

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



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

September 10, 2007  
Mrs. Shirley Thompson  
Thompson Edward C & Shirley E Trust  
1155 Hopkins Street  
Berkeley, CA 94702-1359

Subject: Fuel Leak Case No. RO0002933, Thompson Property, 1409-1417 12<sup>th</sup> Street, Oakland, CA 94607-2003 – Request for Work Plan

Dear Mrs. Thompson:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site, including the reports entitled, "Site Characterization Report," June 5, 2007 prepared by Impact Environmental Services.

The subsurface investigation report summarizes the results from the installation of nine soil borings and soil vapor sampling at nine additional locations. High concentrations of total petroleum hydrocarbons as gasoline (TPHg) benzene, toluene, ethylbenzene and xylenes (BTEX) were detected in soil samples collected from soil boring SB-9 at 12 feet bgs at concentrations of up to 20,000 milligrams per kilogram (mg/kg), 50 mg/kg, 210 mg/kg, 220 mg/kg and 1,300 mg/kg, respectively. Dissolved phase petroleum hydrocarbons including TPHg and BTEX were also detected in a groundwater samples collected from soil boring SB-9 at concentrations of up to 52,000 micrograms per liter ( $\mu\text{g/L}$ ), 8,700  $\mu\text{g/L}$ , 2,200  $\mu\text{g/L}$ , 2,000  $\mu\text{g/L}$  and 7,200  $\mu\text{g/L}$ , respectively. Soil vapor sample collected adjacent to soil boring SB-9 detected elevated concentrations of TPHg and benzene at up to 52,000  $\mu\text{g/m}^3$  and 1,200  $\mu\text{g/m}^3$ .

Based on results of soil, soil vapor and groundwater sampling collected during the subsurface investigation ACEH has determined that corrective action is necessary to remove separate phase petroleum hydrocarbon contamination from beneath your site and to prevent offsite migration of dissolved phase petroleum hydrocarbon contamination. Please submit a work plan detailing your proposal to implement corrective action and remediation of soil and groundwater contamination by September 30, 2007. This report is being requested pursuant to the Regional Water Quality Control Board's authority under Section 13267 of the California Water Code. We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

#### TECHNICAL REPORT REQUEST

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

- **September 30, 2007** – Work Plan for Corrective Action

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

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. 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](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at <mailto:steven.plunkett@acgov.org>.

#### 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

Mrs. Shirley Thompson  
September 6, 2007  
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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 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) 383-1767

Sincerely,



Steven Plunkett  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Joseph Cotton  
Impact Environmental Services  
39120 Argonaut Way, Suite 223  
Fremont, CA 94538

Pat Presslar  
State Water Resources Control Board  
PO Box 944212  
Sacramento, CA 94244-2120

Donna Drogos, ACEH  
Steven Plunkett, ACEH  
File

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FAX (510) 337-9335

March 28, 2007

Mrs. Shirley Thompson  
Thompson Edward C & Shirley E Trust  
1155 Hopkins Street  
Berkeley, CA 94702-1359

*Disc-L-2007-03-28*

Subject: Fuel Leak Case No. RO0002933, Thompson Property,  
CA 94607-2003 – Request for Work Plan

Dear Mrs. Thompson:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the reports entitled, "Work Plan for Site Characterization," dated March 15, 2007 prepared by Impact Environmental Services (Impact). The scope of work as described in the work plan recommends the installation of 12 on site soil borings, with four soil borings converted to temporary piezometers, to define the extent of soil and groundwater contamination and determine the groundwater flow direction for your site.

Additionally, the work plan recommends soil screening with an organic vapor meter (OVM), and the collection of two soil samples and one grab groundwater sample collected from each soil boring. ACEH generally agrees with the recommendations as proposed in the work plan provided the technical comments discussed below are incorporated during the investigation.

We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

**TECHNICAL COMMENTS**

1. **Temporary Piezometers.** ACEH has observed marked changes in groundwater flow patterns during quarterly groundwater monitoring events at nearby facilities. Furthermore, given seasonal fluctuations in groundwater elevation and potential changes in flow direction, one-time measurements will not accurately define groundwater flow direction. Therefore, ACEH does not recommend the installation of temporary piezometer for the collection of one time groundwater elevation data. Alternatively, please use soil and groundwater data collected during site characterization to determine the design and location of a groundwater monitoring well network, and include this information in the report requested below.
2. **Soil Boring and Soil Vapor Locations.** Impact recommends the installation of twelve (12) soil borings located throughout the site, with soil samples collected at five feet and ten feet bgs. Impact also recommends soil borings be advanced at least three feet beyond first encountered groundwater. In addition, Impact recommends soil vapor sampling at twelve locations in the vicinity of the proposed soil boring locations.

ACEH has concluded that soil borings B-8 and B-13 through B-15 are not necessary at this time. However, should soil and groundwater analytical data indicate that pollution is dispersed throughout the site, additional soil borings may be necessary. A total of 8 soil borings are recommended during this phase of investigation. In addition, ACEH request that soil samples be collected as follows; any interval where staining, odor, or elevated OVM readings occur, at the capillary fringe, where groundwater is first encountered and at distinct changes in lithology. If no changes in lithology or elevated OVM readings occur then soil samples are to be collected at five feet intervals until groundwater is encountered, at the capillary fringe and at the total depth of the soil boring or at least 20 feet bgs.

ACEH agree a soil gas investigation is necessary in order to evaluate potential risk associated with the vapor intrusion pathway. A total of eight soil vapor locations are requested during this phase of investigation. However, co-location of soil vapor samples with soil and groundwater samples is not necessary. In particular, we recommend that soil vapor sample locations B-9 and B-12 be placed closer to the property boundary. We agree with the soil vapor sampling depths as proposed by Impact. Results from the soil and groundwater sampling are to be presented in the report requested below.

3. **Soil Sampling and Soil Vapor Sampling.** ACEH request soil sampling are to be analyzed for total petroleum hydrocarbons as gasoline (TPHg), TPH as diesel, TPH as motor oil, benzene, toluene, ethylbenzene, xylenes, fuel oxygenates, EDB and EDC. ACEH agrees with the soil gas sample as proposed by Impact. Results from the soil and soil vapor sampling are to be presented in the report requested below.
4. **Groundwater Samples.** A grab groundwater sample is to be collected from first-encountered groundwater in each of the soil borings. The groundwater samples are to be collected by the placement of an appropriately screened sampling device that is capable of collecting a depth-discrete groundwater sample. The groundwater samples are to analyzed for total petroleum hydrocarbons as gasoline (TPHg), TPH as diesel, TPH as motor oil, benzene, toluene, ethylbenzene, xylenes, fuel oxygenates, EDB and EDC. These results are to be presented in the report requested below.

#### **TECHNICAL REPORT REQUEST**

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

- **May 15, 2007** – Soil and Groundwater Investigation Report

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.

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#### 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.

Mrs. Shirley Thompson  
March 26, 2007  
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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) 383-1767

Sincerely,



Steven Plunkett  
Hazardous Materials Specialist

cc: Joseph Cotton  
Impact Environmental Services  
39120 Argonaut Way, Suite 223  
Fremont, CA 94538

Pat Presslar  
State Water Resources Control Board  
PO Box 944212  
Sacramento, CA 94244-2120

Donna Drogos, ACEH  
Steven Plunkett, ACEH  
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