



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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March 7, 2013

Steffi R. Zimmerman
Ronald S. Zimmerman Estate
1740 Reliez Valley Road
Lafayette, CA 94549

Subject: Fuel Leak Case No. RO0002936 and GeoTracker Global ID T0600183099, Zimmerman Property, 3442 Adeline St., Oakland, CA 94608

Dear Ms. Zimmerman:

Thank you for the *Work Plan for Remedial Investigation and Feasibility Study* (Work Plan/FS) dated April 30, 2010, and the *Semi-Annual Groundwater Monitoring Report* dated May 31, 2012, which were prepared by AEI Consultants for the subject site. Alameda County Environmental Health (ACEH) has evaluated the data and recommendations presented in the above-mentioned reports in conjunction with information contained in the case files and the State Water Resources Control Board's Low Threat Closure Policy (LTCP) criteria.

The Work Plan/FS proposes a pilot test of three remedial alternatives (air sparge, soil vapor extraction and bio-venting) for the site and recommends installing groundwater monitoring wells and an injection well. The scope of work as presented in the work plan cannot be approved at this time. ACEH requests that you address the following technical comments and send us a work plan addendum/revised work plan as requested below. ACEH requests that you address the following technical comments, conduct the requested work, and send us a revised work plan by the due date specified below.

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 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. The preferential pathway study shall contain all information required by California Code of Regulations, Title 23, Division 3, Chapter 16, §2654(b) including:

- 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 updated 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. Please also identify the utilities along Adeline Street since the plume extends to this street.

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.

Please present the results of the preferential pathway study, and your analysis and interpretation of the results in the work plan requested below. Please update the site conceptual model (SCM) based on the results of this study, identify data gaps, and propose a plan to address the data gaps.

2. **Soil and Groundwater Characterization** – The Work Plan/FS proposes installing groundwater monitoring wells (MW-8 through MW-10), injection well IW-2 and nested vapor wells (VP-1 through VP-6). Before installing the wells and performing the pilot test, we request that the lateral and vertical extent of the groundwater plume be evaluated and wells proposed based on the results of this investigation as well as recent groundwater monitoring results. Please consider placing your borings along transects and show your proposed boring locations on the requested utility survey map from the preferential pathway study requested above.

In addition, well MW-3 has been inaccessible for a number of years with no discussion of why in the groundwater monitoring reports. Please find and rehabilitate the well or destroy it and reinstall an accessible well in this area.

3. **Pilot Test Area** – Based on our review, it appears more appropriate to conduct the pilot test in an area with higher soil concentrations (such as near SB-13 and SB-20) than in your proposed pilot test area. The area adjacent to the residences should not be used for the pilot test due to the potential for air-sparging without soil vapor extraction to cause vapor intrusion into adjacent residences. Please submit a revised pilot test work plan incorporating the results of the preferential pathway study as requested below.
4. **Site Maps** – We request that you use an aerial photo as the basemap for all future site maps submitted for the site. Please label and identify the use of all properties on your map and show the utilities identified in the preferential pathway survey. Please provide a copy of this map with all existing and proposed soil boring, monitoring well, pilot test well, etc locations by the date specified below.
5. **Baseline Environmental Project Schedule** – The State Water Resources Control Board passed Resolution No. 2012-0062 on November 6, 2012 which requires development of a Path to Closure Plan by December 31, 2013 that addresses the impediments to closure for the site. The Path to Closure must have milestone dates by calendar quarter which will

achieve site cleanup and case closure in a timely and efficient manner that minimizes the cost of corrective action. The Project Schedule should include, but not be limited to, the following key environmental elements and milestones as appropriate:

- Preferential Pathway Study
- Soil, Groundwater, and Soil Vapor Investigations
- Initial, Updated, and Final/Validated SCMs
- Interim Remedial Actions
- Feasibility Study/Corrective Action Plan
- Pilot Tests
- Remedial Actions
- Soil Vapor and Groundwater Monitoring Well Installation and Monitoring
- Public Participation Program (Fact Sheet Preparation/Distribution/Public Comment Period, Community Meetings, etc.)
- Case Closure Tasks (Request for closure documents, ACEH Case Closure Summary Preparation and Review, Site Management Plan, Institutional Controls, Public Participation, Landowner Notification, Well Decommissioning, Waste Removal, and Reporting.)

Please include time for regulatory and RP in house review, permitting, off-site access agreements, and utility connections, etc.

