

ALAMEDA COUNTY
**HEALTH CARE SERVICES
AGENCY**

REBECCA GEBHART, Interim Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP) FOR
HAZARDOUS MATERIALS RELEASES
1131 HARBOR BAY PARKWAY, SUITE 250
ALAMEDA, CA 94502
(510) 567-6700
FAX (510) 337-9335

March 2, 2017

Mr. Ed Hemmat and Mr. Mehrdad Dokhanchy
PO Box 11390
Oakland, CA 94611-0390
(Sent via electronic mail to:
edhemmat@gmail.com and
mehrdad.dokhanchy@comcast.net

Award Motors Inc.
210 Scenic Dr.
Piedmont, CA 94611
Attention: Jacki Li

Ms. Rita Robinson
13199 Skyline Blvd.
Oakland, CA 94619

Mr. Donald Rosenberg
2740 Ptarmigan Dr.
Walnut Creek, CA 94595-3121

Exchange Support Services, Inc.
Attention: Lloyd Kendall Jr
Address Unknown

Subject: Work Request, Fuel Leak Case No. RO0000182 and GeoTracker Global ID T06019784055, Robinson Property / Mohawk Oil Co., 5630 San Pablo Ave., Oakland, CA 94608

Dear Responsible Parties:

Thank you Messrs. Hemmat and Dokhanchy for meeting with Alameda County Department of Environmental Health (ACDEH) staff on February 17, 2017. At the meeting, the case was evaluated with regard to the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case Closure Policy (LTCP). As discussed, ACDEH is of the opinion the site fails to meet several LTCP criteria, including the Media-Specific Criteria for Groundwater and for Direct Contact.

Additional data may be available that ACDEH is not aware of, or may not have been submitted, and therefore has not been incorporated in to ACDEH's review. If additional data is made available, the data can be incorporated in future LTCP reviews. The evaluation of the site under the LTCP that is presented below is intended to initiate further discussions, submittal of other available documents, or the collection of additional data in order to determine if or when the site can be closed under the LTCP and to document current LTCP data gaps.

Based on the review of the case file, ACDEH requests that you address the following technical comments and send us the documents requested below.

TECHNICAL COMMENTS

- 1. Consultant** – As discussed in the meeting, ACDEH is aware that an environmental consultant has not been retained to perform work at your site. We request selecting an appropriately registered professional as your consultant. Please provide your consultant's contact information, via electronic mail preferred, attention: Keith Nowell, by the date specified below. ACDEH will schedule a meeting with you and your consultant to discuss your case, including the items identified in Technical Comment 5 presented below. Following this meeting, ACDEH will request submittal of a data gap investigation work plan in order to move the case towards closure.
- 2. Unauthorized Release Report** – A review of the case file indicates an *Underground Storage Tank (UST) Site-Unauthorized Release / Contamination Report (URF)* form has not been submitted for the subject fuel leak case. ACDEH requests submittal of a completed URF by the date specified below. A copy of the URF may be found at the following SWRCB website:

http://www.swrcb.ca.gov/ust/forms/docs/unauth_release.pdf

- 3. Groundwater Monitoring Well Sampling** – Elevated groundwater levels may be present due to recent rain events. Sampling of the well network during shallow groundwater conditions may provide additional data regarding the distribution of petroleum-related contaminants in the subsurface. Therefore, ACDEH requests a groundwater monitoring event be conducted as soon as possible following the contracting with an environmental consultant.

Prior to sampling, the condition of the wells should be evaluated to determine if well rehabilitation or re-development should be undertaken prior to sampling. If sufficient deterioration or sedimentation has occurred, well rehabilitation or re-development should be undertaken prior to sampling as either condition may cause the analysis of recovered water samples not to be reflective of actual dissolved phase concentrations of fuel related compounds. Report the findings of the well condition evaluation and the results of the groundwater monitoring event in the groundwater monitoring and sampling report requested below.

Please analyze the groundwater samples for total petroleum hydrocarbons (TPH) as gasoline (TPHg), TPH as diesel (TPHd), benzene, toluene, ethylbenzene, and xylenes (collectively BTEX), and methyl tertiary butyl ether (MTBE).

- 4. Redevelopment Plans and City of Oakland Correspondences** – According to the SWRCB, closure of a fuel leak case is to the existing land use. However, if an approved development plan is in place prior to closure, the case may be closed to the approved land use. As your site has development plans approved by the City of Oakland, ACDEH requests you submit your development plans to our FTP site and to the SWRCB's GeoTracker website. Additionally, we request that your correspondences with the City of Oakland regarding the development be submitted to document approval processing. Please submit the plans and correspondences by the dates specified below.

