

ALAMEDA COUNTY
**HEALTH CARE SERVICES
AGENCY**

COLLEEN CHAWLA, Agency Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP)
For Hazardous Materials Releases
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June 29, 2018

Equilon Enterprises, LLC
c/o Andrea Wing
20945 S. Wilmington Ave
Carson, CA 90810
(Sent via E-mail to andrea.wing@shell.com)

Richard F Angotti
2829 California St
San Francisco, CA 94115

Rodney & Janet Kwan, TRS.
1834 Alameda Ave
Alameda, CA 94501

**Subject: Request for Stakeholders Meeting
Leaking Underground Storage Tank (LUST) Cleanup Site Case No. RO0000145
GeoTracker Global ID T0600101876
Shell / Auto Tech West
2703 Martin Luther King Jr, Oakland, CA**

Dear Responsible Party(ies):

I would like to take this opportunity to introduce myself as the new primary caseworker assigned to the above referenced case (the "Case"). I have conducted a review of the Case file which included the following:

1. *Focused Site Conceptual Model and Data Gap Investigation Work Plan* dated August 15, 2017 (the "Data Gap Work Plan") prepared by AECOM on behalf of Equilon Enterprises LLC (Equilon) and submitted to ACDEH as requested in ACDEH's directive letter dated March 17, 2017.
2. *Pilot Test Work Plan* dated June 19, 2017 (the "Pilot Test Work Plan") prepared by AECOM on behalf of Equilon and submitted to ACDEH as requested in ACDEH's directive letter dated March 17, 2017.

Based on my review of these two documents, I would like to schedule a stakeholders meeting. The purpose of the stakeholders meeting is to discuss the assumptions of the conceptual site model (CSM) and the scopes of work presented in the Data Gap Work Plan and Pilot Test Work Plan. As part of ACDEH's review of the case file, ACDEH conducted an Electronic Submittal of Information (ESI) compliance evaluation. Compliance issues identified are summarized in **Section I**. Procedural Impediments to regulatory case closure under the LTCP identified in ACDEH's review of the Case file are described in **Section II**. Requested deliverables and technical reports are summarized in **Section III**.

I. GEOTRACKER ELECTRONIC SUBMITTAL OF INFORMATION COMPLIANCE

ACDEH's review of the case file included a GeoTracker Electronic Submittal of Information (ESI) compliance audit. GeoTracker reporting requirements are described in Section 3893 of the California Code of Regulations. Non-compliant GeoTracker requirements identified as part of ACDEH's compliance audit are identified in the table below:

Table 1 – Non-compliant GeoTracker Requirements

<input checked="" type="checkbox"/>	Latitude and longitude of wells (GEO_XY)	<input checked="" type="checkbox"/>	Surveyed elevation of wells (GEO_Z)
<input type="checkbox"/>	Elevation of groundwater in wells (GEO_WELL)	<input checked="" type="checkbox"/>	Boring log (GEO_BORE)
<input checked="" type="checkbox"/>	Technical report (GEO_REPORT)	<input checked="" type="checkbox"/>	Laboratory Electronic Data Files (EDF)
<input checked="" type="checkbox"/>	Depth and length of screened interval of wells (Field Point ID)	<input checked="" type="checkbox"/>	Site map(s) depicting location of <u>all</u> sampling points (GEO_MAP)

1. GEO_XY - Surveyed latitude, longitude, and elevation data has not been uploaded for any field points installed after 2010. Of particular note, vapor probes VP-1 through VP-14 (excluding VP-9) have not had GEO_XY survey data uploaded;
2. GEO_BORE – Boring logs have not been uploaded MW-1 through MW-5;
3. EDF – Laboratory EDF data for several sampling events is missing. Of particular note, naphthalene has been reported as analyzed for in soils between 5 and 10 feet below ground surface, however, corresponding ESI for these data are not uploaded.
4. Field Point ID – Depth to top of casing and length of screened interval data is missing for all wells and soil gas probes;
5. GEO_MAP – The last updated GEO_MAP for the Site is dated June 2013. Since June 2013, multiple subsurface investigations. Therefore, an updated GEO_MAP must be uploaded that depicts all field points, current and historical infrastructure, current and historic locations of UST system components, streets bordering the Site, and other relevant features (i.e. utilities, extents of historic excavations and backfill, and land use of adjacent properties).

II. PROCEDURAL IMPEDIMENTS

Assembly Bill 358 requires that the owner or operator transmit additional information regarding an unauthorized release to the lead regulatory agency on a written form or using an electronic format developed by the State Water Board (the Underground Storage Tank (UST) Site – Unauthorized Release / Contamination Report). ACDEH’s review of the Case file indicates that an unauthorized release report has not been submitted to ACDEH for the release associated with the Case.

III. DELIVERABLE AND TECHNICAL REPORT REQUEST(S)

Please submit the following technical reports and deliverables to ACDEH (Attention: Jonathan Sanders) in accordance with the compliance dates provided below and the *Responsible Party(ies) Legal Requirements/Obligations* and the *File Names for Electronic Reports* which are included as **Attachment B** and **Attachment C** respectively. These technical reports are being requested pursuant to Section 25296.10 of the California Health and Safety Code and Article 11, Chapter 16, Division 3 of Title 23 of the California Code of Regulations. Failure to comply with the deliverable and technical report request compliance dates listed below could result in enforcement action(s) as described in Attachment B.

