



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

September 12, 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: Case File 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, “*Response to ACEH Comments for Work Plan for Additional Investigation, Former Waste Management Facility, 6175 Southfront Road, Livermore, California,*” dated September 4, 2013 (Response to Comments). The Response to Comments, 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. The Response to Comments indicates that the proposed indoor air testing will be conducted by the week of September 23, 2013 and requests ACEH concurrence prior to this date.

In correspondence dated July 30, 2013, ACEH requested that you prepare a Revised Work Plan. The Response to Comments apparently proposes to implement the proposed scope of work from the June 12, 2013 Vapor Intrusion Assessment Work Plan without any changes to the scope of work. ACEH does not concur with several of the statements, opinions, and conclusions made in the Response to Comments. Given the request for expedited review, ACEH will not provide detailed comments on each point of disagreement. You may implement the proposed sampling with the changes requested in the Technical Comments below. However, it must be clear that ACEH does not concur in entirety with the Response to Comments or the “*Vapor Intrusion Assessment Workplan, Former Waste Management Facility, 6175 Southfront Road, Livermore, California,*” dated June 12, 2013.

TECHNICAL COMMENTS

- 1. Sub Slab Vapor Probes.** We note that Figure 5 of the “*Work Plan for Additional Investigation, Former Waste Management Facility, 6175 Southfront Road, Livermore, California,*” dated June 12, 2012 proposed installation of a subslab soil vapor probe near the center of the Break Room/Office building and two probes in the northwestern portion of the building. Figure 3 of the “*Additional Investigation Summary Report, Former Waste Management Facility, 6175 Southfront Road, Livermore, California,*” dated March 15, 2013 indicates that two subslab vapor probes were installed in the southwestern corner

of the building and one probe was installed along the northwestern wall of the building. All sub-slab probes appear to be within approximately 10 feet of the edge of the building. As noted in the California Department of Toxic Substances Control "Vapor Intrusion Guidance," dated October 2011 (VIG), "*Subslab probes should not be installed near the edges of the foundation due to the effects of wind on the representativeness of contaminant concentrations.*" In addition to the proposed scope of work, we request that you install and sample one subslab vapor probe near the center of the building to minimize potential sources of variability. Wind conditions during the subslab sampling event should be reported. We also note that the subslab vapor probes (SS-1 through SS-3) are shown in different locations on Figures 3 and 4 of the March 15, 2013 report. Please confirm the locations of the existing subslab probes (SS-1 through SS-3) in future reports.

2. **Reporting.** Please provide sufficient information in the Vapor Intrusion Investigation Report requested below regarding all sampling procedures and subslab probe installation to assess data quality and adherence with proposed protocol.
3. **Conclusion Regarding Need for Additional Work and Proposed Approach.** We again want to emphasize that multiple lines of evidence must be considered and weighed against each other to evaluate vapor intrusion exposure. The proposed subslab data will be considered along with the indoor air data to make decisions. The Response to Comments indicates that collection of additional data is not necessary and that risk decisions for the site should be made based solely upon the collection of two indoor air samples and duplicates in February 2013. ACEH does not concur with this conclusion for reasons we have already stated. This conclusion is also not consistent with the DTSC VIG which states, "*Number of Sampling Events. One indoor air sampling event is not representative of continuous long-term exposure within a building. Multiple sampling events should be conducted to characterize exposure over the long-term. Numerous sampling events may be required within a building before DTSC would consider "no further action" for the exposure pathway. At a minimum, sampling data should be obtained over two seasons; late summer/early autumn and late winter/early spring. The data evaluation and contingency plan for the site should guide decisions regarding the objective and number of sampling events.*"

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:

- **December 19, 2013**– Vapor Intrusion Investigation Report
File to be named: SWI_R_YYYY-mm-dd RO3076

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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.