. Please refer to the perjury statement section below.

3. **Well Destruction Permit** – The Underground Fuel Storage Corrective Action Report states that a DWR well destruction report was submitted but does not reference that the Alameda County Public Works Agency (ACPWA) was contacted and that a permit was obtained for well destruction from them. Please submit a copy of the completed permit for well destruction from the ACPWA. Also, the DWR report that was submitted is not currently in our hard or electronic files. Please e-mail an electronic copy of the form to me.
4. **Excavation Confirmation Soil Samples** – Table 1 in the December 31, 2007 *Underground Fuel Storage Tank-Related Corrective Action Report* presents the analytical results for the confirmation soil samples. There is no indication of the depth of those confirmation samples. Also, Figure 2, Site Plan with the cross-section locations was missing from this report. Please include the updated table with the sample depths for the depth discrete samples only and Figure 2 in the report requested below.
5. **Data Gaps and Progressing to Case Closure** – At this time, data gaps that need to be addressed to progress this site to case closure include performing groundwater monitoring during and after remediation and performing a preferential pathway study as requested above.

TECHNICAL REPORT REQUEST

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

- **November 20, 2008** – Fourth Quarter Groundwater Monitoring Report.
- **January 20, 2008** – Preferential pathway evaluation, updated table and cross-section location map.

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.

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 J. Jakub, P.E.
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Richard Makdisi, Stellar Environmental Solutions, Inc., 2198 Sixth Street, Suite 201
Berkeley, CA 94710
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)