



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

August 19, 2015

Mark A. Jacobson & Ilona J. Frieden
811 Paramount Road
Oakland, CA 94610
(Sent via E-mail to: mjacobson@php.ucsf.edu)

James E. Allison & Margaret Linderstein
214 Highland Avenue
Piedmont, CA 94611
(Sent via E-mail to: jallison@medsfgh.ucsf.edu)
(Sent via E-mail to: mlinderstein@gmail.com)

Subject: Request for Work Plan and Crawl Space Documentation; Fuel Leak Case No. RO0003143
(GeoTracker Global ID T10000006106), Paramount UST, 811 Paramount Road, Oakland, CA
94610

Dear Responsible Parties:

Alameda County Environmental Health (ACEH) staff has reviewed the case files including the *Data Gap Investigation To Address Potential Impact From a Residential Underground Heating Oil Tank and Request for Closure*, dated July 20, 2015, submitted on your behalf by Stellar Environmental Solutions, Inc. (Stellar). Thank you for submitting the report.

In general ACEH is in general agreement that the case is suitable for closure under the Low Threat Closure Policy (LTCP); however, the collection and submittal of additional data appears warranted prior to this action. As you are likely aware, the referenced report documents ambiguous soil vapor data for the referenced case. As reported, a concentration of 880,000 ug/m³ Total Petroleum Hydrocarbons as Gasoline (TPHg) in soil vapor was detected in vapor sample SG6. This concentration is over the San Francisco Bay Regional Water Quality Control Board (RWQCB) Environmental Screening Level (ESL) for TPHg vapor of 300,000 ug/m³. The ESLs are generally considered to be safe exposure concentrations. Additionally, the odor threshold for TPHg is reported by the RWQCB to be 100 ug/m³. Conversely, other data generated at the site appears to indicate the case would likely meet one of the LTCP criteria for vapor which do not consider TPHg vapor concentrations. Thus there is an internal conflict in appropriate practices, and unanswered health risk associated with the TPH vapor concentration at a residential structure. This includes the question why the concentrations are reported as TPHg, rather than a heavier hydrocarbon more typical of heating oil use such as TPH as diesel [TPHd]. Additional contaminants, such as TPHg, may be present at the site.

As discussed in vapor intrusion guidance documents generally utilized in California, the Department of Toxic Substances Control (DTSC) states that various chemical migration attenuation (or retardation) factors are present across soil / concrete boundaries for buildings constructed with slab floor or concrete foundations; however, this guidance also states that there is no attenuation factor between crawl space and indoor air vapor concentrations (vapor transmission is considered to be 1:1). Thus there is a health risk to the home associated with the ambiguous data.

Therefore, 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. Request for a Work Plan** – In order to investigate the potential for vapor intrusion into the home at the site, ACEH requests the submittal of a work plan to evaluate the potential for vapor intrusion to the house that can include the collection of crawl space vapor concentrations, the recollection of additional soil vapor data from existing vapor wells at the site, documenting queries to the laboratory as to the reporting of the soil vapor as TPHg and not TPHd, or other actions. The collection of ambient air may also be appropriate. Additional work your consultant may identify may also be appropriate in their professional opinion.

- 2. Crawl Space Venting** – As noted above, DTSC guidance considers there to be no attenuation of vapor concentrations between the crawl space and indoor air. As such, verification of crawl space ventilation is an important factor towards understanding the risk of vapor intrusion into a building. Please communicate and document the construction of the house foundation for the portion of the house closest to the former UST location, the associated crawl space, and the extent of crawl space ventilation.

TECHNICAL REPORT REQUEST

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

- **October 16, 2015** – Work Plan and Crawl Space Venting Documentation
File to be named: RO3143_WP_R_yyyy-mm-dd

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.

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

Sincerely,

Mark Detterman, PG, CEG
Senior Hazardous Materials Specialist

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

cc: Henry Pietropaoli, Stellar Environmental Solutions, Inc, 2198 Sixth Street, Suite 201, Berkeley, CA 94710, (sent via electronic mail to hpietropaoli@stellar-environmental.com)

Richard Makdisi, Stellar Environmental Solutions, Inc, 2198 Sixth Street, Suite 201, Berkeley, CA 94710, (sent via electronic mail to : rmakdisi@stellar-environmental.com)

Dilan Roe, ACEH, (sent via electronic mail to: dilan.roe@acgov.org)
Mark Detterman, ACEH, (sent via electronic mail to mark.detterman@acgov.org)
Electronic File, GeoTracker

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: May 15, 2014
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 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.