

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

REBECCA GEBHART, Interim Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP) FOR
HAZARDOUS MATERIALS RELEASES
1131 HARBOR BAY
ALAMEDA, CA 94502
(510) 567-6700
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December 12, 2017

Mr. Alan Dimen
2907 Pine Avenue
Berkeley, CA 94705
(Sent via electronic mail to: alleyoop12@comcast.net)

Ms. Irene Trimble
6360 Beach Drive SW
Seattle, WA 98136

Subject: Conditional Work Plan Approval; Fuel Leak Case No. RO0003223 and GeoTracker Global ID T10000009404, 1647 International Blvd, 1647 International Blvd, Oakland, CA 94606

Dear Mr. Dimen and Ms. Trimble:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the recently submitted document entitled *Data Gap Investigation Work Plan (Work Plan)* dated October 16, 2017 and prepared by Schutze & Associates, Inc. (Schutze). The Work Plan was prepared at the request of ACDEH in our letter dated August 14, 2017.

In the Work Plan, Schutze evaluated the case in conjunction with the eight General and the three Media Specific criteria comprising the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case Closure Policy (Policy) and proposes work to address the Policy criteria. As presented in the Work Plan, Schutze proposes to perform eight phases of work. Phases one through five and eight will be implemented to address the Policy with phases six and seven conditionally implemented based on the findings of the earlier phases of site characterization. The phases of work proposed by Schutze are as follows:

1. Membrane interface probe (MIP) investigation to gather preliminary site information on lithology, depths to potential aquifers, and thickness of the bioattenuation zone. Schutze proposes advancing up to three MIP soil bores to depths between 30 and 40 feet below the ground surface (bgs), or drill refusal. Schutze will submit a site plan and work plan to ACDEH prior to the implementation of field activities. A summary report will be prepared with an abbreviated work plan for the follow up soil boring investigation summarized below.
2. Soil boring investigation consisting of advancing eight soil bores for the collection of soil and grab-groundwater (GGW) samples. The proposed boring locations are depicted on Figure 3 of the Work Plan. The locations of the soil bores may be adjusted based on the findings of the MIP investigation. Schutze will prepare a summary report with an abbreviated work plan for the pathway study summarized below.
3. Preferential pathway study for anthropogenic pathways will include a utility survey, a regional well and a sensitive receptor survey. The results of the study will be included in an abbreviated work plan for the installation of groundwater monitoring wells summarized below.
4. Installation of four groundwater monitoring wells at locations depicted on Figure 3 of the Work Plan. The location, number of wells, and the well construction details may be adjusted based on the previous investigations. A summary report with an abbreviated work plan will be prepared describing the proposed groundwater monitoring methodologies, analytes, and monitoring event schedule.
5. Implementation of a groundwater monitoring schedule and well network evaluation for additional monitoring wells.

6. Prepare and implement an abbreviated work plan for a soil vapor, sub-slab, and/or indoor air testing if the soil/groundwater contaminant concentrations exceed the Policy screening levels for the Media Specific Vapor Intrusion to Indoor Air (VIA) criteria.
7. Prepare and implement an abbreviated work plan for excavation of contaminated soil, if warranted, based on the findings of the previous investigations.
8. Update the Site Conceptual Model (SCM).

ACDEH generally concurs with the proposed scope of work and requests that you address the following technical comments, perform the proposed work, and send us the technical reports described below.

TECHNICAL COMMENTS

- A. Work Plans** – Items 1, 2, 3, and 4, indicate abbreviated work plans will be prepared prior to the implantation of the next phase of work and Items 6 and 7, above, indicate abbreviated work plans will be prepared should these phases of work appear to be warranted.

ACDEH requests submittal of these abbreviated work plans to our agency for our review and approval prior to their implementation. If additional monitoring wells identified in Item 5, above, are determined to be warranted, please prepare and submit a work plan for our review and approval prior to installation implementation.

