



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

July 30, 2013

Ms. Tianna Nourot
Waste Management – California Bay Area
10840 Altamont Pass Road
Livermore, CA 94551
(Sent via E-mail to: TNourot@wm.com)

Southfront LLC
P.O. Box 399
Pleasanton, CA 94566-0399

Subject: Work Plan Review for SLIC Case RO0003076 and GeoTracker Global ID T10000003066, Waste Management, 6175 Southfront Road, Livermore, CA 94550

Dear Ms. Nourot:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the recently submitted document entitled, "*Vapor Intrusion Assessment Workplan, Former Waste Management Facility, 6175 Southfront Road, Livermore, California,*" dated June 12, 2013 (Work Plan). The Work Plan, which was prepared on behalf of Waste Management of Alameda County, Inc. by Brown and Caldwell, presents plans to conduct additional investigation of the potential for vapor intrusion to indoor air at the former Waste Management facility at 6175 Southfront Road.

In correspondence dated April 11, 2013, ACEH requested submittal of a vapor intrusion assessment Work Plan that included several tasks. The June 12, 2013 Work Plan addresses several of the requested elements but excludes consideration of the items identified in the technical comments below. We request that you prepare a Revised Work Plan that addresses the technical comments below.

TECHNICAL COMMENTS

- 1. Slab Attenuation Factor.** Our April 11, 2013 correspondence suggested the use of radon analysis to help estimate the building slab attenuation factor. The Work Plan indicates that radon analysis will not be performed because the VOC data from subslab and indoor air sampling will be used to calculate an attenuation factor. We note that vinyl chloride was not detected in subslab data during the February 2013 sampling event and no attenuation factor could be calculated. An attenuation factor was not calculated during the November 2012 sampling event because no indoor air data was collected. The use of radon analysis would allow independent calculation of a slab attenuation factor regardless of the VOC concentrations in subslab and indoor air samples. In the Revised Work Plan requested below, please include radon analysis or indicate how risks would be evaluated for the November 2012 data if VOCs are not detected in the subslab or indoor air samples during the proposed sampling event. We note that the DTSC Vapor Intrusion Guidance recommends a default subslab attenuation factor of 0.05 for commercial buildings, which results in estimated indoor air concentrations of up to 7.0 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) for vinyl chloride using the maximum concentration of 140 $\mu\text{g}/\text{m}^3$

during the November 2012 sampling event. An indoor air concentration of $7.0 \mu\text{g}/\text{m}^3$ for vinyl chloride exceeds the commercial land use CHSSL of 0.05 by more than two orders of magnitude.

- 2. Temporal Variability.** Sub-slab vapor samples were collected at three locations beneath the Break Room/Offices building on November 15, 23012 and February 2, 2103. Vinyl chloride was detected at concentrations up to $140 \mu\text{g}/\text{m}^3$ in the sub-slab vapor samples collected on November 15, 2012 but was not detected at concentrations greater than the reporting limit of $3 \mu\text{g}/\text{m}^3$ during the February 2, 2013 sampling event. The two sets of sub-slab vapor samples appear to have been collected and analyzed by different methods. It is not known whether the difference in results between the two sub-slab sampling events represents temporal variability or is partially an artifact of different sampling and analytical methods. In the Revised Work Plan requested below, please describe how temporal and sampling variability will be evaluated. Examples of methods to confirm previous results and help evaluate temporal and sampling variability include the collection of longer duration samples to account for temporal variability and the use of passive samplers or flux chambers to provide an additional line of evidence.
- 3. Concurrence on Proposed Approach.** The Work Plan requests that ACEH provide concurrence that no further work will be required if indoor air sampling indicates no risk regardless of whether vinyl chloride is detected in the subsurface. Multiple lines of evidence must be considered and weighed against each other to evaluate vapor intrusion exposure. ACEH does not concur with making decisions only on indoor air data while ignoring other lines of evidence.
- 4. References to Guidance.** The Work Plan makes several references to compliance with the California Department of Toxic Substances Control "*Vapor Intrusion Guidance*," dated October 2011. We encourage the use of this guidance; however, the guidance should be used in its entirety rather than excerpting references out of context. The Work Plan proposes making risk decisions based solely on the results of the proposed indoor air sampling. This approach is inconsistent with the DTSC Vapor Intrusion Guidance which emphasizes the use of multiple lines of evidence. In the Revised Work Plan requested below, please use all of the DTSC Vapor Intrusion guidance in planning investigations.
- 5. GeoTracker Submittals.** We note that the June 12, 2013 Work Plan was not uploaded to GeoTracker. As described in the attached Responsible Party(ies) Legal Requirements/Obligations, all technical reports must be submitted to both the ACEH ftp site and the State Water Resource Control Board (SWRCB) GeoTracker website. Therefore, please upload the Work Plan by September 13, 2013 and all future reports to the GeoTracker website. In accordance with CCR Sections 2729 and 2729.1, which requires that beginning July 1, 2005 for SLIC cases, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the LUFT program, must be transmitted electronically to the SWRCB Geotracker website via the internet.

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TECHNICAL REPORT REQUEST

Please upload technical reports to the ACEH ftp site (Attention: Jerry Wickham), and to the State Water Resources Control Board's GeoTracker website according to the following schedule and file-naming convention:

- **September 13, 2013**– Revised Vapor Intrusion Assessment Work Plan
File to be named: WP_R_yyyy-mm-dd RO3076

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org. Case files can be reviewed online at the following website: <http://www.acgov.org/aceh/index.htm>. If your email address does not appear on the cover page of this notification, ACEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

Sincerely,

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

Attachments: 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)

Joe Turner, Brown & Caldwell, 10540 White Rock Road, Suite 180, Rancho Cordova, CA 95670 (Sent via E-mail to: JTurner@BrwnCald.com)

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/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/)

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.

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