



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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January 12, 2012

Michael von Wittenau, et al
4640 Admiralty Way, Suite 306
Marina del Rey, CA 90292

Yun Shik Kim
Bell Cleaners
Address Unknown

Subject: SLIC Leak Case No. RO0003080 and Geotracker Global ID T10000003362, Bell Cleaners/ Wittenau Property, 1534 Park Street, Alameda, CA 94501

Dear Responsible Parties:

A history of the 1534 Park Street, Alameda property has the property tenant, Bell Cleaners, operating a dry cleaning establishment by the late 1960s through the late 1990s. The dry cleaning equipment was removed in 1999. The property owner, as identified in the Alameda County Assessor's Office records are Michael R. Wittenau, Marcia J. Breese, Jamie M. Wittenau and the Michael Wittenau Trust. Assessor's Office records indicate the current owners assumed ownership in 2009. The property consists of one single story building subdivided into three suites. The two end units are occupied by a restaurant and an upholstery shop. The vacant center unit was previously occupied by Bell Cleaners, a dry cleaning facility. We understand the last tenant to operate the dry cleaning establishment was Yun Shik Kim.

AEI Consultants (AEI) performed a Phase I Environmental Site Assessment, dated June 15, 2011, in which the former dry cleaning operation was identified as a Recognized Environmental Concern. AEI recommended a subsurface investigation be performed if no documentation regarding the subsurface condition could be located. AEI performed a soil and groundwater study and presented its findings in a Phase II Subsurface Investigation report dated August 23, 2011. The AEI soil and groundwater study consisted of advancing four borings through the slab foundation of the center suite for the recovery of soil and groundwater samples which were analyzed for volatile organic compounds (VOCs) by EPA test method 8260. The AEI Phase II investigation revealed the presence of tetrachloroethene (PCE), a common dry cleaning solvent, in both soil and groundwater at each of the boring locations. PCE concentrations in the soil beneath the site were reported in the four borings, identified as SB-1 through SB-4, at concentrations of up to 5.5 mg/kg milligram per kilogram (mg/kg or parts-per-million –ppm). One soil sample was reported to contain 1,2,4-trimethylbenzene at a concentration of 0.023 mg/kg. All other VOC concentrations were reported below the laboratory reporting limit for the site soil. PCE concentrations were reported in all of the grab-groundwater samples in the borings, SB-1 through SB-4, at concentrations of up to 16 micrograms per liter ($\mu\text{g/L}$ or parts-per-billion-ppb). The compound tertiary butyl alcohol (TBA) was also reported in the four groundwater samples at concentrations of up to 10 $\mu\text{g/L}$.

Based on the AEI findings ACEH respectfully requests that you address the following technical comments and provide a work plan as described below.

TECHNICAL COMMENTS

1. **Request for a Work Plan**—In order to define the extent of soil and groundwater contamination (lateral, down gradient, and vertical in the soil and groundwater), ACEH requests the submittal of a work plan by a consultant qualified to undertake the work by the date identified below. As part of the investigation, soil vapor sampling should be conducted to provide data for a vapor intrusion evaluation.
2. **Preferential Pathway Study**—The purpose of the preferential pathway study is to locate potential migration pathways and conduits and determine the probability of the NAPL and/or plume encountering preferential pathways and conduits that could spread contamination. We request that you perform a preferential pathway study that details the potential migration pathways and potential conduits (wells, utilities, pipelines, etc.) for vertical and lateral migration that may be present in the vicinity of the site.

Discuss your analysis and interpretation of the results of the preferential pathway study (including the well survey and utility survey requested below) and report your results in the work plan requested below. The results of your study shall contain all information required by California Code of Regulations, Title 23, Division 3, Chapter 16, §2654(b).

