



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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November 19, 2014

Mr. and Mrs. Neil and Mary Cotter
2847 Arguello Drive
Burlingame, CA 94010-5817
(sent via E-mail to: neil.cotter@comcast.net and
mary.cotter@comcast.net)

Mr. and Mrs. John and Antoinette Coyle
2193 Trafalgar Place
Oakland, CA 94611
(sent via E-mail to: trisargil@aol.com)

Subject: Request for Revised Remedial Design and Implementation Plan (RDIP) for Fuel Leak Case No. RO0000027 and GeoTracker Global ID T06000102106, Grove Street Wash Rack, 3884 Martin Luther King, Jr. Way, Oakland, CA 94609

Dear Ladies and Gentlemen:

Alameda County Environmental Health (ACEH) has reviewed the case files for the above referenced site including the *Remedial Design and Implementation Plan* (RDIP) dated September 14, 2014 prepared on your behalf by URS Corporation (URS). Thank you for submitting the RDIP.

The RDIP presents the design for implementation of the site remedy described in the October 8, 2013 *Draft Feasibility Study/Corrective Action Plan* (FS/CAP) prepared by URS. The FS/CAP was developed in conjunction with a proposed site remedial design that included construction of a one-story subterranean parking garage over the entire footprint on the site. The 30-day public notification period for the FS/CAP concluded on November 23, 2013. ACEH did not receive any comments, and therefore approved the Draft FS/CAP on 12/24/2013. Subsequent to ACEH's approval of the FS/CAP, the Responsible Parties (RPs) informed ACEH in a letter dated 2/28/2014 that the negotiations for the proposed development failed to come to fruition. Therefore, in the interim, the RPs made the decision to submit an RDIP presenting the design for selected elements of the FS/CAP in order to proceed with implementation of corrective action activities without specific remedial design plans. ACEH's review of the RDIP indicates that insufficient information is presented to identify which elements of the FS/CAP will be implemented. In order to facilitate ACEH's approval of the RDIP we request that you address the following technical comments in a revised RDIP and submit the revised RDIP as requested below.

TECHNICAL COMMENTS

1. Please provide a table comparing the corrective actions elements for Area of Concern (AOC)-1 and AOC-2 listed in the FS/CAP and the RDIP. ACEH noted in the RDIP that the corrective action for AOC-2 was eliminated without explanation or rationale. Therefore, please include in the table an explanation and rationale for elimination of the corrective action elements.
2. Please revise Figures 12 and Figures 13 to show dimensions of AOC-1 and AOC-2 in agreement with the RDIP text in Section 4.1.1. Additionally, please revise the legend on Figures 12 and 13 to accurately depict AOC-1 and AOC-2 and update the status of the monitoring wells (MW-6, MW-7, and MW-8 have been installed).
3. The RDIP proposes to focus the excavation presented in the FS/CAP to AOC-1 instead of the entire footprint of the site. The RDIP presents cleanup goals for the soil excavation based on the San Francisco Bay Regional Water Quality Control Board's (SFBRWQCB's) *Summary Table D*,

Environmental Screening Levels (ESLs) Groundwater is not a Current or Potential Source of Drinking Water for the soil and groundwater cleanup goals. Please revise the RDIP to present cleanup goals consistent with the screening levels provided in SFBRWQCB's Table C *ESLs Groundwater is a Current or Potential Source of Drinking Water*. Additionally, please verify soil cleanup goal units (microgram per kilogram or milligram per kilogram).

4. Please reference Department of Toxic Substances Control (DTSC's) October 2001 *Information Advisory - Clean Imported Fill Material* for approval of imported soil in accordance with the approved FS/CAP.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACEH ftp site (Attention: Karel Detterman), and to the State Water Resources Control Board's GeoTracker website according to Attachment 1 by the following schedule and file-naming convention:

- January 19, 2015 – Revised RDIP
File to be named: RO27_RDIP_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/lop/ust.htm>

Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, please send me an e-mail message at karel.detterman@acgov.org or call me at (510) 567-6708.

Sincerely,

Karel Detterman, PG
Hazardous Materials Specialist

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

cc: Erik Skov, URS Corporation (Sent via E-mail to: erik.skov@urs.com)
Kali Futnani, URS Corporation (Sent via E-mail to: kali.futnani@urs.com)
Leroy Griffith, Oakland Fire Department (Sent via E-mail to: lgriffin@oaklandnet.com)
Dilan Roe, ACEH (Sent via E-mail to: dilan.roe@acgov.org)
Karel Detterman, ACEH (Sent via E-mail to: karel.detterman@acgov.org)
GeoTracker, eFile

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.