

Detterman, Mark, Env. Health

From: Megan Poole [meganwpoole@gmail.com]
Sent: Wednesday, September 21, 2011 10:32 AM
To: Detterman, Mark, Env. Health
Cc: airleslie@hotmail.com; Drogos, Donna, Env. Health
Subject: UST - 132 Guilford Rd, Piedmont
Attachments: 09212011 ltr to Detterman.pdf

Mr. Detterman:

Please find a letter attached in response to your letter of June 29, 2011 to Leslie Mulholland regarding the underground storage tank removal at 132 Guildford Rd., Piedmont.

After your review please contact me at your convenience to discuss.

Sincerely,

Megan Poole
(510) 206-0462
meganwpoole@gmail.com

Megan K. Walsh Poole, Esq.
5335 Broadway Terrace #301, Oakland, CA 94618
(510) 206-0462 meganwpoole@gmail.com

September 21, 2011

Mark Detterman
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502
(510) 567-6876
mark.detterman@acgov.org

Subject: Tank Removal, 132 Guilford Road, Piedmont, CA 94611 (the "Property")


Dear Mr. Detterman:

I am writing on behalf of the property owner, Mrs. Leslie Mulholland, in regards to Alameda County's request for site investigation work at the Property (letter dated June 29, 2011). Ann Gates, P.E. of ENVIRON has evaluated the Tank Removal Report created by Golden Gate Tank Removal of June 4, 2010. Ms. Gate's analysis of that report is attached to this letter. (letter dated 9/8/2011).

Mrs. Mulholland was completely unaware of the presence of the tank on her property until last winter. She has completed all necessary steps to remove and dispose of the tank and any contaminated media responsibly and in full compliance with state law. Mrs. Mulholland has spent over \$15,000 to date to handle this matter properly.

All contaminated soil was removed and there is no evidence of groundwater impact. Ms. Gates states in her letter that there is no human health nor environmental risk associated with any releases from the Property. The Golden Gate Tank Removal Report recommends no further action at this site.

Based on these two professional opinions, it would be a significant economic burden to Mrs. Mulholland to require unnecessary work with no risk to be removed nor any potential benefit to human health or the environment. Please review the attached and let me know how the County plans to proceed.

Sincerely,

Megan K. Walsh Poole, Esq.
(510) 206-0462

ATTACHMENT

CC:

Leslie Mulholland, property owner; sent via electronic mail to airleslie@hotmail.com
Donna Drogos, ACEH; sent via electronic mail to donna.drogos@acgov.org
Senator Loni Hancock; sent via facsimile to (510) 286-3885

ENVIRON

September 8, 2011

Ms. Leslie Mulholland
132 Guilford Road
Piedmont, CA 94611

Re: **Tank Removal**
132 Guilford Road
Piedmont, CA 94611

Dear Ms. Mulholland:

ENVIRON International Corporation (ENVIRON) has reviewed the Tank Closure Report dated May 18, 2010 for your property at 132 Guilford Road, Piedmont, California. It is our understanding that Golden Gate Tank Removal (GGTR) removed a small, former heating oil tank from beneath the front yard of your residence on April 28, 2010. You were unaware of the tank when you purchased your home over 25 years ago. You became aware of the presence of the tank during heavy rains in the winter of 2010 when you noticed a small depression in the grass.

According to the May 18, 2010 report, GGTR removed the tank and over-excavated soil beneath and surrounding the tank. Although no visible evidence of petroleum hydrocarbons was observed in the soil, hydrocarbon odors were evident. As a result, GGTR excavated soil to bedrock. Because a sample could not be collected from the bedrock, GGTR instead collected a soil sample from soil above the bedrock at approximately 9 feet below ground surface (bgs) for chemical analysis. Because water was present in the tank pit, GGTR also collected a water sample from the tank pit.

After reviewing the results, ENVIRON does not believe that the low concentrations of residual petroleum hydrocarbons found in the soil sample or pit water represent a threat to human health or the environment for the following reasons:

1. The concentrations are low and the source of the petroleum hydrocarbons, i.e. the small tank and odorous soil, have been removed from the property;
2. Because of the presence of bedrock, the soil sample collected from the excavation was from soil that was excavated. The concentration of total petroleum hydrocarbons as diesel that actually remains in the bedrock is likely lower than the concentration detected in the soil sample (217 mg/kg) collected above the bedrock;
3. It has been well-documented in the literature and through experience at individual tank release sites that petroleum fuels naturally attenuate in the environment through adsorption, dispersion, dilution, volatilization, and biological degradation. This natural attenuation slows and limits the migration of petroleum hydrocarbons in groundwater and the environment;
4. There is no pathway for human and/or environmental exposure. Although low levels of residual petroleum hydrocarbons may exist at depths greater than 10 feet bgs, there is no pathway for direct contact with soil or bedrock at this depth by human or environmental receptors; and

5. Because of the heavy winter rains and the fact that the tank removal occurred during the rain, the water sample collected from the tank pit is more representative of storm water runoff that ponded on top of the bedrock during tank excavation activities rather than perched groundwater. There is no pathway for human and/or environmental exposure to this water given its depth and seasonal nature. In addition, residents of Piedmont do not use groundwater so exposure via ingestion to petroleum-impacted groundwater is also not possible in this area.

For these reasons, we agree with GGTR recommendation that no further investigation or remediation is required at your property.

If you have questions regarding any of the information in this proposal, please call me at (510) 420-2524.

Sincerely,



Anne W. Gates, P.E.
Senior Manager

