



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

April 30, 2012

Mr. Lee Cover (Sent via E-mail to: Lee.Cover@hanson.biz)
Hanson Aggregates West Region
12667 Alcosta Blvd., Suite 400
San Ramon, CA 94583

Mr. Steven Dunn (Sent via E-mail to: dunn@legacypartners.com)
Legacy Partners
4000 East Third Avenue, Suite 600
Foster City, CA 94404-4805

Subject: Response to Comments Regarding Filling Activities at the Busch Pit, SLIC Case RO0002952 and GeoTracker Global ID SL0600101555, Hanson Aggregates Radum Plant, 3000 Busch Road, Pleasanton, CA 94566

Dear Mr. Cover and Mr. Dunn:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site including the recently submitted document entitled, "*Consulting Services, Response to Alameda County Health Care Services Agency Letter dated 3/1/2012,*" dated March 14, 2012 and received by ACEH on March 20, 2012. The document, which was prepared by Haley & Aldrich, presents responses to ACEH technical comments contained in correspondence dated March 1, 2012 regarding filling of the Busch Pit. The Busch Pit is Area of Concern #6 within ACEH SLIC case RO0002952. The scope of ACEH's response in this correspondence is limited to environmental issues related to infilling of the Busch Pit.

Resumption of filling of the Busch Pit is acceptable to ACEH provided that the conditions described in the technical comments below are followed. We request that you address the technical comments, perform the proposed work, and submit the requested reports below.

TECHNICAL COMMENTS

- 1. Volume of Fill to Date.** The March 14, 2012 response indicates that approximately 30,800 cubic yards of fill has been placed in the Busch Pit. The response appears to adequately address our comment.
- 2. On-Site Fill Material.** The March 14, 2012 response indicates that on-site fill material will be derived from an existing 750,000 cubic yard stockpile which consists of overburden from on-site mining activities. Discussion of the environmental quality and geotechnical characteristics are briefly described in a report entitled, "*Borrow Soil Characterization, Pleasanton Quarry – Parcels E and F, Pleasanton, California,*" dated October 24, 2007 and prepared by Treadwell & Rollo, Inc. A total of 29 discrete and 10 composite soil samples were collected from 34 test pits. Of these 29 discrete soil samples, a total of 11 samples

were analyzed for volatile organic compounds (VOCs) and total petroleum hydrocarbons (TPH) and 6 soil samples were analyzed for PCBs. For the on-site fill material, this breaks down to one TPH and VOC analysis for a volume of roughly 26,000 cubic yards. During site investigation activities conducted in other areas of the Hanson Radum facility including former mining areas and an asphalt plant, TPH as diesel and motor oil have been detected in soil at elevated concentrations in several areas of the site. The source of TPH outside the asphalt plant is not known. Further characterization of the on-site fill source is required for this material to be added to the Busch Pit. Therefore, we request that the on-site fill material be evaluated using the environmental criteria described in technical comment 5 prior to placement in the Busch Pit.

3. **Analytical Reports.** Thank you for submitting the analytical results for outside fill sources. No analytical results were found that indicate contaminated fill was placed in the Busch Pit.
4. **Document Submittal.** The report entitled, "*Busch Pond-Surface Water and Shallow Soil Characterization Results, Former Hanson Radum Site, Pleasanton, California,*" dated February 11, 2009 was included in the March 14, 2012 submittal along with a revised version of the report. The submittal addresses our request to submit the entire report to the ACEH case files no later than March 29, 2012. However, please note that submittal to GeoTracker is also required as noted in technical comment 7.
5. **Environmental Criteria for Fill Acceptance.** Future fill material including the on-site stockpile must meet the criteria presented in the "*Information Advisory, Clean Imported Fill Material,*" prepared by the California Department of Toxic Substances Control (DTSC) and dated October 2001. The Environmental Criteria listed in Exhibit 11 of the February 6, 2012 correspondence are generally acceptable as supplemental criteria to the conditions presented in the DTSC "*Information Advisory, Clean Imported Fill Material,*" dated October 2001 with the following clarifications:
 - The conditions for fill acceptance must not be less stringent than the criteria presented in the DTSC "*Information Advisory, Clean Imported Fill Material,*" dated October 2001;
 - No fill with asphalt or recycled concrete are to be accepted;
 - Fill from sites that are undergoing environmental investigations and cleanups are not to be accepted.
 - No fill is to be accepted from undesirable commercial or industrial sites such as former gasoline service stations, strip malls with dry cleaners or photographic processing facilities, auto repair or painting facilities, metal processing shops, manufacturing facilities, oil refineries, waste treatment facilities, or railroad right of ways;
 - Comparison of analytical results to the San Francisco Bay Regional Water Quality Control Board Tier 1 Environmental Screening Levels (updated May 2008), specifically the "*Shallow Soil Screening Levels for Residential Land Use Where Groundwater is a Current or Potential Drinking Water Source,*" is acceptable.
 - A California Professional Geologist or Engineer or a person under the supervision of a California Professional Geologist or Engineer must be on site intermittently to observe the fill placement and evaluate whether the fill contains odors, staining, or debris that is indicative of an unacceptable source.

