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ENVIRONMENTAL PROTECTION  
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August 19, 2015

Ms. Mona Hsieh &  
Mr. Patrick Kong  
Green Oak Builders  
888 Brannan Street, #101  
San Francisco, CA 94103  
(Sent via E-mail to [mona.hsieh@yahoo.com](mailto:mona.hsieh@yahoo.com))  
(Sent via E-mail to [patrickykong@gmail.com](mailto:patrickykong@gmail.com))

Subject: Review of the Data Gap Investigation Work Plan and Site Conceptual Model, Fuel Leak Case No. RO0003164 and GeoTracker Global ID T10000006539, Green Oak Builders, 3101 35<sup>th</sup> Avenue, Oakland, CA 94619

Dear Ms. Hsieh and Mr. Kong:

Thank you for the recent document submittals, including the document entitled *Data Gap Investigation Work Plan (Work Plan) and Site Conceptual Model (SCM)* dated June 25, 2015, prepared by Almar Environmental (Almar) for the subject site. Alameda County Environmental Health (ACEH) staff has reviewed the case file for the subject fuel leak case including aforementioned document.

The Site Conceptual Model (SCM) reviewed the site against the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case Closure Policy (LTCP) and found the site met all eight General Criteria, met the Direct Contact and Outdoor Air Exposure media specific Criteria, but did not meet the Groundwater-Specific Criteria and Petroleum Vapor Intrusion to Indoor Air. The associated Work Plan proposes to investigate these criteria by the installation of five bores (Groundwater Criteria) and soil gas sampling (Vapor Intrusion to Indoor Air) with another three bores.

ACEH has also reviewed the case against the LTCP and is in disagreement with the assessment offered by the referenced document. Based on ACEH staff review, we have determined that the site fails to meet the LTCP General Criteria f (Secondary Source Removal), the Media-Specific Criteria for Groundwater, the Media-Specific Criteria for Vapor Intrusion to Indoor Air, and the Media-Specific Criteria for Direct Contact (see Geotracker).

Additional data may be available that ACEH is not aware of, or may not have been submitted, and therefore has not been incorporated in to ACEH's review. If additional data is made available, the data can be incorporated in future LTCP reviews. The evaluation of the site under the LTCP that is presented below is intended to initiate further discussions, submittal of other available documents, or the collection of additional data in order to determine if or when the site can be closed under the LTCP and to document current LTCP data gaps.

Therefore, at this juncture ACEH requests that you prepare a Data Gap Investigation Work Plan Addendum, consisting of a revised Figure 5, to address Technical Comment 2 provided below.

## **TECHNICAL COMMENTS**

- 1. Submittal of Additional Documents** - ACEH notes that Section 8.0 for the referenced report is comprised of a set of references. Two Phase I Environmental Site Assessment reports are included in the list; however, have not been submitted to ACEH. Additional information, as requested below, in the following Technical Comment may be contained in these two documents. Therefore, please submit electronic copies to the ACEH ftp and to the SWRCB GeoTracker websites by the date identified below.
- 2. General Criteria f – Secondary Source Has Been Removed to the Extent Practicable** – In general, ACEH is not aware of previous station configurations to determine previous tank and dispenser locations. This information may be present in the two Phase I assessments referenced in the Work Plan but not yet submitted to ACEH. Finally, it does not appear that sufficient sampling in the native soil beneath the former Texaco tank pit has been performed yet.

The subject site has been reported to have been an active gasoline service station since prior to 1930, through the early 1980s. Prior to its demolition, the most recent station building configuration was indicative of having at least one service bay. Please investigate the probable hydraulic hoist locations and propose an adequate number of bores to investigate this concern. Please be aware that the experience of ACEH is that hydraulic hoist releases may include polycyclic aromatic hydrocarbons (PAHs) and polychlorinated biphenyls (PCBs).

Therefore, ACEH requests a Work Plan Addendum by the date identified below to incorporate additional bore locations to address these concerns.

- 3. LTCP Media Specific Criteria for Groundwater** – To satisfy the groundwater-specific data gap, Almar proposes to conduct a soil and water investigation at the subject site. The investigation consists of the collection of soil and “grab” groundwater samples from a total of up to five (5) temporary borings (DP-1 through DP-5) at the subject site. Soil samples will be collected at five (5) foot intervals, where contamination is observed in the field, and at the soil-groundwater interface. A minimum of two (2) soil samples from each boring will be retained for laboratory analysis.

ACEH is in general agreement with the locations of DP-1 through DP-5. For the purpose of the Groundwater Media Specific criteria, the locations of these borings should be adjacent to, but not inside of, the former excavation areas to be investigated so native – not import fill- is sampled for the investigation.

Alternatively, a determination of the history of the station layout for 50+ years the station was in operation may be made to more accurately to situate or eliminate soil bore locations in these areas.

- 4. LTCP Media Specific Criteria for Vapor Intrusion to Indoor Air** – To satisfy the petroleum vapor intrusion to indoor air data gap, Almar proposes to conduct a soil gas investigation consisting of the collection of soil gas samples from a total of three (3) semi-permanent soil gas sampling points identified as SG-1 through SG-3.

Due to the presence of petroleum-related volatile organic compounds (VOCs) in proximity to soil sample labeled either ‘NDd6’ or ‘Dd5’ with 110 milligrams per kilogram (mg/kg) total

petroleum hydrocarbons as gasoline (TPHg) and 0.87 mg/kg ethylbenzene, it appears appropriate to determine if VOCs at this location represent a vapor intrusion health risk to the site.

5. **Soil Sampling** – In accordance with the LTCP, ACEH requests that soil samples be collected and analyzed at two different depths (one sample from each bore) in the 0- to 5-foot zone and one from each bore in the 5- to 10-foot zone. Additional soil samples should be collected in areas of obvious contamination, at the soil/groundwater interface, and at significant changes in lithology. If staining, odor, or elevated PID readings are observed over an interval of several feet, a sufficient number of soil samples from this interval should be submitted for laboratory analyses to characterize the fuel hydrocarbon concentrations within this interval. Please ensure that the analytical results define the vertical and horizontal extent of TPH impacts at the site.

Additionally, ACEH requests a soil sample be recovered from near the base of each soil gas bore.

6. **Bore Logs** – Though not stated in the Work Plan, ACEH requests bore logs for the soil gas bores be provided in the investigation report.

#### **TECHNICAL REPORT REQUEST**

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

- **August 26, 2015 – Submittal of Phase I Reports** and email notification to Attn.: Keith Nowell
- **September 18, 2015 –Data Gap Identification Work Plan Addendum** (Revised Figure 5 - file to be named RO0003164\_WP\_ADEND\_R\_yyyy-mm-dd and provided via email to Attn.: Keith Nowell at [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org) )

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.

Thank you for your cooperation. ACEH looks forward to working with you and your consultants to advance the case toward closure. Should you have any questions regarding this correspondence or your case, please call me at (510) 567-6764 or send an electronic mail message at [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org)

Sincerely,

Keith Nowell, PG, CHG  
Hazardous Materials Specialist

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

cc: Forrest Cook, Almar Environmental, 407 Almar Avenue, Santa Cruz, CA 95060  
(Sent via E-mail to [cook.forrest@gmail.com](mailto:cook.forrest@gmail.com))

Dilan Roe, ACEH (Sent via E-mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))

Keith Nowell, ACEH (Sent via E-mail to [keith.nowell@acgov.org](mailto: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/](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.