



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

November 21, 2013

Ms. Catalina Espino Devine  
Chevron Environmental Management Co.  
6101 Bollinger Canyon Road  
San Ramon, CA 94583  
(sent via electronic mail to [espino@chevron.com](mailto:espino@chevron.com))

Subject: Landowner and Public Participation Notification for Case Closure Consideration for Fuel Leak Case No. RO0000195 and GeoTracker Global ID T0600100307, Chevron #9-0290, 1802 Webster Street, Alameda, CA 94501

Dear Ms. Espino Devine:

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.

#### **List of Landowners Form**

Pursuant to Section 25297.15 (a) of the California Health and Safety Code, Alameda County Environmental Health (ACEH), the local agency, shall not consider cleanup or site closure proposals from the primary or active responsible party, issue a closure letter, or make a determination that no further action is required with respect to a site upon which there was an unauthorized release of hazardous substances from an underground storage tank subject to this chapter unless all current record owners of fee title to the site of the proposed action have been notified of the proposed action by the primary or active responsible party. ACEH is required to notify the primary or active responsible party of their requirement to certify in writing to the local agency that the notification requirement in the above-mentioned regulation has been satisfied and to provide the local agency with a complete mailing list of all record fee title owners.

To satisfy this requirement, please complete the enclosed *List of Landowners Form* (Attachment A) and mail it back to ACEH by the date identified below. Also your comments, if any, must be considered prior to the proposed closure. Please respond within 30 days from the date of this letter for your comments to be considered.

#### **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 has distributed 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 January 25, 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 for case closures. Therefore, in order to meet this deadline ACEH requests that waste (as defined by the LTCP) is removed from the site, wells are destroyed, and the Well Decommissioning Report and appropriate documentation submitted within three weeks after the end date of the public comment period. In order to facilitate this tight timeframe, we advise you to schedule well destruction and waste removal activities during the comment period so that you can mobilize to the site quickly. Please contact the Alameda County Public Works Agency at 510-567-6791 or online, to obtain the required permits. After written ACEH concurrence (e-mail or other) that there have been no comments, and provided ACEH receives the required List of Landowners Form as is described above, you would be free to proceed with well decommissioning and waste removal activities. Should we receive any public comments, there would be sufficient time to cancel and/or reschedule the well decommissioning date and avoid incurring a cost from the drilling company. Please provide notification to ACEH by the date identified below, that you have contracted a licensed drilling contractor for the decommissioning of all remaining wells at the site and provide ACEH the date of the scheduled well decommissioning 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:

- **November 25, 2013** – Public Comment Period Begins
- **December 27, 2013** - Return *List of Landowner Form*  
File to be named: RO195\_LNDOWNR\_F\_yyyy-mm-dd
- **December 27, 2013** - Confirmation of Well Decommissioning and Waste Removal Date
- **January 25, 2014** – Public Comment Period Ends
- **2 Weeks after Close of Public Comment Period** – Well Decommissioning and Waste Removal
- **3 Weeks After Close of Public Comment Period** – Submit the *Well Decommissioning Report*  
File to be named: RO195\_WELL\_DCM\_R\_yyyy-mm-dd
- **4 Weeks After Close of Public Comment Period** – ACEH issues 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](mailto:mark.detterman@acgov.org).

Sincerely,

Mark E. Detterman, PG, CEG  
Senior Hazardous Materials Specialist

Ms. Catalina Espino Devine  
RO00000195  
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Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements/Obligations and  
Electronic Report Upload (ftp) Instructions

Attachment A – *List of Landowners Form*

Attachment B – *Invitation to Comment – Potential Case Closure*

Attachment C – Mailing List

cc: Nathan Lee, Conestoga-Rovers & Assoc., 5900 Hollis Street, Suite A, Emeryville, CA 94608  
(sent via E-mail to [NLee@croworld.com](mailto:NLee@croworld.com))

Dilan Roe (sent via electronic mail to [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))

Mark Detterman, ACEH, (sent via electronic mail to [mark.detterman@acgov.org](mailto: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/](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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> July 25, 2012
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> 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](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) 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](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.

# LIST OF LANDOWNERS FORM

County of Alameda  
Environmental Health Services  
Environmental Protection  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

## CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR:

Site Name: Chevron #9-0290  
Address: 1802 Webster Street  
City, State, Zip: Alameda, CA 94501  
Record ID #: RO0000195

Please fill out item 1 if there are multiple site landowners (attach an extra sheet if necessary). If you are the sole site landowner, skip item 1 and fill out item 2.

1. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I, \_\_\_\_\_ (name of primary responsible party), certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

2. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I \_\_\_\_\_, certify that I am the sole landowner for the above site.