- Provided that the fill meets all criteria above, prior approval from ACEH is not required to accept the fill. Please note any additional requirements for fill approval of the Alameda County Community Development Agency.
 - See technical comment 6 regarding reporting of filling operations.
6. **Reporting of Filling Operations.** On a quarterly basis, we request that you submit a summary report that describes all activities related to the Busch Pit including complete documentation and evaluations for all fill accepted for placement in the Busch Pit.
7. **GeoTracker.** A review of the case file and the State's Geotracker database indicates that the site is not in compliance with the State Water Resource Control Board (SWRCB) Electronic Report Regulations (Chapter 30, Division 3 of Title 23 & Division 3 of Title 27, CCR). 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 analytical data in EDF format, boring logs, location data, maps, and reports. Please see Attachment 1 for limited additional details, and the state GeoTracker website for full details. Please upload all required submittals to GeoTracker by the date specified below.
8. **Groundwater Sampling.** Groundwater sampling will be required to confirm that discharges to and infilling of the Busch Pit have not impacted groundwater. Please submit a Work Plan to install and sample a minimum of three groundwater monitoring wells around the periphery of the Busch Pit.

TECHNICAL REPORT REQUEST

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

- **June 29, 2012** – Well Installation Work Plan
- **July 31, 2012** – Quarterly Summary Report of Fill Activities for the Busch Pit

Responsible Parties
RO0002952
April 30, 2012
Page 4

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Attachment: Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Danielle Stefani, Livermore Pleasanton Fire Department, 3560 Nevada St, Pleasanton, CA 94566 (Sent via E-mail to: dstefani@lpfire.org)

Colleen Winey (QIC 8021), Zone 7 Water Agency, 100 North Canyons Pkwy, Livermore, CA 94551 (Sent via E-mail to: cwiney@zone7water.com)

John Rigter, Livermore-Pleasanton Fire Department, 3560 Nevada Street, Pleasanton, CA 94566 (Sent via E-mail to: jrigter@lpfire.org)

James Gilford, Alameda County Development Agency, 224 W. Winton Avenue, Room 205, Hayward, CA 94544 (Sent via E-mail to: james.gilford@acgov.org)

Kevin Colin, Lamphier-Gregory, 1944 Embarcadero, Oakland, CA 94606 (Sent via E-mail to: kcolin@lamphier-gregory.com)

Voytek Bajsarowicz, Haley & Aldrich, 9040 Friars Road, Suite 220, San Diego, CA 92108-5860 (Sent via E-mail to: VBajsarowicz@haleyaldrich.com)

Ron Goloubow, LFR, 1900 Powell Street, 12th Floor
Emeryville, CA 94608-1827 (Sent via E-mail to: Ron.Goloubow@lfr.com)

Jonathan P. Lowell, City Attorney, City of Pleasanton, P.O. Box 520, Pleasanton, CA 94566 (Sent via E-mail to: jlowell@ci.pleasanton.ca.us)

Donna Drogos, ACEH (Sent via E-mail to: donna.drogos@acgov.org)
Jerry Wickham, ACEH (Sent via E-mail to: jerry.wickham@acgov.org)

GeoTracker, e-File

Attachment 1

Responsible Party(ies) Legal Requirements / Obligations

REPORT REQUESTS

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.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, 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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	REVISION DATE: July 20, 2010
	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 (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

- **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.