

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

COLLEEN CHAWLA, Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP)
For Hazardous Materials Releases
1131 HARBOR BAY PARKWAY, SUITE 250
ALAMEDA, CA 94502
(510) 567-6700
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January 30, 2018

Mark A. Jacobson & Ilona J. Frieden
811 Paramount Road
Oakland, CA 94610
(Sent via electronic mail to:
jjallison@medsfgh.ucsf.edu)

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

Subject: Conditional Interim Remedial Work Plan Approval; Fuel Leak Case No. RO0003143 (GeoTracker Global ID T1000006106), Paramount UST, 811 Paramount Road, Oakland, CA 94610

Dear Responsible Parties:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case files including the *Interim Remedial Action Plan* (IRAP), dated December 14, 2017, submitted on your behalf by Stellar Environmental Solutions, Inc. (Stellar). Thank you for submitting the IRAP.

Based on the results of the most recent phase on investigation, contained in the October 18, 2017 data package, and an ensuing on-site meeting on October 19, 2017, an IRAP was requested by ACDEH. The referenced IRAP evaluated four remedial alternatives and recommended the excavation of residual contaminated soil as most feasible and most effective. Concentrations up to 20,000 milligrams per kilogram (mg/kg) Total Petroleum Hydrocarbons as diesel (TPHd), 2,000 mg/kg Total Petroleum Hydrocarbons as gasoline (TPHg), 480 mg/kg TPH as motor oil (TPHmo), and 38 mg/kg naphthalene were documented in SB-7. The highest concentrations in SB-7 were generally detected at a depth of 12.5 to 13 feet below grade surface (bgs), and while concentrations decreased substantially at 13.5 to 14 feet bgs, the vertical extent was not defined. The highest concentrations documented in recently installed soil bores SB-8 to SB-11 were 1.1 milligrams per kilogram (mg/kg) TPHd, 3.0 mg/kg TPHg, and less than approximately 0.0059 mg/kg benzene, ethylbenzene, and naphthalene. The later bores appear to define the lateral extent of the residual contamination.

Based on ACDEH staff review of the work plan, the proposed scope of work is conditionally approved for implementation provided that the technical comments below are incorporated during the proposed work. Submittal of a revised work plan or a work plan addendum is not required unless an alternate scope of work outside that described in the work plan or these technical comments is proposed. We request that you address the following technical comments, perform the proposed work, and send us the report described below. Please provide 72-hour advance written notification to this office (e-mail preferred to: mark.detterman@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Interim Remedial Action Work Plan Modifications** – The referenced IRAP proposes a series of actions with which ACDEH is in general agreement of undertaking; however, ACDEH requests several modifications to the approach. Please submit a report by the date specified below.
 - a. **Re-Use of Overburden** – The referenced IRAP proposes to backfill the excavation in part with clean over-burden soils. At a minimum, to quantify that residual contaminant concentrations are below applicable cleanup goals, ACDEH requests the use of the draft technical reference document promulgated by the San Francisco Bay Regional Water Quality Control Board (RWQCB) entitled *Characterization and Reuse of Petroleum Hydrocarbon Impacted Soil as*

Inert Waste, dated October 20, 2006, in conjunction with the RWQCB Environmental Screening Levels (ESL) and the *User's Guide, Derivation and Application of Environmental Screening Levels (ESLs)*, dated February 2016.

- b. **Backfill Material** – The referenced IRAP proposes to backfill the excavation in part with base rock. Due to the need for compaction testing of the base rock at appropriate depth intervals (usually in approximately 1 foot lifts), and the potential for the retention of groundwater up slope from the basement at the home, ACDEH requests the use of fill materials that are equally as dense as native soils. This can include Control Density Fill (CDF) or other appropriate backfill materials that will not appreciably retain groundwater. Similarly, due to the potential for retention of groundwater, the use of drain rock or pea gravel does not appear appropriate to backfill the excavation.
- c. **Compaction Testing** – In order to document that backfill materials, whether reused soil or imported, will provide structural stability for, and support to, the house and the driveway, compaction testing is requested at multiple appropriate depth intervals.
- d. **Lateral Contaminant Removal Delineation** – Removal of residual contaminant concentrations appears to be largely constrained by soil analytical from existing soil bores (SB-8 to SB-11). ACDEH requests the collection of sidewall analytical samples, at depths consistent with documented contamination, to further laterally constrain and confirm that the lateral extent of contamination has been removed.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACDEH 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:

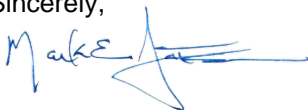
- **May 4, 2018** – Remedial Excavation Report
File to be named: RO3143_REM_R_YYYY-MM-DD

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.