- B. Groundwater Sampling** – The MIP phase of the investigation may provide information regarding the presence of a shallow and a deeper groundwater bearing zone. As presented in the Work Plan, Schutze proposes to collect at least two GW samples from the deeper of the two zones, if two are identified. ACDEH requests using a suitable technology for boring advancement to collect depth-discrete GW samples. Additionally, ACDEH recommends the installation of groundwater monitoring wells for each of the water bearing zones identified in the MIP investigation. Please address the targeted water bearing zones in the abbreviated work plan for well installation identified in Item 3, above.

- C. Sensitive Receptors** – ACDEH requests the inclusion of a search of Department of Water Resources (DWR) and the Alameda County Public Works Agency (ACPWA) databases in the well survey portion of the sensitive receptor survey. We recommend a search radius of at least 2,000 feet to accommodate a 1,000-foot maximum plume length and a 1,000-foot buffer distance from the leading edge of the plume in accordance with the Policy.

TECHNICAL REPORT REQUEST

Please submit reports to ACDEH (Attention: Keith Nowell), and upload technical reports to the ACDEH FTP site (Attention: Keith Nowell) and to the SWRCB GeoTracker website, in accordance with the following specified file naming convention and schedule:

- **February 13, 2018** – Membrane Interface Probe Work Plan (Figure-only depicting proposed locations provided via electronic mail, Attention: Keith Nowell)
- **To Be Determined** – Membrane Interface Probe Investigation Summary Report (File to be named: RO3223_SWI_R_yyyy-mm-dd)
- **TBD** – Soil and Groundwater Investigation Work Plan (File to be named: RO3223_WP_R_yyyy-mm-dd)

- **TBD** – Soil and Groundwater Investigation Summary Report (File to be named: RO3223_SWI_R_yyyy-mm-dd)
- **TBD** – Pathway and Sensitive Receptor Survey Report Soil and Groundwater Investigation Summary Report (File to be named: RO3223_COND_WELL_R_yyyy-mm-dd)
- **TBD** – Soil and Groundwater Investigation Report (File to be named: RO3223_SWI_R_yyyy-mm-dd)
- **TBD** – Groundwater Monitoring Well Installation Work Plan (File to be named: RO3223_WP_R_yyyy-mm-dd)
- **TBD** – Groundwater Monitoring Well Installation Report (File to be named: RO3223_SWI_R_yyyy-mm-dd)
- **TBD** – Groundwater Monitoring Report (File to be named: RO3223_GWM_R_yyyy-mm-dd)
- **TBD** –Work Plan for Additional Groundwater Monitoring Well Installation (File to be named: RO3223_WP_R_yyyy-mm-dd)
- **TBD** – Vapor Intrusion to Indoor Air Evaluation Work Plan (File to be named: RO3223_WP_R_yyyy-mm-dd)
- **TBD** – Vapor Intrusion to Indoor Air Evaluation Report (File to be named: RO3223_SWI_R_yyyy-mm-dd)
- **TBD** – Soil Excavation Work Plan (File to be named: RO3223_WP_R_yyyy-mm-dd)
- **TBD** – Soil Excavation Report (File to be named: RO3223_EX_R_yyyy-mm-dd)
- **TBD** – Site Conceptual Model Update (File to be named: RO3223_SCM_R_yyyy-mm-dd)

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 cooperation. ACDEH 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.

Sincerely,

Keith Nowell PG, CHG
Hazardous Materials Specialist

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

cc: Jan Schutze, Schutze & Associates, Inc., 44358 South Grimmer Boulevard, Fremont, CA 94538 (*Sent via electronic mail to: js@schutze-inc.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

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

Alameda County Department of Environmental Health's (ACDEH) Environmental Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) 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 File Transfer Protocol (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 SCP 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 (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/) for more information on these requirements.

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 ACDEH's FTP server and the SWRCB's GeoTracker website." 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 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. 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 case meet this requirement. 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

Please note that delays in investigation, late 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 SCP)	REVISION DATE: December 1, 2016
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010; May 15, 2014, November 29, 2016
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions


The Alameda County Environmental Cleanup Oversight Programs (LOP and SCP) 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 acknowledgement 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) Open File Explorer using the Windows  key + E keyboard shortcut.
 - i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) On the address bar, type in ftp://alcoftp1.acgov.org.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive)
 - d) Click Log On.
 - e) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - f) 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.