



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

December 18, 2013

Mr. Tim Bishop
Chevron Environmental Management Co.
6101 Bollinger Canyon Road
San Ramon, CA 94583
(sent via electronic mail to TimBishop@chevron.com)

Subject: Public Participation Notification for Case Closure Consideration for Fuel Leak Case No. RO0000067 and Geotracker Global ID T0601745736, Tosco 76 #3737 / Chevron, 1400 Powell Street, Emeryville, CA 94608

Dear Mr. Tim Bishop:

Alameda County Environmental Health (ACEH) is reviewing the fuel case file for the above referenced site for potential case closure. As you are aware a site investigation and groundwater monitoring for underground storage tank leaks has been performed at the subject property to which you are named as the primary or active responsible party.

Public Participation

Public participation is a requirement for the Corrective Action Plan and case closure process. In order to notify potentially affected members of the public of the potential fuel leak case closure, ACEH will distribute the attached *Notification of Potential Case Closure* to addresses in the immediate vicinity. The *Notification of Potential Case Closure* requests that landowners or residents submit any comments or questions to ACEH regarding potential case closure by February 22, 2014. ACEH will consider all comments from the public prior to potential case closure.

Request for Monitoring Well Destruction Scheduling and Waste Removal

Local Oversight Programs are required by the State's Low Threat Closure Policy (LTCP) to issue a uniform closure letter within 30 days from the end of the public comment period and completion of associated tasks (report of monitoring well destruction and waste removal) for case closures. Therefore, in order to meet this timeline ACEH requests that waste (as defined by the LTCP) be removed from the site, wells are destroyed, and the Well Decommissioning Report and appropriate documentation submitted as soon as possible after the end date of the public comment period. Please contact the Alameda County Public Works Agency at 510-567-6791 or online, to obtain the required well destruction permits. After written ACEH concurrence (e-mail or other) that there have been no comments, you would be free to proceed with well decommissioning and waste removal activities. Please provide notification to ACEH of the date of planned well destruction and waste removal activities.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with the specified file naming convention below, according to the following schedule:

- **December 23, 2013** – Public Comment Period Begins
- **February 22, 2014** – Public Comment Period Ends

Mr. Tim Bishop
RO00000067
December 18, 2013, Page 2

- **60 Days After Close of Public Comment Period** – Submit the *Well Decommissioning Report*
File to be named: RO67_WELL_DCM_R_yyyy-mm-dd
- **4 Weeks After Documentation of Well Destruction and Waste Removal** – ACEH to issue uniform closure letter if all required documents are submitted

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/index.htm>.

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
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements/Obligations & Electronic Report Upload (ftp) Instructions
Attachment A – *Invitation to Comment – Potential Case Closure*
Attachment B – Mailing List

cc: Leah Ackerman, Arcadis U.S, Inc, 100 Montgomery Street, Suite 300, San Francisco, CA 94104
(sent via E-mail to Leah.Ackerman@arcadis-us.com)

Dilan Roe (sent via electronic mail to dilan.roe@acgov.org)
Mark Detterman, ACEH, (sent via electronic mail to mark.detterman@acgov.org)
Geotracker, Electronic File

Attachment 1

Responsible Party(ies) Legal Requirements/Obligations

REPORT/DATA REQUESTS

These reports/data are being requested pursuant to Division 7 of the California Water Code (Water Quality), Chapter 6.7 of Division 20 of the California Health and Safety Code (Underground Storage of Hazardous Substances), and Chapter 16 of Division 3 of Title 23 of the California Code of Regulations (Underground Storage Tank Regulations).

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (Local Oversight Program [LOP] for unauthorized releases from petroleum Underground Storage Tanks [USTs], and Site Cleanup Program [SCP] for unauthorized releases of non-petroleum hazardous substances) require submission of reports in electronic format pursuant to Chapter 3 of Division 7, Sections 13195 and 13197.5 of the California Water Code, and Chapter 30, Articles 1 and 2, Sections 3890 to 3895 of Division 3 of Title 23 of the California Code of Regulations (23 CCR). Instructions for submission of electronic documents to the ACEH FTP site are provided on the attached "Electronic Report Upload Instructions."

