

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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October 10, 2007

Kimball and Jane Allen
2 Lone Tree Avenue
Mill Valley, CA 94941-1741

Teresa Pucci
Pucci Enterprises
6369 Stone Bridge Road
Santa Rosa, CA 95409-5859

Subject: Fuel Leak Case No. RO0002930 and Geotracker Global ID T0600108713, Allen Property, 325 Martin Luther King Jr Way, Oakland, CA 94607

Dear Kimball and Jane Allen and Teresa Pucci:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site, including the recently submitted report entitled, "Soil and Groundwater Investigation Report," dated September 21, 2007 and prepared on your behalf by AEI Consultants. The report presents results from a site investigation that included soil and groundwater sampling from 12 soil borings and three monitoring wells. Elevated concentrations of total petroleum hydrocarbons as gasoline (TPHg), TPH as diesel, benzene, toluene, ethylbenzene, xylenes, ethylene dibromide (EDB), and 1,2-dichloroethane were detected in soil and/or groundwater in the area of an abandoned UST. The UST was reportedly abandoned in place beneath 325 Martin Luther King Jr Way due to its proximity to the footing of the 671 4th Street building. Decommissioning of the UST included removing sludge from the tank bottom, steam cleaning the tank, and filling the tank with concrete slurry on October 20, 1993. There is no documentation of sampling around the UST prior to decommissioning.

Based on the soil and groundwater sampling conducted since 2005, significant soil and groundwater contamination is present in the area of the abandoned UST. TPHg has been detected in and soil and groundwater at concentrations up to 20,000 milligrams per kilogram (mg/kg) and 100,000 micrograms per liter ($\mu\text{g/L}$), respectively. Benzene has been detected in soil and groundwater at concentrations up to 200 mg/kg and 3,300 $\mu\text{g/L}$, respectively.

In order to address the residual contamination beneath the building at 325 Martin Luther King Jr Way, we request that you prepare a Corrective Action Plan **by December 14, 2007** as discussed in technical comment 4 below. Please address the following technical comments, perform the proposed work, and send us the reports described below.

TECHNICAL COMMENTS

1. **Plume Delineation.** We concur with the conclusion that the petroleum hydrocarbon plume originating from the abandoned UST has been adequately defined. No further plume delineation is requested at this time.
2. **Corrective Action Plan.** Based on the levels of residual soil and groundwater contamination at this site, remediation is required. We request that you submit a Corrective Action Plan (CAP) that evaluates a minimum of three active remedial alternatives (in addition to a monitored natural attenuation alternative). Excavation of soil and free phase product from the source area surrounding the abandoned UST must be one of the active remedial alternatives. The CAP must propose target cleanup goals and verification monitoring to confirm the effectiveness of the remediation.
3. **Potential Vapor Intrusion.** The concentrations of benzene detected in soil and groundwater and EDB detected in groundwater exceed the Environmental Screening Levels (San Francisco Bay Regional Water Quality Control Board February 2005 rev. 11/06) for potential intrusion to indoor air under commercial or industrial land use. Soil vapor sampling and an evaluation of the potential for indoor vapor intrusion will be required for residual contamination that is to be left in place beneath 325 Martin Luther King Jr Way. You may propose soil vapor sampling as part of additional assessment activities prior to preparation of a CAP. Alternately, soil vapor sampling may be conducted as part of confirmation sampling if excavation and removal of contamination in the area of the abandoned UST is proposed.
4. **Geophysical Survey.** A geophysical survey of the UST area for possible abandoned fuel system piping was proposed in the March 8, 2007, "Site Characterization Workplan." The results of a utility survey were discussed in the "Soil and Groundwater Investigation Report," dated September 21, 2007; however, a geophysical survey to locate abandoned piping was not discussed in the report. In the CAP requested below, please discuss whether potential abandoned piping will be located and removed for each proposed remedial alternative. As an example, a remedial alternative using excavation to remove contamination in the area of the abandoned UST would locate and remove potential abandoned piping during excavation without the need for a geophysical survey while in-situ remedial methods would likely require a geophysical survey of the UST area.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Mr. Jerry Wickham), according to the following schedule:

- **December 14, 2007** – Corrective Action Plan

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

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.

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UNDERGROUND STORAGE TANK CLEANUP FUND

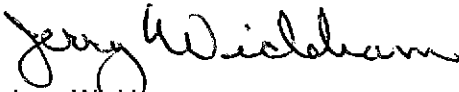
Please be aware that you may be eligible for reimbursement of the costs of investigation from the California Underground Storage Tank Cleanup Fund (Fund). In some cases, a deductible amount may apply. If you believe you meet the eligibility requirements, I strongly encourage you to call the Fund for an application.

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) 567-6791.

Sincerely,



Jerry Wickham
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Adrian Angel
AEI Consultants
2500 Camino Diablo, Suite 200
Walnut Creek CA 94597

Michael Notaro
Law Offices of Michael Notaro
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Alameda, CA 94501

Leroy Griffin
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Oakland, CA 94612

Donna Drogos, ACEH
Jerry Wickham, ACEH
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