- a. **Utility Survey**- An evaluation of all utility lines and trenches (including sewers, storm drains, pipelines, trench backfill, etc.) within and near the site and potential plume area(s) is required as part of your study. Please include maps and cross-sections illustrating the location and depth of all utility lines and trenches within and near the site and plume areas(s) as part of your study.
 - b. **Well Survey**- The preferential pathway study shall include a well survey of all wells (monitoring and production wells: active, inactive, standby, decommissioned (sealed with concrete), abandoned (improperly decommissioned or lost); and dewatering, drainage, and cathodic protection wells) within a ¼ mile radius of the subject site. As part of your well survey, please perform a background study of the historical land uses of the site and properties in the vicinity of the site. Use the results of your background study to determine the existence of unrecorded/unknown (abandoned) wells, which can act as contaminant migration pathways at or from your site. Please review and submit copies of historical maps, such as Sanborn maps, aerial photographs, etc., when conducting the background study.
3. **Figures** – Please include the following figures in the report requested below.
 - a. A facility plan of the Bell Cleaners facility showing the location of the work stations, dry cleaning equipment, and material storage areas. Please include the locations of through-floor drains and restroom facilities within the dry cleaner suite.
 - b. An extended site map utilizing an aerial photographic base showing the facility in relation to its' immediate surrounding properties.

REQUEST FOR INFORMATION

ACEH requests submittal of electronic copies of all other reports, data, and correspondence related to environmental investigations for this property, including the Trans Tec Consultants 1999 or 2000 report documenting dry cleaner decommissioning activities prepared for Jan Mason, OMM Inc., Mason Management. Please include the 2009 geotechnical investigation conducted by Ninyo & Moore Geotechnical Consultants only if they documented encountering contaminated soil and/or groundwater at the site. The ACEH case file for the subject site contains only the electronic files listed on our website. Case files can be reviewed online at the following website: <http://www.acgov.org/aceh/index.htm>. You are requested to submit copies of all other reports not contained in the case file related to environmental investigations for this property by **February 14, 2012**.

TECHNICAL REPORT REQUEST

Please submit technical reports to ACEH (Attention: Keith Nowell), according to the following schedule:

- **March 14, 2012** – Workplan for Soil and Groundwater Investigation with Soil Vapor
- **March 14, 2012** – Preferential Pathway Study

Please note that ACEH should be provided at least three (3) business days notification prior to conducting fieldwork.

Our file does not contain contact information for the Michael Wittenau Trust or current contact information for the last tenant to operate the Bell Cleaners dry cleaning establishment. Please provide the contact information, including email addresses if known, for these individuals. Please include the email address(es) for the cc's listed below if not present in order to expedite future communications.

Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, please call me at (510) 567 - 6764 or send me an electronic mail message at keith.nowell@acgov.org

Sincerely,

Keith Nowell PG, CHG
Hazardous Materials Specialist

Enclosure: Responsible Party(ies) Legal Requirements/Obligations
ACEH Electronic Report Upload (ftp) Instructions

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cc: Cynthia Dittmar, Bonkowski & Associates, Inc., 6400 Hollis Street, Suite 4,
Emeryville, CA 94608 (*Sent via E-mail to: cindy@bonkowski.com*)
Marcia Breese, 706 Registry Run, Kennesaw, GA 30152(*Sent via E-mail to:
Marcia.Breese@turner.com*)
Jamie Wittenau, 1349 Running Springs Road, #8 E10, Walnut Creek, CA 94595
Donna Drogos, ACEH (*Sent via E-mail to: donna.drogos@acgov.org*)
Keith Nowell, ACEH (*Sent via E-mail to: keith.nowell@acgov.org*)
GeoTracker
File

Attachment 1

Responsible Party(ies) Legal Requirements/Obligations

REPORT REQUESTS

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.

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of reports in electronic form. The electronic copy replaces paper copies and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) GeoTracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the GeoTracker database over the Internet. Beginning July 1, 2005, these same reporting requirements were added to Spills, Leaks, Investigations, and Cleanup (SLIC) sites. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites is required in GeoTracker (in PDF format). 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, 6835, 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, later 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 SLIC)	REVISION DATE: July 20, 2010
	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 (LOP and SLIC) 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
 - 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 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.