

Nowell, Keith, Env. Health

From: Nowell, Keith, Env. Health
Sent: Thursday, September 17, 2015 1:11 PM
To: Mehrdad Dokhanchy (mehrdad.dokhanchy@comcast.net)
Cc: Roe, Dilan, Env. Health
Subject: Fuel leak case RO0000182 and GeoTracker Global ID T06019784055, Robinson Property / Mohawk Oil Co, 5630 San Pablo Avenue, Oakland
Attachments: Attachment_1_and_ftpUploadInstructions_2014-05-15.pdf; RO182_Sample_Perjury.pdf

Dear Mr. Dokhanchy,

Thank you for meeting with Alameda County Environmental Health (ACEH) September 16, 2015 regarding the subject fuel leak case. It was a pleasure meeting with you, and ACEH looks forward to working with you and your consultants to move the case towards closure.

Thank you for providing a copy of the document entitled *Second Quarter 2012 Groundwater Monitoring and Sampling* (GWMR), dated July 16, 2012 and prepared by Enviro Soil Tech Consultants for the subject site. As discussed in the meeting, the report will need to be uploaded to the ACEH ftp website with an accompanying perjury statement, and submitted to the State Water Resource Control Board's (SWRCB) GeoTracker website. Additionally, GeoTracker submittals should include a stand-alone figure, such as Figure 2 in the GWMR (as a GEO_MAP), the depth to water data (as a GEO_WELL file), and the laboratory analysis report (as a EDF). A discussion of the requirements of a perjury statement and GeoTracker submittals is provided below. Instructions for uploading files to the ACEH ftp website are provided as an attachment.

Additionally, ACEH received the development plans prepared for the subject site and requested at our meeting. The plans, requested as a submittal and discussed below, were provided to ACEH as email attachments during the preparation of this letter. Thank you for your prompt response.

The following items were discussed and presented as action items:

1. **Current Groundwater Monitoring Report** – ACEH was made aware that a groundwater monitoring and sampling event is currently in progress. As no reports have been submitted to ACEH since the adoption of the SWRCB Low Threat Underground Storage Tank Case Closure Policy (LTCP), which became effective on August 17, 2012, ACEH requests the groundwater monitoring report include an evaluation of the case against the LTCP. The evaluation should evaluate the site against the general and media specific criteria on the LTCP. Based on the LTCP evaluation findings, please include recommendations for closure or for a data gap investigation identifying the specific criteria to be addressed and outlining steps to meet the criteria.

Please submit the report by the date specified below. Upon review ACEH will schedule a meeting with you and your consultant to discuss the path to closure.

2. **Electronic Submittal of Information** - Please upload any and all documents pertaining to investigation and remedial activities, including all Phase I and Phase II Environmental Site Assessments, and tank removal reports, for your site to the ACEH ftp and the SWRCB GeoTracker websites. GeoTracker requires electronic submittal of information (ESI). Hence, please upload the laboratory analysis report(s) in electronic deliverable format (EDF), reports (GEO_REPORTs) and figures (GEO_MAPs) to GeoTracker. Additionally, groundwater monitoring reports are required to submit depth to water data in a GEO_WELL file.

Please upload existing (and all future submittals) to GeoTracker and ACEH's ftp websites by the date specified below. Electronic reporting is described on the attachments. Additional information regarding the SWRCB's GeoTracker website may be obtained online at:

http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/

and at

http://www.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml.

Additional information and/or clarification may be obtained by contacting the GeoTracker Help Desk at geotracker@waterboards.ca.gov or (866) 480-1028.

ACEH is aware of two Phase I Environmental Site Assessments, one dated June, 2000 prepared by AEI Consultants and one prepared by International Geologic in June, 2003, that have not been submitted to ACEH. The GWMR discussed above has not been submitted to either ACEH or GeoTracker. Additionally, the GEO_XY data file for the well survey has not been submitted to GeoTracker. At the meeting, information was provided indicating that underground storage tanks removed in October, 2000. Please upload a copy of the tank removal report if one is present in your files. ACEH will endeavor to locate tank removal documentation in the Certified Unified Program Agency (CUPA) files.

Please provide ACEH with a list of uploaded documents by the date specified below. The document listing may be provided via email to my attention.

3. **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.

A copy of a previous perjury statement for your site is included as an attachment.

4. **Development Plans** – Development plans have previously been prepared for the site and submitted to the City of Oakland for review. Please provide a copy of the plans for ACEH review and comment. The plans may be sent to our office and are not required to be submitted electronically.

Though discussed in the meeting but not identified as an action item, please send your new consultants contact information so the consultant can be included as a cc in future communications. Please provide the contact information via email by the date specified below.

Technical Report Request

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

- **September 25, 2015** – Consultant Contact Information (provided via email - Attn.: Keith Nowell)
- **October 1, 2015** – Electronic Submittal of Information (ESI)
- **October 1, 2015** – List of ESI documents uploaded (provided via email - Attn.: Keith Nowell)
- **October 1, 2015** – Development Plans to ACEH (Attn.: Keith Nowell)
- **November 16, 2015** – Groundwater Monitoring Report and LTCP Evaluation - (file to be named: RO0000182_GWM_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.

Thank you for your cooperation. ACEH looks forward to working with you and your consultants to advance the case toward closure. 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.

Respectfully,
Keith Nowell

Keith Nowell PG, CHG
Hazardous Materials Specialist
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda , CA 94502-6540
phone: 510 / 567 - 6764
fax: 510 / 337 - 9335
email: keith.nowell@acgov.org

PDF copies of case files can be reviewed/downloaded at:

<http://www.acgov.org/aceh/lop/ust.htm>

Attachment 1 – Responsible Party (ies) Legal Requirements/Obligations and Electronic Report Upload (ftp) Instructions

Attachment 2 – Sample Perjury Statement

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.

ATTACHMENT 2

RECEIVED

1:26 pm, Aug 09, 2007

Alameda County
Environmental Health

HEMMAT & DOKHANCHY ASSOCIATES
1721 BROADWAY, SUITE 204
OAKLAND, CALIFORNIA 94612

510.451.1200
FAX 510.451.1112

August 1, 2007

Ms. Donna Drogos
Alameda County Health Care Services Agency
Environmental Health Services
1131 Harbor Parkway, Suite 250
Alameda, California 94502-6577

Re: Preliminary Investigation and Evaluation Report for Former Mohawk Oil Company
5630 San Pablo Avenue, Oakland, California

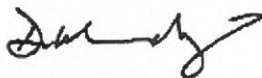
Dear Ms. Drogos:

Enclosed are copies of the report dated July 25, 2007, concerning the preliminary investigation and evaluations of the reference site as prepared by my consultant, Enviro Soil Tech Consultants.

I declare, to the best of my knowledge and belief and under penalty of perjury, that the information and/or recommendations contained in these reports are true and correct.

Very truly yours,

HEMMAT & DOKHANCHY ASSOCIATES



Mehrdad Dokhanchy
General Partner

Enclosures
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