1. Stakeholders Meeting **Compliance Date: September 28, 2018**

Please schedule a stakeholders meeting to discuss the CSM, Data Gap Work Plan, and the Pilot Test Work Plan. This stakeholders meeting must be held by the compliance date listed above.

2. ESI Compliance
Compliance Date: August 29, 2018

Please address the identified ESI Compliance issues by the compliance date listed above.

3. Unauthorized Release Report
Compliance Date: August 29, 2018

Please submit a completed Unauthorized Release Report by the compliance date listed above.

4. Phase I Environmental Site Assessment
Compliance Date: August 29, 2018

The CSM references Phase I environmental site assessments from 1995 and 1997. ACDEH requests that copies of these Phase I Environmental Site Assessments be uploaded to the Case file.

IV. CLOSING

ACDEH looks forward to continuing to work with you and your consultants to advance the case toward closure. Should you have any questions regarding this correspondence or your case, please contact the primary caseworker, Jonathan Sanders who can be reached by phone at (510)567-6791 or by email at jonathan.sanders@acgov.org.

Sincerely,



Dilan Roe, P.E. C73703
Chief
Land & Water Division



Jonathan Sanders
Senior Hazardous Materials Specialist
Local Oversight and Site Cleanup Program

ENCLOSURES:

Attachment A Responsible Party(ies) Legal Requirements / Obligations

Attachment B File Names for Electronic Reports

DISTRIBUTION LIST:

Electronic File, GeoTracker

Dilan Roe, ACDEH, Chief Land, Water Division (Sent via E-mail to: dilan.roe@acgov.org)

Jonathan Sanders, ACDEH, Senior Hazardous Materials Specialist (Sent via E-mail to: jonathan.sanders@acgov.org)

Shane Olton, AECOM, Project Manager (sent via E-mail to: shane.olton@aecom.com)

ATTACHMENT A

Responsible Party(ies) Legal Requirements / Obligations

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: December 14, 2017
	ISSUE DATE: July 25, 2012
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: Responsible Party(ies) Legal Requirements / Obligations

REPORT & DELIVERABLE REQUESTS

Alameda County Department of Environmental Health (ACDEH) Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) require submission of all reports in electronic form to the State Water Board's (SWB) GeoTracker website in accordance with California Code of Regulations, Chapter 30, Division 3, Title 23 and Division 3, Title 27.

Leaking Underground Fuel Tank (LUFT) Cases

Reports and deliverable requests are 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 (RP) in conjunction with an unauthorized release from a petroleum underground storage tank (UST) system.

Site Cleanup Program (SCP) Cases

For non-petroleum UST cases, reports and deliverables requests are pursuant to California Health and Safety Code Section 101480.

ELECTRONIC SUBMITTAL OF REPORTS

A complete report submittal includes the PDF report and all associated electronic data files, including but not limited to GEO_MAP, GEO_XY, GEO_Z, GEO_BORE, GEO_WELL, and laboratory analytical data in Electronic Deliverable Format™ (EDF). Additional information on these requirements is available on the State Water Board's website (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)

- Do not upload draft reports to GeoTracker
- Rotate each page in the PDF document in the direction that will make it easiest to read on a computer monitor.

GEOTRACKER UPLOAD CERTIFICATION

Each report submittal is to include a GeoTracker Upload Summary Table with GeoTracker valid values¹ as illustrated in the example below to facilitate ACDEH review and verify compliance with GeoTracker requirements.

GeoTracker Upload Table Example

Report Title	Sample Period	PDF Report	GEO_MAPS	Sample ID	Matrix	GEO_Z	GEO_XY	GEO_BORE	GEO_WELL	EDF
2016 Subsurface Investigation Report	2016 S1	✓	✓	Effluent	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
2012 Site Assessment Work Plan	2012	✓	✓			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2010 GW Investigation Report	2008 Q4	✓	✓	SB-10	W	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				SB-10-6	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				MW-1	WG	✓	✓	✓	✓	✓
				SW-1	W	✓	✓	✓	✓	✓

¹ GeoTracker Survey XYZ, Well Data, and Site Map Guidelines & Restrictions, CA State Water Resources Control Board, April 2005

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: NA
	ISSUE DATE: December 14, 2017
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: Responsible Party(ies) Legal Requirements / Obligations

ACKNOWLEDGEMENT STATEMENT

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to the State Water Board's GeoTracker website." This letter must be signed by the Responsible Party, or legally authorized representative of the Responsible Party.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6731, 6735, and 7835) 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 licensed or certified professional and include the professional registration stamp, signature, and statement of professional certification. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

UNDERGROUND STORAGE TANK CLEANUP FUND

For LUFT cases, RP's non-compliance with these regulations may result in ineligibility to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse the cost of cleanup. Additional information is available on the internet at: https://www.waterboards.ca.gov/water_issues/programs/ustcf/

AGENCY OVERSIGHT

Significant delays in conducting site assessment/cleanup or report submittals may result in referral of the case to the Regional Water 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.

