



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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October 11, 2012

Mr. Chuck Gurney
Director Environmental Management
Weingarten Realty Investors
2600 Citadel Plaza Drive, Suite 300
Houston, Texas 77008
(sent via electronic mail to CGurney@Weingarten.com)

Subject: Request for Site Conceptual Model and Data Gap Work Plan; Site Cleanup Program (SCP) Case No. RO0003097 (Global ID # T0600101674), 580 Market Place Shopping Center, 3735-4065 East Castro Valley Boulevard, Castro Valley, CA 94552

Dear Mr. Gurney:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the *Phase I Environmental Assessment Report and Phase II Subsurface Investigation*, (Phase I/II Report) dated December 18, 1997, and the *Limited Subsurface Assessment Report* (Subsurface Report) dated March 13, 2012. The documents were submitted on your behalf by Cardno ATC. Thank you for submitting the reports.

The Phase I/II Report documented the collection of soil gas samples from eleven locations, including four inside and beneath the subject dry cleaner business. Seven were installed to depths ranging from one to 11.5 feet below grade surface (bgs) at potentially suspect locations of contamination outside and behind the dry cleaner business. Tetrachloroethene (PCE) was detected in all locations inside the dry cleaner business and in most locations behind the business, including the maximum PCE concentration of 119,700 microgram per cubic meter ($\mu\text{g}/\text{m}^3$) at 7.5 feet depth in SG-5, placed adjacent to the location where the sewer line exits the building. The general (non-site specific) Environmental Screening Level (ESL) for commercial land use for PCE in soil gas is $1,400 \mu\text{g}/\text{m}^3$.

Based on the review of the case file ACEH requests that you address the following technical comments and send us the documents requested below.

TECHNICAL COMMENTS

- 1. Electronic Report and Data Upload Compliance** – 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. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the UST or LUST program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs, including the SCP (formerly called the Spills, Leaks, Investigations and Cleanup (SLIC) program). Beginning July 1, 2005, electronic submittal of a

complete copy of all reports for all sites was required in GeoTracker. **Compliance is required by the State.** Please see Attachment 1 for limited additional details, and the state GeoTracker website for full details. ACEH requests notification of, and a list of, the documents uploaded to Geotracker. Please upload all submittals to GeoTracker and to ACEH's ftp website by the date specified below.

2. Request for an SCM and Data Gap Work Plan - ACEH requests that a Site Conceptual Model (SCM) be combined with a data gap work plan in order to fill any apparent data gaps.

A SCM synthesizes all the analytical data and evaluates all potential exposure pathways and potential receptors that may exist at the site, including identifying or developing any appropriate site cleanup objectives and goals. At a minimum, the SCM should include the following:

- Local and regional plan view maps that illustrate the location of sources (former facilities, piping, tanks, etc.) extent of contamination, direction and rate of groundwater flow, potential preferential pathways, and locations of receptors;
- Geologic cross section maps that illustrate subsurface features, man-made conduits, and lateral and vertical extent of contamination;
- Plots of chemical concentrations versus time;
- Plots of chemical concentrations versus distance from the source;
- Complete summary tables of chemical concentrations in different media (i.e. soil, groundwater, and soil vapor); and
- Copies of well logs, boring logs, and well survey maps;
- Discussion of likely contaminant fate and transport, and
- Identification of any data gaps including contaminant migration along preferential pathways such the sanitary sewer / storm drain system, or other.

Data gaps noted by ACEH include, but are not limited to the following observations:

- a. **Subslab Soil Gas Study** - PCE was detected in all indoor soil gas samples ranging between 4,700 - 105,900 ug/m³. Please include a proposal to conduct a subslab soil gas study in the data gap work plan requested below using current Department of Toxic Substances Control (DTSC) Soil Vapor Guidance documents to inform the work plan, describing the sampling train, tracer gases, shroud protocols, and other details.
 - b. **Unknown Groundwater Impact** – ATC's soil borings using direct push drilling techniques ranged in depth from 24.5' to 31' bgs, but groundwater was not encountered in any borings; consequently impact to groundwater is unknown. Please include a proposal to determine whether groundwater is impacted in the data gap work plan requested below.
- 3. Request for Information** - We request that you submit copies of any reports you have documenting additional investigation activities or other work that are relevant to the release or other unauthorized releases and not currently in ACEH case files. This includes Phase I environmental site assessment reports and site investigations conducted for potential real estate transactions. At present missing data and documents include, but may not be limited to, older reports such as the February 28, 1994 Phase I Environmental Assessment prepared by Certified Engineering & Testing Co., the October 15, 1996 Environmental Soil Sampling prepared by Smith-Emery GeoServices (SEG), the October 16,

1996 Phase I Environmental Assessment Update prepared by SEG, and the February 2012 Phase I Environmental Assessment Report prepared by ATC for the subject site, all EDF submittals, all GEO_WELL data, and all bore logs. The additional information is to be submitted by the date specified below. Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACEH ftp site (Attention: Karel Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with the following specified file naming convention and schedule:

- **November 2, 2012** – Geotracker Submittal Notification
File to be named: RO3097_CORRES_L_YYYY-MM-DD
- **December 12, 2012** – SCM and Data Gap Work Plan
File to be named: RO3097_SCM_WP_R_YYYY-MM-DD
- **Sixty Days After SCM and Data Gap Work Plan Approval** – Site Investigation Report
File to be named: RO3097_SWI_R_YYYY-MM-DD

Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at karel.detterman@acgov.org.

Sincerely,

Karel Detterman, PG
Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations
Electronic Report Upload (ftp) Instructions

cc: Gabe Stivala, Cardno ATC, 701 University Avenue, Suite 200, Sacramento, CA 95825
(sent via electronic mail to gabe.stivala@atcassociates.com)

Donna Drogos, (sent via electronic mail to donna.drogos@acgov.org)
Karel Detterman (sent via electronic mail to karel.detterman@acgov.org)
Electronic File, GeoTracker

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 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.