

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**  
AGENCY  
DAVID J. KEARS, Agency Director



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

July 7, 2008

Mr. Ignacio Dayrit  
Emeryville Redevelopment Agency  
1333 Park Ave.  
Emeryville, CA 94608  
(Sent via electronic mail)

Mr. Scott Barde  
Owens Mortgage Investment Fund  
2221 Olympic Blvd.  
Walnut Creek, CA 94595

ELTEX Investments Corporation  
c/o Eller Media  
200 E Basse  
San Antonio, TX 78209

William Owens  
Ambassador Partners Limited  
2221 Olympic Blvd.  
Walnut Creek, CA 94595

Title Two Investment Corporation  
c/o Bellview Capital Mgmt.  
P.O. Box 10206  
Oakland, CA 94610

Lloyd Kendall Jr.  
(Address unknown)

Wilson Associates  
6451 Benvenue Ave.  
Oakland, CA 94610

Adeline Investments,  
(Address unknown)

Subject: Fuel Leak Case No. RO0002973 and Geotracker Global ID T0619717287, Ambassador Laundry, Emeryville, CA

Dear Messrs. Dayrit, et al:

Alameda County Environmental Health (ACEH) staff has reviewed the March 11, 2008 *Former Ambassador Laundry Subsurface Investigation Underground Storage Tank Removal and Remediation Report* submitted by Kleinfelder West, Inc. This report indicates that elevated petroleum hydrocarbon concentrations were detected in groundwater and soil samples collected adjacent to Sump 2 and the former underground storage tank at the above referenced site. We request that you address the technical comments and send us the work plan requested below.

**TECHNICAL COMMENTS**

1. **Dissolved Groundwater Plume Characterization** –The report indicates that maximum concentrations of 10,000 micrograms per liter ( $\mu\text{g/L}$ ) total petroleum hydrocarbons as gasoline (TPHg), 22,100  $\mu\text{g/L}$  total petroleum hydrocarbons as diesel (TPHd), 398  $\mu\text{g/L}$  benzene, and 42.6  $\mu\text{g/L}$  naphthalene were detected in borings advanced at the site leaving it undefined laterally. Kleinfelder also recommends installing wells near the former UST and

Sump 2. ACEH agrees with your proposal to install wells to monitor groundwater adjacent to these sources. Please ensure that the sand packs for your wells are no greater than 3 to 5 feet long. We request that you install a monitoring well network capable of collecting depth discrete groundwater samples, such as multi-chamber wells or well clusters to ensure that the top of the groundwater is screened and monitored. Present the details of your site assessment in the Work Plan requested below.

2. **Source Area Soil Characterization** – Soil samples collected adjacent to the UST and Sump 2 indicate that the lateral and vertical extent of the contamination is undefined. Soil samples from the site detected maximum concentrations of 1,200 milligrams per kilogram (mg/Kg) total petroleum hydrocarbons as gasoline (TPHg) (Boring KB-7 at 18 feet below ground surface [bgs]) and 774 mg/Kg total petroleum hydrocarbons as diesel (TPHd) from EUST-Wall-N2 at 12 feet bgs). Include your proposal to define the lateral and vertical extent of petroleum hydrocarbons in the source area(s) in the work plan requested below.
3. **Corrective Action Plan and Pilot Test** – Kleinfelder recommends preparing a corrective action plan evaluating no action, monitored natural attenuation (MNA) and MNA with chemical oxidant injection. However, ACEH recommends that a pilot test be performed at the site to determine if chemical oxidation is an appropriate remedial method for this site. The information obtained from your planned pilot test may then be used to prepare a feasibility study/corrective action plan (FS/CAP). In accordance with Title 23, California Code of Regulations, Section 2725, the FS/CAP must include a concise background of soil and groundwater investigations performed in connection with this case and an assessment of the residual impacts of the chemicals of concern (COCs) for the site and the surrounding area where the unauthorized release has migrated or may migrate. The FS/CAP should also include, but is not limited to, a detailed description of site lithology, including soil permeability, and most importantly, contamination cleanup levels for active remediation and final cleanup goals. These can be applicable and justified ESLs or calculated site-specific risk-based cleanup goals and water quality objectives.

The FS/CAP must evaluate at least three active remediation alternatives for remedying or mitigating the actual or potential adverse effects of the unauthorized release(s) besides the 'no action' and 'monitored natural attenuation' remedial alternatives. Each alternative shall be evaluated for cost-effectiveness and the Responsible Party must propose the most cost-effective corrective action and shortest timeframes for both active cleanup and to reach water quality objectives (cleanup goals).

Please submit a chemical oxidation pilot test work plan and CAP by the due dates below.

4. **Regional Geologic and Hydrogeologic Setting** – Kleinfelder has submitted a generalized regional geologic setting for the site. However, ACEH requires that you include site specific detail such as the depth of groundwater encountered in your borings and the depth of static groundwater. Please add a discussion of water levels and data table with the first encountered and static groundwater levels in each of the borings in the work plan requested below. Include a discussion in the text of the soils that are encountered and a cross-section depicting the areas of contamination and the tank pit and sump excavation locations.

#### REQUEST FOR INFORMATION

ACEH's case file for the subject site contains the electronic reports as listed on our website (<http://www.acgov.org/aceh/lop/ust.htm>). You are requested to submit copies of all other reports

Mr. Ignacio Dayrit  
RO0002973  
July 7, 2008, Page 3

related to environmental investigations for this property (including Phase I reports) by **July 31, 2008**. Also please submit a complete Environmental Consulting Service for Sump Closure Report. The draft document submitted to our ftp site does not contain the analytical reports.

#### TECHNICAL REPORT REQUEST

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

- **September 5, 2008** – Work Plan for Soil and Water Investigation and Pilot Test
- **90 days after approval of Pilot Test Results Report** – 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

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](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

Mr. Ignacio Dayrit  
RO0002973  
July 7, 2008, Page 4

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](mailto:barbara.jakub@acgov.org).

Sincerely,



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

Enclosures: ACEH Electronic Report Upload (ftp) Instructions

cc: Alvaro Dominguez, Kleinfelder West, Inc., 1970 Broadway - Suite 710, Oakland, CA – 94612  
(Sent via electronic mail)  
Donna Drogos, ACEH, (Sent via electronic mail)  
Barbara Jakub, ACEH  
File

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>ISSUE DATE:</b> July 5, 2005
	<b>REVISION DATE:</b> December 16, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> 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)

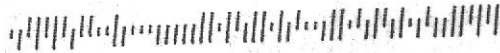
#### Additional Recommendations

- 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](mailto: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](mailto: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](mailto: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)

Alameda County  
Environmental Health  
1131 Harbor Bay Pkwy  
Alameda, CA 94502-6517



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JUL 08 2008

ZIP CODE 94502

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UNABLE TO FORWARD  
BELL206 946102047 IN 89 07/12/08  
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NO FORWARD ORDER ON FILE  
RETURN TO POSTMASTER  
OF ADDRESSEE FOR REVIEW

*Barbara  
HAZ-MAT*

Title Two Investment  
Corporation  
c/o Bellview Capital Management  
P O Box 10206  
Oakland, CA 94610

RECEIVED  
JUL 28 2008

ENVIRONMENTAL HEALTH SERVICES

937 N5E 1 407C 77 07/24/08  
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