



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
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February 10, 2016

Mr. Ernie Lee  
Marina Faire, Shopping Center  
3271 South Highland Drive, Suite 704  
Las Vegas, NV 89109  
(Sent via email to [ernestlee@gmail.com](mailto:ernestlee@gmail.com))

Subject: Conditional Work Plan Approval; Site Cleanup Program Case No. RO0003155 and Geotracker Global ID T10000006425, Four Seasons Cleaners, 13778 Doolittle Drive, San Leandro, CA 94577

Dear Mr. Lee:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the *Indoor Air Sampling Work Plan*, dated February 5, 2016 (submitted February 10, 2016). The work plan was prepared and submitted on your behalf by Well Test, Inc (WTI). Thank you for submitting the work plan. Thank you for also submitting documentation that the former dry cleaner suite tenant has vacated the premises. The work plan proposed the collection of at least five indoor air vapor samples in the four commercial suites surrounding the former dry cleaner location as an initial step in assessing vapor intrusion risks to adjacent suites at the shopping center.

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 at least a 24-hour advance written notification to this office (e-mail preferred to: [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org)) prior to the start of field activities.

### **TECHNICAL COMMENTS**

1. **Work Plan Modifications** – The referenced work plan 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. **Dry Cleaner Suite Indoor Air Confirmation Resampling** – Figure 3 of the referenced work plan does not indicate that indoor air at the dry cleaner suite will be resampled to confirm the initial analytical data. The resampling of this suite will additionally provide initial information on concentration variability at the suite. Therefore, ACDEH requests the inclusion of one sampling location in the dry cleaner suite, at the location of IND-2 to capture worst case concentrations.
  - b. **Deli / Restaurant Indoor Air Sampling** – In order to capture variability within a suite, especially within individually partitioned rooms, it appears appropriate to request a second indoor air sample in the “back” area of the suite identified as a deli / restaurant. ACDEH is not aware of tenant suite configurations, but anticipates that the “back” area of this suite has been partitioned off from the main restaurant area and is closest to the boiler room of the dry cleaner suite.
  - c. **Tenant Suite Mapping** – Please include, at a minimum, a sketch map of tenant suite partitioning for each of the five tenant suites with analytical data to be submitted by February 26, 2016, as requested below, and as previously requested. Please be aware that the

primary intent of this work effort is to quickly obtain indoor air analytical at adjacent suites; the tenant suite map should not delay the primary focus of data collection, but may allow an initial understanding of the indoor air sampling results.

- d. **HVAC System** – The referenced work plan indicates that a second indoor air sample will be collected at any suite with a Heating, Ventilation, Air Conditioning (HVAC) system. In order to ensure comparability, please initially collect all suites in a similar manner (HVAC off or on), and then repeat with indoor air sampling with the HVAC system on or off (the reverse). This can allow an initial determination of HVAC methods to minimize the intrusion of vapors from the subsurface into a tenant suite.
2. **Utility Conduit Locations** – Initial partial utility run locations have been mapped out on report and work plan figures. Please additionally consult any building plans held internally or at the City in order to quickly determine utility runs for subsequent confirmation. As noted above, this request is not intended to delay the submittal of indoor air sample analytical data, but provide a known forward path for utility location determinations at the site.

### **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 specified file naming convention below, according to the following schedule:

- **February 12, 2016** - Indoor Air Sampling
- **To Be Determined** – Preliminary Data Submittal  
Email to Case Worker upon Receipt
- **February 26, 2016** – Vapor Intrusion Report  
File to be named: RO3155\_SWI\_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>.

If you have any questions, please do not hesitate to call me at (510) 567-6876 or send me an electronic mail message at [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org).

Sincerely,

Mark E. Detterman, PG, CEG  
Senior Hazardous Materials Specialist

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

cc: Ms. Julie D'Hondt, Marina Faire, LP, 3271 S. Highland Drive, Suite 704, Las Vegas, NV 89109  
(Sent via email to [highlandofficev3@gmail.com](mailto:highlandofficev3@gmail.com))

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Bill Dugan, Well Test, Inc; P.O. Box 8548, San Jose, CA 95115 (Sent via E-mail to:  
[dugan@welltest.biz](mailto:dugan@welltest.biz))

Forrest Cook, Well Test, Inc; P.O. Box 8548, San Jose, CA 95115 (Sent via E-mail to:  
[Cook@welltest.biz](mailto:Cook@welltest.biz))

Dilan Roe, ACDEH, (Sent via electronic mail to [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))

Mark Detterman, ACDEH, (sent via electronic mail to [mark.detterman@acgov.org](mailto: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/](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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>REVISION DATE:</b> May 15, 2014
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> 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](mailto: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](mailto: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.