



November 30, 2018

David DiGenova, Trustee  
Anthony DiGenova Trust  
251 Orange Blossom Lane  
San Rafael, CA, 94903

Subject: Leaking Underground Fuel Tank Case No. RO0003293 and GeoTracker Global ID  
T10000011255, 2510 Central Avenue located at 2510 Central Avenue (APN: 70-171-3),  
Alameda, CA 94501

Dear Mr. DiGenova:

Alameda County Department of Environmental Health (ACDEH) has reviewed the case file for the subject site in conjunction with the *Interim Remedial Action Work Plan* (the Work Plan) dated September 21, 2018, prepared by Green Environment Inc. (Green) on your behalf. The Work Plan documents proposed excavation activities to remove secondary source impacts as proposed in the *Subsurface Environmental Investigation Report* (the Report) dated May 4, 2018 and concurred by ACDEH in a directive letter issued on August 2, 2018.

Previous characterization activities documented in the Report include results of soil, grab groundwater, sump water, and soil vapor samples collected within the vicinity of the former underground storage tank (UST), within the sump in the interior of the underground garage, and adjacent to the subject site (the Site) to assess potential preferential pathway vapor intrusion from subsurface utilities entering the building. The Report documents the results of the soil and groundwater samples to further delineate the nature and extent of Total Petroleum Hydrocarbons as gasoline (TPH-g), diesel (TPH-d), and motor oil (TPH-mo) in the subsurface initially identified during tank removal activities in June 2017. The Report indicated TPH-d was reported up to 3,000 milligrams per kilogram (mg/kg) in sample EB-1 at a depth of 10 to 10.5 feet below ground surface (bgs) below the reported bottom of the former UST area. Trace TPH-d was also detected in soil borings EB-2 and EB-5 at shallow depths (approximately 4 feet bgs). Grab groundwater results reported TPH-d up to 4,100 micrograms per liter ( $\mu\text{g/l}$ ) in EB-1 located in the former tank excavation area and up to 280  $\mu\text{g/l}$  in EB-3 located adjacent (southeast) to the former underground storage tank (UST) excavation area.

Based on results presented in the above mentioned Report, Green proposed interim remedial activities outlined in the Work Plan including; remedial excavation of approximately twenty cubic yards of petroleum impacted soil by excavation including the removal of approximately a 10 foot by 10 foot area to a total depth of approximately 13 feet bgs centered in the vicinity of the highest impacted soil reported at EB-1 and soil beneath boring EB-3. Due to the depth of residual secondary source within the former (UST) excavation area and shallow groundwater observed at the Site, the Work Plan proposes the use of shoring and dewatering to facilitate residual secondary source removal. Groundwater dewatering would include mobilization of an 8,000-gallon tank to hold extracted groundwater and offsite disposal.

ACDEH has evaluated the data presented in the above-mentioned Report and Work Plan, respectively, in conjunction with the case files, and the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case Closure Policy (LTCP). Based on our review, ACDEH has determined that the Site meets the media specific criteria for groundwater, vapor intrusion and direct contact as described in the *Technical Comments* section below. Although residual secondary source remains in the former UST excavation area, ACDEH is of the opinion that there is not a demonstrated threat to human health or environment if left in place. Additionally, due to site constraints discussed above, removal of residual secondary source would not be a cost effective corrective action. Therefore it is the opinion of this agency that additional secondary source removal is not required at the Site.

Based on this evaluation, the Site appears to qualify for case closure in accordance with California Health and Safety Code (H&SC) Section 25296.10 and the LTCP. No further action related to the UST fuel release is required at this time. As part of the case closure process, public notification of case closure must be performed in accordance with CCR Title 23, Division 3, Chapter 16, §2728 and all current record owners of fee title to the site must be notified by the primary or active responsible party of the proposed closure action in accordance with H&SC 25297.15

At this juncture, ACDEH requests that you address the following *Deliverables* below and submit the documents requested by the associated compliance dates. Upon completion of the public comment period and receipt of the requisite documents, ACDEH will close the case and issue a Remedial Action Completion Certificate. Additionally, ACDEH requests email notification verifying the requested deliverables have been uploaded to Geotracker (e-mail preferred to: [andrew.york@acgov.org](mailto:andrew.york@acgov.org)).