Sincerely,

\_\_\_\_\_  
Signature of Primary Responsible Party      Printed Name      Date      E-mail Address



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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**

**Chevron #9-0290  
1802 Webster Street, Alameda, CA 94501  
FUEL LEAK CASE RO0000195  
GEOTRACKER GLOBAL ID T0600100307**

**November 21, 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 January 25, 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](mailto:mark.detterman@acgov.org). Please refer to ACEH case RO0000195 in any correspondence.

CHEVRON USA INC  
Parcel #: 73-426-7  
PO BOX 285  
HOUSTON TX 77001

DDJ PROPERTY HOLDING INC  
Parcel #: 73-417-1  
2501 NORTH MAIN ST  
WALNUT CREEK CA 94597

DUONG HUONG & LAM DE  
Parcel #: 74-432-2  
1108 HILLERY WAY  
ALAMEDA CA 94502

DUONG HUONG & LAM DE  
Parcel #: 74-432-3  
1108 HILLERY WAY  
ALAMEDA CA 94502

EMERZIAN LORETTA & SCOTT  
Parcel #: 74-432-6  
851 CROSSBROOK DR  
MORAGA CA 94556

EMERZIAN SCOTT & JOANN  
Parcel #: 74-432-4  
851 CROSSBROOK DR  
MORAGA CA 94556

EMERZIAN SCOTT & JOANN  
Parcel #: 74-432-5  
851 CROSSBROOK DR  
MORAGA CA 94556

FOODMAKER INC  
Parcel #: 73-426-10  
9330 BALBOA AVE  
SAN DIEGO CA 92123

FOODMAKER INC  
Parcel #: 73-426-11  
9330 BALBOA AVE  
SAN DIEGO CA 92123

FOODMAKER INC  
Parcel #: 73-426-9  
9330 BALBOA AVE  
SAN DIEGO CA 92123

FRANKLIN DAVID L & SUSAN  
Parcel #: 73-417-2  
73155 DESERT GREENS DR N  
PALM DESERT CA 92260

HOUSING AUTHORITY OF THE  
Parcel #: 73-426-6  
701 ATLANTIC AVE  
ALAMEDA CA 94501

JOHNS STUART E & MARY J  
Parcel #: 74-432-1  
1897 CASTLE HILL RD  
WALNUT CREEK CA 94595

LIEBERMAN ELENA L  
Parcel #: 73-426-8  
127 DIABLO VISTA CT  
CONCORD CA 94521

RESIDENT  
Parcel #: 73-417-1  
1720 WEBSTER ST  
ALAMEDA CA 94501

RESIDENT  
Parcel #: 73-417-2  
706 BUENA VISTA AVE  
ALAMEDA CA 94501

RESIDENT  
Parcel #: 73-426-6  
BUENA VISTA AVE  
ALAMEDA CA 94501

RESIDENT  
Parcel #: 73-426-10  
1822 WEBSTER ST  
ALAMEDA CA 94501

RESIDENT  
Parcel #: 73-426-8  
1812 WEBSTER ST  
ALAMEDA CA 94501

RESIDENT  
Parcel #: 73-426-11  
1826 WEBSTER ST  
ALAMEDA CA 94501

RESIDENT  
Parcel #: 73-426-7  
1800 WEBSTER ST  
ALAMEDA CA 94501

RESIDENT  
Parcel #: 73-426-9  
1816 WEBSTER ST  
ALAMEDA CA 94501

RESIDENT  
Parcel #: 74-431-27-2  
1727 WEBSTER ST  
ALAMEDA CA 94501

RESIDENT  
Parcel #: 74-432-1  
1825 WEBSTER ST  
ALAMEDA CA 94501

RESIDENT  
Parcel #: 74-432-2  
1821 WEBSTER ST  
ALAMEDA CA 94501

RESIDENT  
Parcel #: 74-432-4  
1809 WEBSTER ST  
ALAMEDA CA 94501

RESIDENT  
Parcel #: 74-432-5  
1805 WEBSTER ST  
ALAMEDA CA 94501

RESIDENT  
Parcel #: 74-432-6  
1801 WEBSTER ST  
ALAMEDA CA 94501

RESIDENT  
Parcel #: 74-432-7  
647 BUENA VISTA AVE  
ALAMEDA CA 94501

RESIDENT  
Parcel #: 74-432-3  
1817 WEBSTER ST  
ALAMEDA CA 94501



STONEHOUSE JAMES A &  
Parcel #: 74-432-7  
2990 NORTHWOOD DR  
ALAMEDA CA 94501

YOUNG LOUISE J TR  
Parcel #: 74-431-27-2  
5574 BERWIND AVE  
LIVERMORE CA 94551