- 5. Meeting Discussion Topics** – As discussed in our February meeting, a follow up meeting with you and your consultant will be scheduled prior to our request for submittal of a data gap work plan. Items for discussion may include:

- A. Sanborn Maps** – Several references to Sanborn maps depicting the location of USTs associated with the site are found in the case file; however, no documents containing the maps have been submitted to ACDEH or GeoTracker. AEI Consultants (AEI) reviewed Sanborn maps in preparation of their *Phase I Environmental Site Assessment* (ESA I), dated June 2000. As this document is not in our case file ACDEH contacted AEI on February 21, 2017 requesting a copy of their ESA I for inclusion in our case file. AEI staff responded on February 27, 2017 indicating the report is beyond their document retention period.

Sanborn map availability may be a discussion item at the meeting.

- B. Geophysical Survey** – References to more than one potential UST and dispenser island locations are found in the case file. ACDEH may request a geophysical survey of the site and perimeter sidewalk for the presence of USTs.
- C. Plan view overlay** of the site development plan (ground floor) onto a site plan which includes existing site structures, all boring and well locations, UST location(s), hoist location, and cross section lines.
- D. Cross sections** showing foundation detail, and including hydrogeologic, odor, photoionization detector (PID) and sample concentration summaries, depth to water (dtw), and elevator pit/ location.
- E. Groundwater flow evaluation** and possible sump operation in adjoining library property. Groundwater contour maps prepared by Enviro Soil Tech Consultants (ESTC) and by Cook Environmental Services, Inc. (CES) do not depict similar groundwater flow directions. Additionally, it was noted at the October 14, 2016 meeting that the adjacent library operated a sump for basement dewatering. Presence of the library dewatering sump was contradicted at the February 17, 2017 meeting.

- F. As indicated in Technical Comment 5, Item E, it was brought to our attention at the October 14, 2016 meeting that the library operated a sump for basement dewatering. Sump operation may provide an explanation of the apparent groundwater flow direction presented on the groundwater contour maps prepared by ESTC. At the February 17, 2017 meeting it was stated the library does not operate a dewatering sump. A determination of the groundwater flow direction would aid in the LTCP Media-Specific Criteria for Groundwater evaluation.
- G. Preparation of a plume length map on aerial photo overlay showing distances for average, 90th percentile, & maximum plume length. The contaminant plume may be undefined if the groundwater flow direction cannot be resolved.
- H. Review of the scope of chemical analyses performed to date in order to evaluate if the appropriate analyses have been performed based on historical activities at the site. The analyses review should be performed in conjunction with the LTCP Media-Specific Criteria for Direct Contact and Outdoor Air Exposure.
- I. Sensitive receptor survey in light of the LTCP, to include a utility survey, storm drain locations, and nearest surface water body and beneficial use wells.

SUBMITTAL ACKNOWLEDGEMENT STATEMENT

Please note that Alameda County Department of Environmental Health (ACDEH) has updated its Attachment 1 with regard to report submittals to ACDEH. ACDEH will now be requiring a Submittal Acknowledgement Statement, replacing the perjury statement, as a cover letter signed by the Responsible Party (RP). 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."

Please make this change to your submittals to ACDEH.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACDEH FTP site (Attention: Keith Nowell), and to the SWRCBs Geotracker website, in accordance with the following specified file naming convention and schedule:

- **April 3, 2017** – Consultant Contact Information. To be provided via electronic mail to ACDEH, Attention: Keith Nowell
- **April 3, 2017** – Underground Storage Tank (UST) Site- Unauthorized Release / Contamination Report (URF) form; (File to be named: RO0000182_URF_R_yyyy-mm-dd)
- **April 17, 2017** – Site Development Plans (File to be named: RO0000182_DEV_PLAN_yyyy-mm-dd)
- **April 17, 2017** – City of Oakland Correspondences (File to be named: RO0000182_CORRES_L_yyyy-mm-dd)
- **June 1, 2017** – Groundwater Monitoring and Sampling Report; (File to be named: RO0000182_GWM_R_yyyy-mm-dd)
- **30 days** following receipt of Consultant Contact Information – Meeting to include consultant
- **60 days** following meeting – Data Gap Investigation Work (File to be named: RO0000182_WP_R_yyyy-mm-dd)

Responsible Parties
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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.

If your email address does not appear on the cover page of this notification ACDEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

Thank you for your cooperation. ACDEH 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.

Sincerely,

Keith Nowell, PG, CHG
Hazardous Materials Specialist

Enclosures: Attachment 1 - Responsible Party(ies) Legal Requirements/Obligations &
ACDEH Electronic Report Upload (FTP) Instructions

cc: Dilan Roe, ACDEH (*Sent via electronic mail to: dilan.roe@acgov.org*)
Paresh Khatri, ACDEH (*Sent via electronic mail to: paresh.khatri@acgov.org*)
Keith Nowell, ACDEH (*Sent via electronic mail to: keith.nowell@acgov.org*)
GeoTracker, 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

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/) 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.

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