



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
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March 11, 2015

Mr. Ruben Byerley
Manager – Environmental Services and Properties
YRC Freight
10990 Roe Avenue
Overland Park, Kansas 66211
(Sent via E-mail to: ruben.byerley@yrcfreight.com)

Mr. Martin Ward
PSAI Partners IV LLV
155 Montgomery St., Ste. 1600
San Francisco, CA 94104
(Sent via E-mail to: MWard@psai-cre.com)

Subject: File Uploads for Fuel Leak Case No. RO0000039 (GeoTracker Global ID T0600102107),
Roadway Express, 1708 Wood Street, Oakland, CA 94607

Dear Mr. Byerley and Mr. Ward:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the *Site Management Plan* (SMP), dated February 17, 2015, which was prepared by Burns and McDonnell Engineering Company, Inc. (Burns & McDonnell) for the subject site. The SMP was prepared as a condition for closure of the case due to the presence of elevated concentrations of chemicals of potential concern (COPCs) beneath the site.

The SMP has been accepted by ACEH. The public notification fact sheet has been prepared and distributed, with the public notification period ending May 4, 2015.

ACEH notes that a Phase I and a Phase II environmental site assessment (ESA) were conducted at the site to meet due diligence requirements prior to a property transfer. However, ACEH was not provided the opportunity to comment on the Phase II ESA as is required for an active, regulated case.

At ACEH's request, the Phase II ESA report was uploaded to the State Water Resources Control Board's (SWRCBs) GeoTracker website. However, the document was not uploaded to the ACEH ftp website. Additionally, several electronic deliverables associated with the ESA II were not uploaded to GeoTracker. It is the opinion of ACEH that these documents contain important data for the site as the SMP fails to discuss the maximum concentrations for chemicals of potential concern (COPCs) identified in the Phase II ESA. The ESA II electronic deliverables missing from GeoTracker include EDF(s) and GEO_MAP(s) - e.g. Figure 1 and Figure 2 of the Phase II ESA- files. Please note that the supporting documentation for the ESA II will aid in the decision making for future site workers.

Please upload the electronic deliverables, identified above, to the Geotracker website. Additionally upload any missing environmental reports prepared for the subject site to the ACEH ftp and the Geotracker websites. Upon upload completion, please notify ACEH (attention: Keith Nowell) via email identifying the files uploaded to Geotracker and the ACEH websites.

ACEH will not consider the case for closure until it receives notification that the uploads have been completed.

TECHNICAL REPORT REQUEST

Please complete the requested actions in accordance with the following specified schedule:

- **April 11, 2015 – Electronic Submittal of Information**
- **April 11, 2015 – ACEH Notification (via email) of Upload Completion**

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.

Thank you for your cooperation. 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, P.G., C.HG.
Hazardous Materials Specialist

Enclosure: Responsible Party(ies) Legal Requirements/Obligations
ACEH Electronic Report Upload (ftp) Instructions

cc: Christopher D'Sa, Burns and McDonnell Engineering Company, Inc., 400 Oyster Point Blvd., Suite 533, South San Francisco, CA 94080 (*Sent via E-mail to: cdsa@burnsmcd.com*)

Julia Siudyla, ACC Environmental Consultants, 7977 Capwell Drive, Suite 100, Oakland, CA 94621 (*Sent via E-mail to: jsiudyla@accenv.com*)

Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (*Sent via E-mail to: lgriffin@oaklandnet.com*)

Dilan Roe, ACEH, (*sent via E-mail to dilan.roe@acgov.org*)
Keith Nowell, ACEH, (*sent via E-mail keith.nowell@acgov.org*)
Geotracker, Electronic 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.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.