## **TECHNICAL COMMENTS**

### **1. LTCP General Criteria Compliance**

- a. **General Criteria f (Secondary Source)** – The LTCP defines “secondary source” as petroleum-impacted soil or groundwater located at or immediately beneath the point of release from the primary source. Unless site attributes prevent secondary source removal (e.g. physical or infrastructural constraints exist whose removal or relocation would be technically or **economically infeasible**), petroleum-release sites are required to undergo secondary source removal to the extent practicable as described herein. “To the extent practicable” means implementing **a cost-effective corrective action** which removes or destroys-in-place the most readily recoverable fraction of source-area mass. According to the LTCP, following removal or destruction of the secondary source, additional removal or active remedial actions shall not be required by regulatory agencies unless (1) necessary to abate a demonstrated threat to human health or (2) the groundwater plume does not meet the definition of low threat as described in this policy.”

ACDEH's review of the case files indicates a cost analysis for remedial excavation was not presented in the Work Plan, however, based on Green's LTCP evaluation presented in Table 4 of the previous submitted Report, ACDEH agrees implementation of an interim remedial excavation “may be practicable but not inexpensive.” ACDEH notes remedial excavation with the use of shoring, soil boxes, and groundwater dewatering in a localized area is not economically feasible.

### **2. LTCP Media Specific Criteria Compliance**

- a. **Media Specific Criteria for Groundwater** – Subsurface Investigation activities presented in the Report indicated benzene, toluene, ethylbenzene, and xylene (BTEX) and naphthalene concentrations were reported below laboratory detection limits in all grab groundwater samples collected at the Site. TPH-d up to 4,100 µg/l was reported in EB-1, however, these impacts appeared to be localized and groundwater appears to be limited in aerial extent. Additionally, no free product was observed during subsurface investigation activities conducted in accordance with the Report, and the nearest existing well and water body is over 250 feet away based on sensitive receptor survey presented in Appendix E of the Report. Therefore Scenario 1 of the LTCP Media Specific Criteria for Groundwater has been met at the Site.
- b. **Media Specific Criteria for Potential Vapor Intrusion to Indoor Air** – Subsurface investigation activities described in the Report included the advancement of one temporary soil vapor probe in the landscaped area immediately adjacent to the Site building. Vapor results indicate all petroleum potential chemicals of concern (PCOCs) were reported below laboratory detection limits. Additionally grab groundwater samples collected from the borings and sump at the Site indicated benzene concentrations were below laboratory detection limits. Lastly, it appears a 9-foot bioattenuation zone of TPH less than 100 mg/kg is present at the subsurface beneath the

Site. Therefore the Site meets the requirements of a bioattenuation zone as presented in Appendix 3, Scenario 3 of the LTCP.

- c. Media Specific Criteria Direct Contact and Outdoor Air Exposure - Based on data presented in the previously submitted Report, BTEX and naphthalene were reported below laboratory detection limits in all soil samples collected from the upper 10-feet of subsurface soil at the Site. Additionally petroleum PCOCs in soil vapor were below laboratory detection limits. Therefore the site meets residential risks for direct contact of soil in the upper 5 feet and residential risk to volatilization to outdoor air under Table 1 of the LTCP.

## **DELIVERIBLES**

1. **Landowner Notification Form** – Pursuant to Section 25297.15 (a) of the California Health and Safety Code, ACDEH, the local agency, shall not consider cleanup or site closure proposals from the primary or active responsible party, issue a closure letter, or make a determination that no further action is required with respect to a site upon which there was an unauthorized release of hazardous substances unless all current record owners of fee title to the site of the proposed action have been notified of the proposed action by the primary or active responsible party. Although the release was not from an underground storage tank, ACDEH adheres to the intent of the above-mentioned code and ACDEH is notifying the primary or active responsible party of their requirement to certify in writing to the local agency that the notification requirement in the above-mentioned regulation has been satisfied and to provide the local agency with a complete mailing list of all record fee title owners.

To satisfy this requirement, please complete the enclosed *List of Landowners Form* (Attachment 1), and mail or email it back to ACDEH by **Monday, December 31, 2018**.