Please use a critical path methodology/tool to construct a schedule with sufficient detail to support a realistic and achievable Path to Closure Schedule. The schedule is to include at a minimum:

- Defined work breakdown structure including summary tasks required to accomplish the project objectives and required deliverables
- Summary task decomposition into smaller more manageable components that can be scheduled, monitored, and controlled
- Sequencing of activities to identify and document relationships among the project activities using logical relationships
- Identification of critical paths, linkages, predecessor and successor activities, leads and lags, and key milestones
- Identification of entity responsible for executing work
- Estimated activity durations (60-day ACEH review times are based on calendar days)

Please submit an electronic copy of the Path to Closure Schedule by the date listed below. ACEH will review the schedule to ensure that all key elements are included.

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TECHNICAL REPORT REQUEST

Please upload technical reports to ACEH's ftp site and to the State Water Resources Control Board's Geotracker website, in accordance with the specified file naming convention below.

- **May 7, 2013** – Updated SCM, Preferential Pathway Study and Data Gap Work Plan (File to be named: SCM_WP_R_yyyy-mm-dd)
- **May 7, 2013** – Path to Closure and Schedule (File to be named PROJ_SCH_yyyy-mm-dd)
- **May 20, 2013** – Semi-annual Monitoring Report (1st Half 2013) (File to be named: GWM_R_yyyy-mm-dd)
- **60 Days After Data Gap Work Plan Approval** – SWI with Updated SCM (File to be named: SWI_SCM_R_yyyy-mm-dd)
- **60 Days After Data Gap Work Plan Approval** – Pilot Test Work Plan (File to be named: IR_WP_R_yyyy-mm-dd)
- **November 20, 2013** – Semi-annual Monitoring Report (2nd Half 2013) (File to be named: GWM_R_yyyy-mm-dd)

Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, please call me at (510) 639-1287 or send me an electronic mail message at barbara.jakub@acgov.org.

Sincerely,

Barbara J. Jakub, P.G.
Hazardous Materials Specialist

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

cc: Robert Flory, AEI Consultants, 2500 Camino Diablo, Walnut Creek, CA 94597 (*Sent via E-mail to: rflory@aeiconsultants.com*)
Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (*Sent via E-mail to: lgriffin@oaklandnet.com*)
Donna Drogos, ACEH (*Sent via E-mail to: donna.drogos@acgov.org*)
Barbara Jakub, ACEH (*Sent via E-mail to: barbara.jakub@acgov.org*)
GeoTracker
File

Attachment 1

Responsible Party(ies) Legal Requirements/Obligations

REPORT/DATA REQUESTS

These reports/data are being requested pursuant to Division 7 of the California Water Code (Water Quality), Chapter 6.7 of Division 20 of the California Health and Safety Code (Underground Storage of Hazardous Substances), and Chapter 16 of Division 3 of Title 23 of the California Code of Regulations (Underground Storage Tank Regulations).

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (Local Oversight Program [LOP] for unauthorized releases from petroleum Underground Storage Tanks [USTs], and Site Cleanup Program [SCP] for unauthorized releases of non-petroleum hazardous substances) require submission of reports in electronic format pursuant to Chapter 3 of Division 7, Sections 13195 and 13197.5 of the California Water Code, and Chapter 30, Articles 1 and 2, Sections 3890 to 3895 of Division 3 of Title 23 of the California Code of Regulations (23 CCR). Instructions for submission of electronic documents to the ACEH FTP site are provided on the attached "Electronic Report Upload Instructions."

Submission of reports to the ACEH FTP site is in addition to requirements for electronic submittal of information (ESI) to the State Water Resources Control Board's (SWRCB) Geotracker website. In April 2001, the SWRCB adopted 23 CCR, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1 (Electronic Submission of Laboratory Data for UST Reports). Article 12 required electronic submittal of analytical laboratory data submitted in a report to a regulatory agency (effective September 1, 2001), and surveyed locations (latitude, longitude and elevation) of groundwater monitoring wells (effective January 1, 2002) in Electronic Deliverable Format (EDF) to Geotracker. Article 12 was subsequently repealed in 2004 and replaced with Article 30 (Electronic Submittal of Information) which expanded the ESI requirements to include electronic submittal of any report or data required by a regulatory agency from a cleanup site. The expanded ESI submittal requirements for petroleum UST sites subject to the requirements of 23 CCR, Division, 3, Chapter 16, Article 11, became effective December 16, 2004. All other electronic submittals required pursuant to Chapter 30 became effective January 1, 2005. Please visit the SWRCB website for more information on these requirements: (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/).

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, 7835, 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, late 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 SCP)	REVISION DATE: July 25, 2012
	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 (petroleum UST and SCP) 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 deh.loptoxic@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 as they are NOT being supported at this time.
 - 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 deh.loptoxic@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.