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

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: Amitai Schwartz, 200 Powell Street, Suite 1286, Emeryville, CA 94608; (Sent via electronic mail to: amitai@schwartzlaw.com)

Responsible Parties

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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, ACDEH, (Sent via electronic mail to: dilan.roe@acgov.org)

Paresh Khatri, ACDEH; (Sent via electronic mail to: paresh.khatri@acgov.org)

Mark Detterman, ACDEH, (Sent via electronic mail to: mark.detterman@acgov.org)

Electronic File; GeoTracker

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: December 14, 2017
	ISSUE DATE: July 25, 2012
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: Responsible Party(ies) Legal Requirements / Obligations

REPORT & DELIVERABLE REQUESTS

Alameda County Department of Environmental Health (ACDEH) Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) require submission of all reports in electronic form to the State Water Board's (SWB) GeoTracker website in accordance with California Code of Regulations, Chapter 30, Division 3, Title 23 and Division 3, Title 27.

Leaking Underground Fuel Tank (LUFT) Cases

Reports and deliverable requests are 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 (RP) in conjunction with an unauthorized release from a petroleum underground storage tank (UST) system.

Site Cleanup Program (SCP) Cases

For non-petroleum UST cases, reports and deliverables requests are pursuant to California Health and Safety Code Section 101480.

ELECTRONIC SUBMITTAL OF REPORTS

A complete report submittal includes the PDF report and all associated electronic data files, including but not limited to GEO_MAP, GEO_XY, GEO_Z, GEO_BORE, GEO_WELL, and laboratory analytical data in Electronic Deliverable Format™ (EDF). Additional information on these requirements is available on the State Water Board's website (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)

- Do not upload draft reports to GeoTracker
- Rotate each page in the PDF document in the direction that will make it easiest to read on a computer monitor.

GEOTRACKER UPLOAD CERTIFICATION

Each report submittal is to include a GeoTracker Upload Summary Table with GeoTracker valid values¹ as illustrated in the example below to facilitate ACDEH review and verify compliance with GeoTracker requirements.

GeoTracker Upload Table Example

Report Title	Sample Period	PDF Report	GEO_MAPS	Sample ID	Matrix	GEO_Z	GEO_XY	GEO_BORE	GEO_WELL	EDF
2016 Subsurface Investigation Report	2016 S1	✓	✓	Effluent	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
2012 Site Assessment Work Plan	2012	✓	✓			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2010 GW Investigation Report	2008 Q4	✓	✓	SB-10	W	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				SB-10-6	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				MW-1	WG	✓	✓	✓	✓	✓
				SW-1	W	✓	✓	✓	✓	✓

¹ GeoTracker Survey XYZ, Well Data, and Site Map Guidelines & Restrictions, CA State Water Resources Control Board, April 2005

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: NA
	ISSUE DATE: December 14, 2017
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: Responsible Party(ies) Legal Requirements / Obligations

ACKNOWLEDGEMENT STATEMENT

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to the State Water Board's GeoTracker website." This letter must be signed by the Responsible Party, or legally authorized representative of the Responsible Party.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6731, 6735, and 7835) 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 licensed or certified professional and include the professional registration stamp, signature, and statement of professional certification. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

UNDERGROUND STORAGE TANK CLEANUP FUND

For LUFT cases, RP's non-compliance with these regulations may result in ineligibility to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse the cost of cleanup. Additional information is available on the internet at: https://www.waterboards.ca.gov/water_issues/programs/ustcf/

AGENCY OVERSIGHT

Significant delays in conducting site assessment/cleanup or report submittals may result in referral of the case to the Regional Water 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.