2. **Public Participation** - Public participation is a requirement for the case closure processes. In order to notify potentially affected members of the public of the potential site cleanup program case closure, *Notification of Potential Case Closure* (Attachment 2) will be distributed to addresses in the immediate vicinity. The *Notification of Potential Case Closure* requests that landowners or residents submit any comments or questions to ACDEH regarding potential case closure. ACDEH will consider all comments from the public prior to potential case closure.

Prior to distribution of the notification, **please return the List of Landowner** form to ensure that the current landowner is included in this process.

Thank you for your cooperation. ACDEH looks forward to working with you and your environmental consultants to close this case. If you have any questions, please call me at (510) 639-1276 or send me an email message at [andrew.york@acgov.org](mailto:andrew.york@acgov.org).

Mr. David DiGenova  
RO0003293  
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Sincerely,



Drew J. York  
Senior Hazardous Materials Specialist



Dilan Roe, PE, C73703  
Chief - Land Water Division

Encl.: Attachment 1 - List of Landowners Form  
Attachment 2 - Notification of Potential Case Closure

cc: Mark Green, Green Environment Inc. (Sent via E-mail to: [mark@greenenvironment.com](mailto:mark@greenenvironment.com))  
Eric Lautenbach, Green Environment Inc. (Sent via E-mail to: [eric@greenenvironment.com](mailto:eric@greenenvironment.com))  
Marion Brown, Anderson Yazdi, Hwang Minton & Horn (Sent via E-mail to: [mbrown@ayhnh.com](mailto:mbrown@ayhnh.com))  
Dilan Roe, ACDEH, Chief, Land and Water Division (Sent via E-mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Paresh Khatri, ACDEH (Sent via E-mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org))  
Drew York, ACDEH (Sent via E-mail to: [andrew.york@acgov.org](mailto:andrew.york@acgov.org))  
Electronic File, GeoTracker

ATTACHMENT 1

ATTACHMENT 1

County of Alameda  
Department of Environmental Health  
1131 Harbor Bay Parkway, Suite 133  
Alameda, CA 94502-6577

CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR:

Site Name: 2510 Central Ave  
Address: 2510 Central Avenue  
City, State, Zip: Alameda, CA 94501  
Record ID #: RO0003293

Please fill out item 1 if there are multiple site landowners (attach an extra sheet if necessary). If you are the sole site landowner, skip item 1 and fill out item 2.

1. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I, \_\_\_\_\_ (name of primary responsible party), certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

2. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I \_\_\_\_\_, certify that I am the sole landowner for the above site.

Sincerely,

\_\_\_\_\_  
Signature of Primary Responsible Party      Printed Name      Date      E-mail Address

ATTACHMENT 2



**INVITATION TO COMMENT – POTENTIAL CASE CLOSURE**

**2510 CENTRAL AVE.  
2510 CENTRAL AVENUE, ALAMEDA, CA 94501  
SITE CLEANUP PROGRAM CASE RO0003293  
GEOTRACKER GLOBAL ID T10000011255**

**DECEMBER XX, 2018**

The above referenced site is a fuel leak case that is under the regulatory oversight of the Alameda County Department of Environmental Health (ACDEH) Local Oversight Program for the investigation and cleanup of a release of petroleum hydrocarbons from an underground storage tank system. Site investigation and cleanup activities have been completed and the Site has been evaluated in accordance with the State Water Resources Control Board Low-Threat Closure Policy. The site appears to meet criteria under the Low-Threat Closure Policy. Therefore, ACDEH is considering closure of the fuel leak case.

The public is invited to review and comment on the potential closure of the fuel leak case. This notice is being sent to the current occupants and landowners of the site and adjacent properties and other known interested parties. The entire case file can be viewed over the Internet at the State of California Water Resources Control Board GeoTracker website (<http://geotracker.waterboards.ca.gov>). Please send written comments to ACDEH caseworker Drew York at the email address below; all comments will be forwarded to the responsible parties. Comments **received by Monday, December XX, 2018** will be considered and responded to prior to a final determination on the proposed case closure.

If you have comments or questions regarding this site, please contact the ACDEH caseworker, Drew York at 510-639-1276 or by email at [andrew.york@acgov.org](mailto:andrew.york@acgov.org). Please refer to ACDEH case RO0003262 in any correspondence.