



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
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April 14, 2014

Mr. Walter Pierce  
Western Forge & Flange Co.  
687 Country Rd 2201  
Cleveland, TX 77327  
(sent via electronic mail to [wpierce@western-forge.com](mailto:wpierce@western-forge.com))

Subject: Comments and Approval of Corrective Actions; Site Cleanup Program (SCP) Case No. RO0003009 and Geotracker, Global ID # T10000001598; Western Forge & Flange, 540 Cleveland Ave. Albany, CA 94706

Dear Mr. Pierce:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the *Removal Action Completion Report*, dated February 6, 2014, and the *1<sup>st</sup> Quarter 2014 Groundwater Monitoring Report*, dated April 7, 2014, and the *Soil Management Plan*, dated April 7, 2014. The documents were prepared on your behalf by Ninyo & Moore. Thank you for submitting the documents.

The *Removal Action Completion Report* documents the results of corrective actions at the subject site that included the removal of 1,313 tons of contaminated soil, 12.5 tons of groundwater, and 7 tons of treated wood waste from the site from 15 excavations primarily located on the western half of the subject property.

Three groundwater monitoring wells were installed at the site and low concentrations of Total Petroleum Hydrocarbons as hydraulic oil (TPH<sub>ho</sub>) and several dissolved metal concentrations were detected at concentrations above cleanup goals. Groundwater flow was documented to the east; however, several extenuating reasons suggest this could be a temporary condition. The report stated that concentrations may decrease further with additional groundwater sampling, but if concentrations did not reach cleanup goals a deed restriction prohibiting the use of groundwater as drinking water should be considered. While several metals exceeded the cleanup goals, the report reasoned that it was unlikely for these metals to impact ecologic receptors given the distance (approximately 240 feet) to the margin of the San Francisco Bay.

The *1<sup>st</sup> Quarter 2014 Groundwater Monitoring Report* generally documented decreasing contaminant trends in site monitoring wells, and establishment of groundwater flow to the west, as generally anticipated. Decreases in TPH<sub>ho</sub> and PAHs were documented; however, several metals remained over cleanup goals. The report recommended use of Drinking Water cleanup goals (not drinking water Environmental Screening Level [ESLs], which also consider ecotoxicity), cessation of groundwater monitoring, public notification of potential closure, and well destruction thereafter if no objections were documented.

The *Soil Management Plan* is a plan for the current redevelopment scenario, and it appears appropriate to manage soil during site redevelopment. A Site Management Plan will be required for the future management of residually contaminated soil and groundwater when planned or unplanned underground construction or repair is necessary in the future at the site.

Based on the review of the case file ACEH requests that you address the following technical comments and send us the documents requested below.

## **TECHNICAL COMMENTS**

- 1. Groundwater Cleanup Goals** – Soil and groundwater cleanup goals for the site were defined based on limited total dissolved solids (TDS) data at the site obtained from grab groundwater collected from a number of soil bores. The limited data indicated that TDS concentrations in groundwater were over groundwater beneficial-use concentrations defined in the *San Francisco Bay Basin (Region 2) Water Quality Control Plan*, dated July 2013, and generally known as the Basin Plan (TDS greater than 3,000 milligrams per liter [mg/l]). Subsequent data collected from the three groundwater monitoring wells installed at the site (which were developed and are capable of providing reproducible values and concentrations) indicate TDS ranges between 1,100 and 1,800 mg/l. Therefore the cleanup goals proposed in the *Revised Data Gap Investigation Report and Corrective Action Plan* are no longer valid as TDS concentrations are below the non-beneficial use designation criteria.

Based on the TDS values, the *Removal Action Completion Report* recommends revising groundwater cleanup goals to meet Drinking Water standards as, in general, groundwater concentrations of various contaminants decrease towards the west, the presumed, and most likely, downgradient direction.

Because the margin of the San Francisco Bay is approximately 240 feet west of the site, ACEH is not in agreement that drinking water standards are appropriate, and that aquatic habitat goals and ecotoxicity, must be considered as is done in ESL Tables A or C (*Groundwater is Current or Potential Source of Drinking Water*), promulgated by the San Francisco Regional Water Quality Control Board (RWQCB). The existing groundwater cleanup goals were derived using the May 2013 ESLs; however, these screening levels were revised in December 2013, and the revised ESLs are now the appropriate levels to use going forward.

