



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
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June 21, 2012

Emeryville Redevelopment Agency  
c/o Mr. Markus Niebanck  
1333 Park Ave.  
Emeryville, CA 94608  
(sent via electronic mail to  
[mniebanck@ci.emeryville.ca.us](mailto:mniebanck@ci.emeryville.ca.us))

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

Lloyd Kendall Jr.  
(Address unknown)

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

Wilson Associates  
(Address unknown)

Title Two Investment Corporation  
c/o Bellview Capital Mgmt.  
(Address unknown)

Ms. Jessica Sheldon  
Resources for Community Development  
2730 Telegraph Avenue  
Berkeley, CA 94705  
(sent via electronic mail to [JSheldon@rcdev.org](mailto:JSheldon@rcdev.org))

Adeline Investments  
(Address unknown)

Subject: Conditional Approval of Work Plan; Fuel Leak Case No. RO0002973 and Geotracker Global ID T0619717287, Ambassador Laundry, 3623 Adeline St., Emeryville, CA 94608

Dear Ladies and Gentlemen:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the *Work Plan for Soil and Groundwater Investigation*, dated June 19, 2012. The work plan was submitted for the site by Adanta, Inc. (Adanta), on behalf of Resources for Community Development (RCD) and the city of Emeryville. Thank you for submitting the work plan.

As you are aware an abandoned approximately 150-foot deep, 12-inch diameter steel-casing water production well was recently discovered and properly decommissioned at the site. Free-phase product (FP) was present on groundwater in that well. The FP was initially reported to be several feet thick; however, measurements were not performed with an oil interface probe at the time. Alameda County Public Works Agency (ACPWA) reported that the well was successfully decommissioned on May 18, 2012; however, ACPWA reported that oil appeared to continue to bleed up well during the decommission process, apparently due to an oil reservoir at some depth. ACEH has also recently observed the removal of an unknown steel riveted underground storage tank (UST) at the site within 5 to 10 feet of the water production well.

Review of available site environmental data (in particular, but not limited to, logs for bores KB-8 and MW-3), which appear to be in proximity to the water production well location, indicate that "brown oil droplets" and a "brown liquid" were present at the depth of approximately 14 to 24 feet below surface grade (bgs) in these bores, and that sheen or discolored soil was present to a depth of approximately 33 feet bgs in at least one of these bores. Review of the PID and FID line charts for the CPT logs for wells MW-2 and MW-3 indicate a rapid reduction in FID response below approximately 23 or 24 feet bgs. This may suggest at least one residual source zone for the FP observed in the water production well; however, this does not preclude additional residual source zones at depth. Well MW-3 appears to have been screened across the depth of the reported "brown liquid"; however, groundwater analysis for TPH as oil was not conducted, and the TPHg, TPHd, BTEX, and fuel oxygenate concentrations were generally nondetectable at standard reporting limits, or if present were very limited.

Additionally the grab groundwater sample (which typically can bias high) for KB-8 returned groundwater concentrations of 22,100 µg/l TPHd and 53,700 µg/l TPHmo. As just noted, these concentrations did not appear to be present in groundwater collected from well MW-3 located within 10 feet downgradient of the soil bore.

Based on ACEH staff review of the work plan and of the case file the proposed work is conditionally approved for implementation provided that the technical comments below are incorporated during the proposed field investigation. Submittal of a revised work plan is not required unless alternate procedures are to be employed outside those described in these documents, or the technical comments below. We request that you address the following technical comments, perform the proposed work, and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to: [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org)) prior to the start of field activities.

## **TECHNICAL COMMENTS**

- 1) **Electronic Report and Data Upload Compliance** – A review of the case file and the State's Geotracker database indicates that the site is not in compliance with previous directive letters (May 30, 2012). **Compliance is a State requirement and is a standing request from the previous directive letter.** 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, older reports, a number of EDF submittals, GEO\_Z vertical well survey data, all GEO\_MAPS, all GEO\_WELL data, and all bore logs. Please see Attachment 1 for limited additional details, and the state GeoTracker website for full details. You are required to upload all submittals to GeoTracker as well as to ACEH's ftp website by the date specified below, and documentation of the uploaded reports and data. This is requested to include the pending UST closure report for the recently discovered UST.
2. **Work Plan Modifications** – The referenced work plan proposes a series of actions with which ACEH is in general agreement of undertaking; however, ACEH requests several modifications to the approach. Please submit a report by the date specified below.
  - a. **CPT Bore Locations** – The work plan proposes the location of seven CPT bores in proximity of the recently discovered UST and water production well in order to define the lateral and vertical extent of contamination associated with these structures. Because these bores are depicted to be in some cases within one to two feet of each other, ACEH views these bore locations to be "place-holder" bore locations that are likely to be moved based on the results from onsite laboratory analysis, and based on visual or other indications of contamination. ACEH understands that migration pathways are being sought in the proposed work; however, ACEH emphasizes that the agency is significantly more concerned with defining the lateral and vertical extent of FP and of associated contamination. As a consequence ACEH requests that the number of CPT bores installed between the water production well and the recently removed UST location be limited to one CPT bore and the proposed recovery well, unless field data suggests otherwise, and that other CPT bore locations be adjusted as needed based on field evidence. ACEH additionally requests that one CPT bore be installed to an approximate depth of 150 feet bgs (or deeper as needed or as capable) in order to explore the vertical extent of FP and dissolved contamination using available CPT tools (such as PID, FID, fluorescence, or other), followed by offset soil and groundwater bores for soil and groundwater sampling at all indications of contamination (see below).
  - b. **Soil Selection Protocols** – The work plan does not specify the exact number of soil samples to be collected and submitted for laboratory analysis (fixed or onsite mobile). To preclude miscommunication ACEH requests that soil samples be collected, and submitted for analysis, at signs of contamination (odor, discoloration, PID or FID responses, etc.) and at significant changes in lithology.

ACEH additionally requests the collection and analysis of soil samples to determine the vertical extent of contaminated soil beneath the site.

- c. Analytical Suite** – The referenced work plan proposes to collect soil and groundwater samples for analysis for TPHd and TPHmo by EPA Method 8015M and for TPHg and VOCs by EPA Method 8260b. Because this appears to be an unknown heavy hydrocarbon analysis initial analytical requests should include the standard unknown oil analytical suite (chlorinated VOCs, EDB, and EBC by EPA Method 8260; metals by appropriate methods; and PCBs, PNAs and creosote by EPA Method 8270).

### **TECHNICAL REPORT REQUEST**

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

- **August 3, 2012** – Late Deliverable - ACEH and Geotracker submittals (with documentation of such)
- **August 7, 2012** – Soil and Groundwater Investigation
- **August 17, 2012** - Tank Removal 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.

Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org).

Sincerely,

Mark E. Detterman, PG, CEG  
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations  
Electronic Report Upload (ftp) Instructions

cc: Nick Patz, Adanta, Inc, 828 School Street, Napa, CA 94559  
(sent via electronic mail to [nick.patz@adanta-inc.com](mailto:nick.patz@adanta-inc.com))

Donna Drogos, ACEH, (sent via electronic mail to [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))  
Mark Detterman, ACEH, (sent via electronic mail to [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org))  
Geotracker, Electronic 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/](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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>REVISION DATE:</b> July 20, 2010
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> 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](mailto: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](mailto: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.