



August 24, 2017

Mr. Kia Sumner (Sent via E-mail to: [kiasumner@yahoo.com](mailto:kiasumner@yahoo.com))  
1069 Oak Hills Road  
Lafayette, CA 94549-3136

Subject: Conditional Work Plan Approval and Technical Report Request for Fuel Leak Case No. RO0000159 and Geotracker Global ID T0600100274, Mobil, 3635 13<sup>th</sup> Avenue, Oakland, CA - Expedited Claim Account Pilot Program (ECAP): Joint Execution Team (JET) Project Execution Plan (PEP) Meting, UST Claim #9184

Dear Mr. Sumner:

Alameda County Department of Environmental Health (ACDEH) has reviewed the case files for the above referenced site including the following documents prepared and submitted on your behalf by AEI Consultants, Inc. (AEI):

- December 12, 2016 *Work Plan, Additional Site Investigation (Work Plan)*;
- January 30, 2017 *Semiannual Groundwater Monitoring and Sampling Report, Second Semester 2016*;
- July 28, 2017 *Semiannual Groundwater Monitoring and Sampling Report, First Semester 2017*.

The Work Plan proposed collection of soil gas samples for the existing soil gas probes, soil sample collection adjacent to the former waste oil underground storage tank (UST), and grab groundwater sample collection at a soil boring located in 13<sup>th</sup> Avenue downgradient of MW-7 and adjacent to SB-14. ACDEH had previously concurred with the proposed scope of work described in the Work Plan in a January 11, 2017 e-mail to the Expedited Claim Account Pilot Program (ECAP) Joint Execution Team (JET). However, work appears not to have proceeded, potentially due to the above average rainfall conditions and saturated soil conditions during the winter of 2017, which would have had the potential to impact soil vapor sampling results. ACDEH is issuing this Directive Letter reaffirming the January 11, 2017 approval e-mail.

ACDEH has determined that the site does not meet the LTCP General Criteria e (Site Conceptual Model), Media-Specific Criteria for Groundwater, Media-Specific Criteria for Vapor Intrusion to Indoor Air, and the Media-Specific Criteria for Direct Contact.

Based on ACEDH staff review of the work plan, the proposed scope of work is approved for implementation provided that the technical comments below are incorporated during the proposed work. 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 the technical comment is proposed. We request that you address the following technical comments, perform the proposed work, and send us the report described below. Please provide 72-hour advance written notification to this office (e-mail preferred to: [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org)) prior to the start of field activities.

### **TECHNICAL COMMENTS**

1. **Soil Vapor Analytes:** AEI proposed analyzing the soil gas samples for oxygen, carbon dioxide, and helium (used as the tracer gas). To ensure consistency with DTSC's *Advisory Active Soil Gas Investigations* (July 2015) ACDEH requests analyses of each of the soil vapor samples for methane. The analytical results should be included as percentages in the summary table of soil gas analytical results.

2. **Waste Management Documentation:** Please include documentation describing characterization and disposal of investigation-derived soil and groundwater waste with the Report requested below.
  
3. **Electronic Submittal of Information (ESI) Compliance** – A review of the case file indicates that the SWRCB Geotracker database and/or the ACDEH database is not complete, thus rendering the site to a non-compliant status pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3890 to 3895. Reimbursement from the Underground Storage Tank Cleanup Fund (USTCF) is tied to compliance with this requirement. Please upload all submittals to GeoTracker and to ACDEH's ftp website by the date specified below. At present missing data and documents include, but may not be limited to:
  - complete copies of reports, in pdf format, including the signed transmittal letter and professional certification (GEO\_REPORT files);
  - analytical data for soil, water and vapor samples collected for the purpose of subsurface investigation or remediation, including influent/effluent water samples from remediation systems (EDF files);
  - surveyed elevation measurements to the top of well casings (GEO\_Z files);
  - the latitude and longitude (GEO\_XY files) of any permanent monitoring well for which data is reported in EDF format;
  - depth-to-water information for permanent sampling points whenever the data is collected, even if the well is not sampled during the sampling event (GEO\_WELL files);
  - stand alone site maps displaying tank locations, streets bordering the facility, and sampling locations for all soil, water and vapor samples (GEO\_MAP files);
  - stand alone boring logs with depth to the screened interval and the length of screened interval for any permanent monitoring well installed (GEO\_BORE files);

### **TECHNICAL REPORT REQUEST**

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

- **September 22, 2017:** Geotracker and ACDEH ftp Site Electronic Deliverables upload confirmation
- **October 27, 2017:** Soil, Groundwater, and Soil Gas Investigation and Updated SCM Report  
File to be named: RO159\_SWI\_SCM\_R\_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.

Mr. Kia Sumner  
RO0000159  
August 24, 2017  
Page 3

**SUBMITTAL ACKNOWLEDGEMENT STATEMENT (FORMER PERJURY STATEMENT)**

Please note that ACDEH has updated Attachment 1 and will now require a *Submittal Acknowledgement Statement*, instead of a *Perjury Statement* as a cover letter signed by the responsible Party (RP). Please make this change to your submittals to ACDEH with the next deliverable.

The language for the *Submittal Acknowledgement Statement* is as follows:

*"I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to ACDEH's FTP server and the SWRCB's GeoTracker website."*

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](mailto: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  
ACDEH Electronic Report Upload (ftp) Instructions

cc: John Williamson, 1511 Wellington Street, Oakland, CA 94602-1751  
Trent Weise, AEI Consultants, (Sent via E-mail to: [tweise@aeiconsultants.com](mailto:tweise@aeiconsultants.com))  
Jeremy Smith, AEI Consultants, (Sent via E-mail to: [jasmith@aeiconsultants.com](mailto:jasmith@aeiconsultants.com))  
Wayne Hung, AEI Consultants, (Sent via E-mail to: [whung@aeiconsultants.com](mailto:whung@aeiconsultants.com))

Casey Satkowski, SWRCB, (Sent via E-mail to: [Casey.Satkowski@Waterboards.ca.gov](mailto:Casey.Satkowski@Waterboards.ca.gov))  
Ben Heningburg, SWRCB, (Sent via E-mail to: [Benjamin.Heningburg@waterboards.ca.gov](mailto:Benjamin.Heningburg@waterboards.ca.gov))  
Dilan Roe, ACDEH, (Sent via E-mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Karel Detterman, ACDEH, (Sent via E-mail to: [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org))  
Paresh Khatri, ACDEH, (Sent via E-mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@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

Alameda County Department of Environmental Health's (ACDEH) Environmental Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) 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 File Transfer Protocol (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 SCP 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 ([http://www.waterboards.ca.gov/water\\_issues/programs/ust/electronic\\_submittal/](http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)) for more information on these requirements.

#### 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 ACDEH's FTP server and the SWRCB's GeoTracker website." 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 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. 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 case meet this requirement. 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

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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> December 1, 2016
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010; May 15, 2014, November 29, 2016
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (LOP 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](mailto: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) Open File Explorer using the Windows  key + E keyboard shortcut.
    - i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
  - b) On the address bar, type in ftp://alcoftp1.acgov.org.
  - c) Enter your User Name and Password. (Note: Both are Case Sensitive)
  - d) Click Log On.
  - e) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
  - f) 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](mailto: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.