ATTACHMENT B

File Names for Electronic Reports

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: April 4, 2018
	PREVIOUS REVISIONS: April 4, 2018, July 17, 2017, November 8, 2016, December 15, 2015, December 16, 2014, June 19, 2013, June 15, 2011, March 26, 2009, April 29, 2008
	ISSUE DATE: June 16, 2006
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: File Names for Electronic Reports

Format: REPORT_NAME_R_YYYY-MM-DD
Ex: SWI_R_VOL1_2006-05-25

LOP and SCP (VRAP) INCOMING REPORTS AND LETTERS	
Document Name	Abbreviation File Name= Abbreviation + Date (yyyy- mm-dd)
Abandoned Well Information/Water Supply Well Information	ABWELLINF_R
Addendum	ADEND_R (added after report name)
Additional Information Report	ADD_R
Analytical Reports (Loose data sheets not in report)	ANALYT_R
As Built Drawings (or Plans)	AS_BUILT
Case File Scanned By OFD	CASE_FILE
Cleanup and Abatement Report	CAO_R
Case Transfer Form (from CUPA)	CASE_TRNSFR_F
Conduit Study/Well Search/Sensitive Receptor/Well Survey/Preferential Pathway Study	COND_WELL_R
Corrective Action Plan (CAP)	CAP_R
Correspondence	CORRES_L
Court Injunctions	INJ_L
Development Entitlement	DEV_ENTITLE
Development Plans (Includes Plan Set, Cross-sections, and Related Drawings)	DEV_PLAN
Development Schedule (Project Schedule, Gant Chart, etc.)	DEV_SCHD
DWR Confidential Well Logs (Report containing)	report name_R_CONFIDENTIAL_YYYY-MM-DD (Ex: SWI_R_CONFIDENTIAL_YYYY-MM-DD)
DWR Well Completion Report-Confidential (Loose well logs)	DWR_WELL_CONFIDENTIAL_YYYY-MM-DD (Date of Well Log)
ESI/DAR (Environmental Site Investigation, Data Assessment Report)	ESI_R
Excavation Report	EX_R
Extension Request Letter	EXT_RQ_L

Fact Sheet	FACT_SHT
Feasibility Study	FEASSTUD_R
Groundwater Monitoring/Quarterly Summary Report	GWM_R
Financial Assurance/Letter of Credit	FNCL_ASSRNC_LOC
Interim Remedial Action Plan	IRAP_R
Interim Remediation Results (Includes Pilot Test Reports, Vapor Mitigation Reports, Soil Management Reports, Free Product Removal Reports, & Dual-Phase Extraction Reports)	IR_R
Lawsuit	LAWSUIT_R
Migration Control Report	MIG_R
Miscellaneous Report/Soil Sample	MISC_R
Miscellaneous Sample Report (analytical results)	MISC_SAMP_R
Notification Letter	NOT_L
NPDES Miscellaneous Reports	NPDES_R
Operations & Maintenance Plan	OM_P
Operations & Maintenance Report	OM_R
Pay for Performance	PFP_R
Petition	PETITION_R
Phase 1 Environmental Assessment Report	PHASE1_R
Photos	PHOTO
Preliminary Site Assessment Report/Phase 2 (historic reports only)	PSA_R
Remedial Action Plan	RAP_R
Remedial Design & Implementation Plan	RDIP_R
Remediation Progress Report	REM_R
Request for Closure	RFC(_L or _R)
Risk Assessment Report	RISK_R
Risk Based Corrective Action	RBCA_R
List of Landowners Forms	LNOWNR_F
SB2004 Letter of Commitment	LOC_L
Site Conceptual Model/Conceptual Site Model	SCM_R
Site Health & Safety Plan	SFTY_PLAN_R
Site Management	SITE_MANAGE_R_
Acknowledgement Statement for Site Management Plan	SMP_ACK_L
Site Management Plan	SMP_R
Site Summary Report	SITE_SUM_R

Soil and Water Investigation Report (Includes soil gas/vapor reports, indoor, additional site investigation, well installation, site characterization, cross section, indoor air, additional onsite investigation, Phase II/preliminary site assessment)	SWI_R
Soil Disposal Report	SOIL_DSPL_R
Source Area Characterization	SOURCAREA_R
State Information	STATE_INFO (no date)
Status Report(monthly remediation status reports addressed to sanitary district requires no stamp/perjury letter)	STAT_R
Tank/Tank System Removal Report	TNK_R
Tentative Order Report	TENT_R
Unauthorized Release Form	URF_R
UST Sampling Report	UST_SAMP_R
USTCF 5 Year Review	USTCF_5YR
USTCF issued Public Notice	USTCF_PP_L
Well Construction Report (limited to water supply wells)	WELL_CST_R
Well Decommissioning Report/Letter (well destruction/abandonment)	WELL_DCM_R
Work Plan	WP_R