

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

COLLEEN CHAWLA, Agency Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP) FOR
HAZARDOUS MATERIALS RELEASES
1131 HARBOR BAY PARKWAY
ALAMEDA, CA 94502
(510) 567-6700
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October 5, 2018

Quik Stop Markets, Inc.
4567 Enterprise Street
Fremont, CA 94538
Attn.: Roger Batra
(Sent via electronic mail to: rogerbatra@quikstop.com)

Frederick D. and Geraldine G. Emory Trust
257 Clearview Court
Roseville, CA 95747
Attn: Dewolfe Emory, Trustee

Subject: Work Plan Review; Fuel Leak Case No. RO0003209 and Geotracker Global ID T1000008568, Quik Stop Market #51, 3130 35th Avenue, Oakland, CA 94619

Dear Responsible Parties:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the document entitled *Data Gap Investigation Work Plan* (Work Plan), dated August 31, 2018 and prepared by Compliance & Closure, Inc. (CCI) on your behalf.

The 87-page Work Plan submittal includes 17 Sections according to its Table of Contents. None of the Sections appear in the submitted document. Our review is based on Appendix A- Site Conceptual Model (SCM). The SCM includes a data gap section which proposes work to access soil, groundwater and soil vapor concerns. This review was performed for the work proposed to address soil vapor. A review of the work proposed to address the soil and groundwater data gaps will be presented under separate cover. Additional data may be available that ACDEH is not aware of, or may not have been submitted, and therefore has not been incorporated in to ACDEH's review. If additional data is made available, the data can be incorporated in future LTCP reviews.

ACDEH has evaluated the data presented in the above-mentioned report, in conjunction with the case files and the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case Closure Policy (LTCP). As an active commercial fueling station, the site is exempt from the vapor intrusion to indoor air (VI-IA) criteria of the LTCP. However, the site may present a VI-IA risk to the adjacent residential and commercial properties as multiple secondary lines of evidence for soil, groundwater, and photoionization detector (PID) data exist indicative of the presence of light non-aqueous phase petroleum hydrocarbons (LNAPL).

In the Work Plan, CCI proposes to advance temporary soil vapor probes for the collection of soil gas samples. Seven probe locations are depicted on Figure 2 of the Work Plan. Five of the probe locations are on-site with two situated near the western property boundary and two near the southern property boundary. The fifth soil probe location is situated near the center of the site, adjacent to a proposed groundwater monitoring well location. Two off-site soil vapor probes are depicted down gradient to the site, one approximately 75 feet to the west-southwest in the 35th Avenue right-of-way (ROW), and the other approximately 160 feet to the southwest in the Hageman Avenue ROW.

As presented, the temporary soil vapor wells will be constructed by pushing rods to a depth of approximately five feet. A sand pack having a thickness of one foot will be placed at the bottom of the probe hole and a vapor implant will be placed at the vertical midpoint of the sand pack. The probe hole will be completed to the ground surface with a bentonite seal. The soil vapor samples will be analyzed for total petroleum hydrocarbons (TPH) as gasoline (TPHg) using EPA Test Method TO-3 and benzene, toluene, ethylbenzene, and xylenes (collectively BTEX) and fuel oxygenates using EPA Test Method TO-15.

Our evaluation of the Work Plan under the LTCP that is presented below addresses apparent inconsistencies with the LTCP. Therefore, ACDEH requests that you prepare a Soil Vapor Investigation Work Plan (SVIWP) to address the Technical Comments provided below. If sections of the Work Plan pertaining to the soil vapor investigation were inadvertently missing from the submittal, please incorporate the missing section(s) into the requested SVIWP.

TECHNICAL COMMENTS

- 1. Foundation Survey** – ACDEH notes the LTCP VI-IA criteria are based on separation distances as measured from the base of the foundation. The minimum separation distance presented in the LTCP is five feet. In order to validate the sample collection depth, ACDEH requests a survey of foundation types associated with the structures located along 35th Avenue between Mangels Avenue and Hageman Avenue and for an additional several structures along both Mangels Avenue and Hageman Avenue down (southeast) of 35th Avenue. The foundation evaluation should include identifying if the structure is residential or commercial, on/above/below grade, depth below ground surface if submerged, and the presence of basements, including the approximate depth to the base of the basement. Please present your findings in the SVIWP requested below.
- 2. Probe Depth** – As referenced above, the minimum separation distance in the LTCP is five feet. As presented in the Work Plan, CCI proposes a sample collection interval of four to five feet as measured from the ground surface (BGS). Please incorporate your findings from the foundation survey in your soil vapor probe construction detail in accordance with the LTCP VI-IA criteria.
- 3. Probe Construction** – CCI states the vapor probes will be constructed as temporary wells and use post run tubing. As indicated in the July 2015 *Advisory- Active Soil Gas Investigations* (Advisory) prepared by California Environmental Protection Agency/ Department of Toxic Substances Control (Cal EPA / DTSC), and the Regional Water Quality Control Boards of the Los Angeles (LARWQCB) and San Francisco (SFRWQCB) regions, the Advisory presents reservations with regard to this type of vapor well construction. ACDEH requests the construction of semi-permanent soil vapor wells. Semi-permanent well construction may address potential sample collection irregularities identified in the Advisory and will allow for temporal sample collection. Please include the semi-permanent sample well construction detail in the SVIWP requested below.
- 4. Vapor Sample Analyses** – The proposed analyses of soil vapor samples are TPHg, BTEX and fuel oxygenates. As naphthalene is a contaminant used in the LTCP VI-IA evaluation, ACDEH requests the addition of naphthalene to the analysis scope. Historical documentation provided in Appendix B identify a gas station as having operated on the property since at least 1957, and references to gas and oil are indicated on the 1925 Sanborn map. It unclear as to the type and scope activities associated with vehicles and with past material usage and storage at the site. Therefore, ACDEH requests the full scan Test Method TO-15 be performed for the preliminary screening. It is unclear from the Work Plan how leak detection will be managed. Please include the leak detection compound in the vapor sample analysis scope. Additionally, please add methane and fixed gasses, including oxygen, carbon dioxide and nitrogen, to the scope of analyses.
- 5. Soil Sampling and Analyses** – In order to add a secondary line of evidence in support of the soil vapor data, ACDEH requests the collection and analysis of a soil sample from the base of each soil vapor probe hole. Please analyze the soil samples for TPHg, TPH as diesel (TPHd), BTEX, naphthalene, and fuel oxygenates. For soil samples recovered from on-site probe holes, add full scan volatile organic compounds (VOCs) by Test Method 8260 and semi-volatile organic compounds (SVOCs) by Test Method 8270.

TECHNICAL REPORT REQUEST

Please upload technical reports to the State Water Resources Control Board's GeoTracker website, in accordance with the following specified file naming convention and schedule:

- **December 4, 2018** – Soil Vapor Investigation Work Plan (File to be named: 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.

If your email address does not appear on the cover page of this notification ACDEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case. Thank you for your

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cooperation. Should you have any questions or concerns regarding this correspondence or your case, please call me at (510) 567-6764 or send me an electronic mail message at keith.nowell@acgov.org.

Sincerely,

Keith Nowell, P.G.
Hazardous Materials Specialist

Enclosures: Attachment 1 - Responsible Party(ies) Legal Requirements/Obligations

cc: Gary Mulkey, Compliance & Closure, Inc., 4115 Blackhawk Plaza Circle, Suite 100, Danville, CA 94506 (*Sent via electronic mail to: gary@cci-envr.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*)

Keith Nowell, ACDEH (*Sent via electronic mail to: keith.nowell@acgov.org*)

GeoTracker / File

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.