



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

September 12, 2012

Ms. Ann Marie Holland Tiers
Estate of Jack Holland
1498 Hamrick Lane
Hayward, CA 94544

Ms. Barbara Holland
P.O. Box 5
Kentfield, CA 94914

Ms. Eileen Dalton (*Sent via E-mail to: eileen.dalton@acgov.org*)
Alameda County Redevelopment Agency
224 West Winton Avenue
Hayward, CA 94544

Subject: Case File Review for Fuel Leak Case No. RO0003078 and GeoTracker Global ID T10000003245, Ashland Youth Center, 16301 East 14th Street, San Leandro, CA 94580

Dear Ms. Tiers, Ms. Holland, and Ms. Dalton:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above referenced site including the recently submitted document entitled, "*Soil Vapor Quality Monitoring Report*," dated August 27, 2012 and received by ACEH on September 10, 2012 (Report). The Report, which was prepared on your behalf by Cornerstone Earth Group, presents results from the sampling of three soil vapor probes located near the western corner of the Ashland Youth Center building and five vent risers within the building.

The soil vapor probes were sampled during four separate events in April, May, June, and July 2012. Soil vapor samples from SV-3 have contained total petroleum hydrocarbons as gasoline (TPHg) at concentrations of 1,100,000 to 1,600,000 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) and benzene at concentrations up to $200 \mu\text{g}/\text{m}^3$. The five vent risers were sampled once on July 18, 2012. TPHg was detected in four of the five vent risers at concentrations ranging from 2,200 to 3,300 $\mu\text{g}/\text{m}^3$. The Report indicates that the TPHg concentrations from the vent risers are less than Environmental Screening Levels (San Francisco Bay Regional Water Quality Control Board May 2008) for residential land use. Benzene was not detected at concentrations above the reporting limit in the vent riser samples. We request that you address the technical comments below, perform the required work, and send us the reports requested below.

TECHNICAL COMMENTS

1. **Sub-slab Vapor Sampling.** The Report concludes that sub-slab vapor is not significantly impacted and that an aerobic biodegradation zone that limits the potential for vapor intrusion is present below the slab. Based on the analytical results and vertical separation between the slab and residual petroleum contamination, the Report indicates that operation of the sub-slab depressurization system does not appear to be necessary. The Report recommends requesting a no further action determination from ACEH. However, case closure cannot be considered without confirmation of the sub-slab vapor sampling results. Consistent with California Department of Toxic Substances Control, "*Final Guidance for the Evaluation & Mitigation of Subsurface Vapor Intrusion to Indoor Air*" dated October 2011, a minimum of two sub-slab vapor sampling events is required prior to a risk

determination to account for seasonal and spatial variability. Therefore, we request that you conduct an additional sub-slab sampling event from the five vent risers. Please present the results in the Sub-Slab Vapor Sampling Report requested below.

- 2. Public Participation.** Public participation is a requirement for the corrective action and/or case closure processes. In order to notify potentially affected members of the public of the remedial actions taken to date for development of the Ashland Youth Center, we requested in our March 15, 2012 and July 26, 2012 correspondence that you submit a Draft Fact Sheet and a mailing list for distribution to residents and landowners in the surrounding area and other interested persons. To date, we have not received the Draft Fact Sheet. The Draft Fact Sheet should briefly describe the site background, steps taken to date to clean up the site, and remaining future steps for site development. ACEH has provided two examples of Fact Sheets. We also request that you submit a mailing list of any persons, corporations, or government agencies you are aware of that may have an interest in this fuel leak case **no later than October 25, 2012**. Upon receipt and approval of the Draft Fact Sheet and mailing list, ACEH will request that you distribute the Fact Sheet to the mailing list. ACEH will consider all comments from the public prior to final approval of development plans.

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:

- **October 25, 2012** – Draft Fact Sheet and Mailing List (RO3078_CORRES_2012-MO-DA)
File to be named: PP_L_YYYY-mm-dd RO3078
- **November 19, 2012** – Sub-Slab Vapor Sampling Report
File to be named: SWI_R_YYYY-mm-dd RO3078

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.

Responsible Parties
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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. Online case files are available for review 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

Attachment: Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Judy Reid, State Water Resources Control Board, Division of Financial Assistance, P.O. Box 944212
Sacramento, CA 94244-2120 (Sent via E-mail to: JREID@waterboards.ca.gov)

Charles Miller, Alameda County GSA, 1401 Lakeside Drive, Suite 800, Oakland, CA 94612 (Sent via E-mail to: charles.miller@acgov.org)

Lane Bailey, Alameda County Redevelopment Agency, 224 West Winton Avenue, Hayward, CA 94544 (Sent via E-mail to: lane.bailey@acgov.org)

Jeff Setera, SANDIS, 1721 Broadway, Suite 201, Oakland, CA 94612
(Sent via E-mail to: jsetera@sandis.net)

Peter Langtry, Cornerstone Earth Group, 2737 North Main Street, Unit 10, Walnut Creek, CA 94597
(Sent via E-mail to: plangtry@cornerstoneearth.com)

Ariu Levi, ACEH (Sent via E-mail to: ariu.levi@acgov.org)

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, eFile

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.