Submission of reports to the ACEH FTP site is in addition to requirements for electronic submittal of information (ESI) to the State Water Resources Control Board's (SWRCB) Geotracker website. In April 2001, the SWRCB adopted 23 CCR, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1 (Electronic Submission of Laboratory Data for UST Reports). Article 12 required electronic submittal of analytical laboratory data submitted in a report to a regulatory agency (effective September 1, 2001), and surveyed locations (latitude, longitude and elevation) of groundwater monitoring wells (effective January 1, 2002) in Electronic Deliverable Format (EDF) to Geotracker. Article 12 was subsequently repealed in 2004 and replaced with Article 30 (Electronic Submittal of Information) which expanded the ESI requirements to include electronic submittal of any report or data required by a regulatory agency from a cleanup site. The expanded ESI submittal requirements for petroleum UST sites subject to the requirements of 23 CCR, Division, 3, Chapter 16, Article 11, became effective December 16, 2004. All other electronic submittals required pursuant to Chapter 30 became effective January 1, 2005. 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, 7835, 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, 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: July 25, 2012
	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 (petroleum UST 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 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.



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

INVITATION TO COMMENT – POTENTIAL CASE CLOSURE

**Tosco 76 #3737 / Chevron
1400 Powell Street, Emeryville, 94608
FUEL LEAK CASE RO0000067
GEOTRACKER GLOBAL ID T0601745736**

December 18, 2013

The above referenced site is a fuel leak case that is under the regulatory oversight of the Alameda County Environmental Health (ACEH) 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 all of the criteria in the Low-threat Closure Policy. Therefore, ACEH is considering closure of the fuel leak case.

This notice is being sent to the current landowner in compliance with Health and Safety Code Section 25295.40. It is also being sent to the current occupants and landowners of adjacent properties and known interested parties for this site.

The public is invited to review and comment on the potential closure of the fuel leak case. The entire case file can be viewed over the Internet on the ACEH website (<http://www.acgov.org/aceh/lop/ust.htm>) or the State of California Water Resources Control Board GeoTracker website (<http://geotracker.swrcb.ca.gov>). Please send written comments to Mark Detterman at the address below; all comments will be forwarded to the responsible parties. **Comments received by February 24, 2014 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 ACEH caseworker, Mark Detterman at 510-567-6876 or by email at mark.detterman@acgov.org. Please refer to ACEH case RO0000067 in any correspondence.

1407 POWELL STREET
Parcel #: 49-1318-1-2
1475 POWELL ST #201
EMERYVILLE CA 94608

1407 POWELL STREET
Parcel #: 49-1318-2-2
1475 POWELL ST #201
EMERYVILLE CA 94608

EMERY STATION JOINT
Parcel #: 49-1489-14
1120 NYE ST #400
SAN RAFAEL CA 94901

EMERYSTATION TRIANGLE II
Parcel #: 49-1328-3-2
1120 NYE ST #400
SAN RAFAEL CA 94901

ES EAST LLC
Parcel #: 49-1327-1-14
1120 NYE ST #400
SAN RAFAEL CA 94901

RAVAN NAJMEDDIN
Parcel #: 49-1327-1-11
39 MIRA LN
ORINDA CA 94563

RESIDENT
Parcel #: 49-1318-1-2
5772 PELADEAU ST
EMERYVILLE CA 94608

RESIDENT
Parcel #: 49-1319-1-15
1475 POWELL ST
EMERYVILLE CA 94608

RESIDENT
Parcel #: 49-1318-2-2
1407 POWELL ST
EMERYVILLE CA 94608

RESIDENT
Parcel #: 49-1327-1-14
5885 HOLLIS ST
EMERYVILLE CA 94608

RESIDENT
Parcel #: 49-1327-1-11
1400 POWELL ST
EMERYVILLE CA 94608

RESIDENT
Parcel #: 49-1328-3-2
5812 HOLLIS ST
EMERYVILLE CA 94608

RESIDENT
Parcel #: 49-1489-14
5858 HORTON ST
EMERYVILLE CA 94608

SCHMIER ERIC S TR &
Parcel #: 49-1319-1-15
1475 POWELL ST #201
EMERYVILLE CA 94608