



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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October 21, 2015

Mr. Paul Meuser
1315 Court Street
Alameda, CA 94501
(Sent via email to pmeuser@woodrogers.com)

Subject: Modified Interim Remedial Action Plan Approval; Site Cleanup Program Case No. RO0003167 and Geotracker Global ID T10000006545, Mercury Cleanup, 1315 Court Street, Alameda, CA 94501

Dear Mr. Meuser:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the *Interim Remedial Action Plan*, (IRAP) dated October 9, 2015. The Interim Remedial Action Work Plan was prepared and submitted on your behalf by Turner MacLane, Inc. Thank you for submitting the work plan.

The IRAP proposes the demolition and removal of a 12-foot section of the cinder block wall located on the property line between 1315 and 1317 Court Street, and the excavation of a 12-foot long section of soil beneath the wall, extending three feet into each street address. The wall appears to be a principal source of mercury contamination, and the cinder blocks will be taped in an attempt to collect liquid mercury prior to the demolition of the wall.

Based on ACEH 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. IRAP Modifications – The referenced work plan proposes a series of actions with which ACEH is in general agreement of undertaking; however, ACEH requests several modifications to the approach. Alternative approaches are suggested below in order to allow flexibility in the field, in order to quicken the delineation and removal of soil contamination at the site due to the pending rainy season. Please submit a report by the date specified below.

a. Proposed Area of Excavation – The proposed area of demolition and excavation generally appears to be appropriate; however, ACEH requests that vapor survey locations F7, I10, I11, I12, and I13 either be within the area of excavation due to the moderately elevated vapor concentrations at these locations in comparison to vapor concentrations in the remainder of the backyard. Due to the lack of a scale on site figures, this may require additional excavation width at the 1315 Court address. Please include a scale on future figures, and please overlay the area of excavation relative to existing vapor sample locations. Another figure may be necessary or appropriate to document the locations of confirmation samples proposed to be collected.

Additionally, again due to moderately elevated vapor concentrations relative to vapor concentrations in the remainder of the backyard, it appears appropriate to excavate vapor sampling locations D9 and E9, as well as A8 and A9, or alternatively collect multiple soil samples at these locations to determine if mercury soil concentrations are below identified goals. The

intent of this request is to ensure the removal of additional elemental mercury that may be causing the moderately elevated soil vapor concentrations at these locations.

Each excavation is requested to extend to at least the mid-point between adjacent vapor sampling locations with lower soil vapor concentrations (for example midway between F6 and F7, D8 and D9 and E8 and E9, and A7 and A8, and etc.), and are verified with sidewall confirmation samples at those locations.

- b. Soil Confirmation Sampling** – In order to ensure that elemental mercury soil contamination is removed to below identified remedial goals (Environmental Screening Levels or ESLs at this site), ACEH requests minimum confirmation sampling intervals of three to four linear feet on a sidewall and on the excavation bottom. Bottom samples are requested to be biased to positions vertically beneath known elevated mercury concentration locations.
 - c. Dust and Vapor Suppression and Monitoring** – To ensure that mercury laden dust and vapors are eliminated or are below applicable regulatory goals in this residential neighborhood, please ensure sufficient additional moisture (or other appropriate suppressant) is applied prior to and during excavation. ACEH additionally requests analytical documentation of downwind perimeter dust and vapor emissions from the excavation activities on a daily basis.
 - d. Backfill Material** – To ensure that imported soil to be used as backfill for the excavations is suitable for the purpose, ACEH requests that the soil be analyzed in conformance with the Department of Toxic Substances Control (DTSC) *Clean Imported Fill Material Information Advisory*, dated October 2001. Should recycled baserock be considered for use, please ensure the recycled material is tested in conformance with the New Jersey Department of Environmental Protection *Guidance for Characterization of Concrete and Clean Material Certification for Recycling*, dated January 12, 2010. Please document the sampling in the requested report below. Copies of either document can be forwarded upon request under separate cover.
- 2. Electronic Report and Data Upload Compliance** – A review of the State Water Resources Control Board's (SWRCB) GeoTracker website indicates the site has not been claimed. Because this is a state requirement, ACEH requests that the site be claimed in GeoTracker by the date identified below.

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. Also, beginning January 1, 2002, all permanent monitoring points utilized to collect groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level and latitude and longitude to sub-meter accuracy using NAD 83. A California licensed surveyor may be required to perform this work. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs, including SLIC programs. Additionally, pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3893, 3894, and 3895, beginning July 1, 2005, the successful submittal of electronic information (i.e. report in PDF format) shall replace the requirement for the submittal of a paper copy. Please see Attachment 1 for limited additional details, and the state GeoTracker website for full details. Electronic reporting is also described below on the attachments. Please claim your site and upload all future submittals to GeoTracker and ACEH's ftp server by the date specified below.

At present missing data and documents include, but may not be limited to reports, laboratory EDF submittals, and GEO MAPS. Please be aware that non-responsiveness can delay the closure process. Please notify ACEH that all appropriate data submittals have been uploaded to GeoTracker by the date specified below. .

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Additional information regarding the SWRCB's GeoTracker website may be obtained online at http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/ and http://www.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml) or by contacting the GeoTracker Help Desk at geotracker@waterboards.ca.gov or (866) 480-1028.

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

- **November 30, 2015** – Geotracker Compliance
Email notification of Case Worker requested.
- **December 11, 2015** – Remedial Progress Report
File to be named: RO3167_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>.

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.

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: Dwight Hoenig, Turner/MacLane, Inc, 3511 La Mesa Drive, Hayward, CA (Sent via E-mail to: Dwight@turnermaclane.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.