



December 9, 2010

ENVIRONMENTAL HEALTH DEPARTMENT
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

Jack Ceccarelli
Restructure Petroleum Marketing Service
205 S. Hoover Blvd., Suite 101
Tampa, FL 33609-905
(sent via electronic mail to jackc@edifl.com)

Brian Cobb
EZ Serve Petroleum Marketing
100700 North I45, Suite 500
Houston, TX 77037-1187

Azizolah Kandahari
Himalaya Trading Company, Inc.
5196 Grayhawk Lane
Dublin, CA 94568-7764

Margaret S. Thompson
PO Box 16290,
Houston, TX 77222

Vinod & Janak Bansal
1777 Beach Park Blvd.
Foster City, CA 94404-1403

Subject: Approval with Modifications to Work Plan Addendum; Fuel Leak Case No. RO0000023 and GeoTracker Global ID T0600100483, EZ Serve #100877, 525 West A Street, Hayward, CA 94541

Dear Responsible Parties:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the *Work Plan Addendum to Locate Buried Groundwater Monitoring Wells MW-6, MW-8 through MW-11, and MW-13*, dated November 18, 2010, and submitted on your behalf by GeoEnviro Services, Inc. (GES).

Based on ACEH staff review of the work plan addendum the proposed scope of work is conditionally approved for implementation provided that the technical comments below are incorporated during the proposed field investigation. 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 technical comments below is proposed. We request that you address the following technical comments, perform the proposed work, and send us the reports 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. **Clarification of Well Rehabilitation or Decommissioning Procedures** – Two potential concerns were noted in review of the referenced work plan and to preclude misunderstandings the following comments are provided:
 - a. **Well Survey** – While the work plan discusses marking of the relocated wells on the ground surface for a resurvey, it does not discuss the resurvey of the Top of Casings (TOCs) elevations for the wells after exhumation and / or repair. Both events can affect the TOCs of wells, and for wells not surveyed to Geotracker standards elevations can also change due to the change in standards. Please ensure this occurs in the planned work.

- b. **Level of Relocation Effort** – The work plan indicates that an attempt will be made to relocate wells without well vaults. Due to the number of currently missing wells and their potential usefulness to the ongoing investigation, ACEH requests this be a significant effort that can start with a shovel, but must rise in scope if wells remain missing (e.g. potentially employing Bobcat or other excavation tools).
 - c. **Scope of Work Clarification** – To preclude potential confusion, this work plan approval does not include approval of the installation of additional wells covered in the original work plan. Installation of additional wells is pending the current scope of work as well as the results of the Site Conceptual Model (SCM) and preferential pathway study.
2. **SCM with Preferential Pathway Study** – ACEH requests a status update regarding this now overdue document. This letter does not include an extension to the due date, but reiterates the necessity of the document. If an extension is due to a reasonable explanation, please request one.

TECHNICAL REPORT REQUEST

Please submit the following deliverables and technical reports to ACEH (Attention: Mark Detterman), according to the following schedule:

- **November 1, 2010 – (Late)** SCM with Preferential Pathway Study
- **April 22, 2011** – Semi-Annual Groundwater Monitoring Report

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.

Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,

Mark E. Detterman, PG, CEG
Hazardous Materials Specialist

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

cc: Joseph Schaaf, GeoEnviro Services, Inc., 5529 Kailas Street, Ventura, CA 93003
(sent via electronic mail to jschaaf@geoenviroservices.com)

Hugh Murphy, City of Hayward Fire Dept., 777 B Street, Hayward, CA 94541
(sent via electronic mail to Hugh.Murphy@hayward-ca.gov)

Danny Galang, City of Hayward Fire Dept., 777 B Street, Hayward, CA 94541
(sent via electronic mail to: Danny.Galang@hayward-ca.gov)

Robert Trujillo, Prime Properties, 916 Silver Spur Road, Suite 210, Rolling Hills Estates, CA 90274

Gary Aguilar, Hydro Analysis, Inc., 11100 San Pablo Ave., Suite 200-A, El Cerrito, CA 94530
(sent via electronic mail to gary@hydroanalysis.com)

Cherie McCaulou; 1515 Clay St, Suite 1400, Oakland, CA 94612
(sent via electronic mail to cmccaulou@waterboards.ca.gov)

Donna Drogos, ACEH, (sent via electronic mail to donna.drogos@acgov.org)
Mark Detterman, ACEH, (sent via electronic mail to mark.detterman@acgov.org)
Geotracker, e-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.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml).

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: July 20, 2010
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 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 dehloptoxic@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 dehloptoxic@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.