However, according to the *ESL User's Guide: Derivation and Application of Environmental Screening Levels*, (December 2013), "...the ESLs provide a tiered approach to environmental risk assessments". ACEH is in general agreement that it is unlikely that the low concentrations of metals will impact ecologic receptors in the Bay given the distance and given the likely effects of Interstate 580 directly west of the subject property. However to reflect and evaluate these goals, ACEH requests revision of the cleanup goals to "Current or Potential Source of Drinking Water Drinking Water" ESLs that consider ecotoxicity, supported by a Tier 2 evaluation and continued monitoring to determine contaminant trends at the site, in an addendum to the *Removal Action Completion Report* in accordance with the schedule listed below. The Department of Toxic Substances Control (DTSC) *Preliminary Endangerment Assessment Guidance Manual*, dated October 2013, is one available evaluation tool.

- 2. Soil Cleanup Goals** – ACEH is in agreement that soil cleanup goals defined using the May 2013 ESLs were likely met (see below also); however, as you are aware the ESLs were revised in December 2013 and site data must be reassessed using the current December 2013 ESLs. In the December 2013 ESL revision the goal for TPH<sub>ho</sub> underwent a reduction from 2,500 to 500 milligrams per kilogram and eight polycyclic aromatic hydrocarbons (PAHs) were, in general, revised to higher concentration goals. Consequently, please submit a re-evaluation of the site to the appropriate newer soil goals in the addendum requested by the date identified below.
- 3. Sensitivity Analysis** – The UCL calculations used one of essentially three available options in managing non-detectable results at the site; namely setting non-detectable analytical results at 50% of the detection limit. The other options include setting the value at just below the detection limit, or at zero. Because there is not a capability to determine the exact concentration of a sample below the detection limit, it appears appropriate to request that a sensitivity analysis be conducted to determine the sensitivity of the data to this general approach (the selected 50% value), and if this selection might skew the UCL calculations inappropriately.
- 4. Downgradient Delineation of Contaminants** – The first groundwater monitoring event at the site documented a groundwater gradient to the east, contrary to the anticipated flow direction. Several reasonable explanations were provided; however, should this flow direction continue please be aware that the downgradient extent of site contamination would not have been defined at the site.
- 5. Groundwater Monitoring** – Please continue groundwater monitoring on a quarterly basis according to the following schedule. The *Removal Action Completion Report* recommended discontinuing

PAHs or hexavalent chromium due to non-detectable concentrations or the rare detections of PAHs that were much lower than the December drinking water ESLs, rather than "Table A" ESL goals. Please revise and resubmit groundwater concentration tables to reflect appropriate the updated ESLs in future submittals. ACEH is in general agreement with the hexavalent chromium recommendation; however, revision of existing tables will allow a determination if eliminating other contaminants of concern from the sampling program is appropriate prior to the next groundwater sampling event.

- 6. Site Management Plan** – Depending on the outcome of the re-evaluation of site residual contamination as requested above, and any future actions, a Site Management Plan is appropriate for a site with residual contamination. Consequently, please submit a Site Management Plan at an appropriate time.

### **TECHNICAL REPORT REQUEST**

Please upload technical reports to the ACEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with the specified file naming convention below, according to the following schedule:

- **June 13, 2014** – Addendum to the Removal Action Completion Report, including Tier 2 and Sensitivity Analysis  
File to be named: RO3009\_REM\_ADEND\_R\_YYYY-MM-DD
- **August 8, 2014** – Groundwater Monitoring Report  
File to be named RO3009\_GWM\_R\_YYYY-MM-DD
- **TBD** – Site Management Plan  
File to be named RO3009\_SITE\_MANAGE\_R\_YYYY-MM-DD

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: Kris Larson, Ninyo & Moore, 1956 Webster Street, Suite 400, Oakland, CA 94612; (sent via electronic mail to [klarson@ninyoandmoore.com](mailto:klarson@ninyoandmoore.com))

Cem Atabek, Ninyo & Moore, 1956 Webster Street, Suite 400, Oakland, CA 94612; (sent via electronic mail to [catabek@ninyoandmoore.com](mailto:catabek@ninyoandmoore.com))

Dilan Roe (sent via electronic mail to [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))

Mark Detterman (sent via electronic mail to [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org))

Electronic File, GeoTracker

# 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/](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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> July 25, 2012
	<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 (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](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.