

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

ENVIRONMENTAL HEALTH SERVICES

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

August 29, 2008

Administrator Whitney Newland
Estate of Crandal Mackey
C/o Weldon & Hass
205 East Anapamu Street
Santa Barbara, CA 93101

Subject: SLIC Leak Case No. RO0000311 and Geotracker Global ID T0600102204, Call Mac Transportation, 461 McGraw Avenue, Livermore, CA 94550

Dear Whitney Newland:

Alameda County Environmental Health (ACEH) and California Regional Water Quality Control Board staff have reviewed the Spills, Leaks, Investigations, and Cleanups (SLIC) case file and case closure summary for the above-referenced site and concur that no further action related to the SLIC case is required at this time. Due to the residual contamination that is to be left in place, this SLIC case will be closed with site management requirements that are described in a Covenant and Environmental Restriction on Property (deed restriction). The deed restriction was signed by Jeff Antrim, Managing Member of 461 McGraw Investors LLC on January 21, 2008 and by Ariu Levi, Director of Alameda County Department of Environmental Health on August 27, 2008 and recorded with the County of Alameda on August 29, 2008.

Prior to issuance of a case closure letter for the site, the following actions are to be completed:

- The monitoring wells at the site are to be properly destroyed. Please decommission the monitoring wells and provide documentation of the well decommissioning to this office. Well destruction permits may be obtained from the Zone 7 Water Agency (<http://www.zone7water.com>).
- All open excavations at the site must be backfilled in accordance with all applicable City of Livermore grading/excavation permits and requirements. Documentation of the backfilling is to be provided to ACEH prior to issuance of a case closure letter. The reuse of excavated soils as backfill is acceptable provided that the soils have been sampled and analyzed for the contaminants of concern and meet the requirements previously established for soil reuse at the site. In order to assure that the backfilled soils are consistent with the assumed conditions described in the risk assessment for the site (*Human Health Risk Assessment for Call Mac Transportation at 461 McGraw Avenue, Livermore, CA, June 3, 2008*), the open excavations must be backfilled to within one foot of existing ground surface with reused on-site soil or imported soil of similar type to the on-site soils. The use of imported fill material in the excavations is to be approved by ACEH. The soils must be backfilled in accordance with all applicable City of Livermore grading/excavation permits and requirements and in such a way as to prevent the formation of any potential preferential pathways for soil vapor or groundwater transport.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Mr. Jerry Wickham), according to the following schedule:

- **December 31, 2008** – Well Decommissioning Report and Excavation Backfilling Report

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.swrcb.ca.gov/ust/cleanup/electronic_reporting).

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,

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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

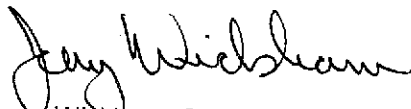
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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.

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,



Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Cheryl Dizon, QIC 80201, Zone 7 Water Agency, 100 North Canyons Parkway
Livermore, CA 94551

Danielle Stefani, Livermore-Pleasanton Fire Department, 3560 Nevada Street,
Pleasanton, CA 94566

John Rigter, Livermore-Pleasanton Fire Department, 3560 Nevada Street
Pleasanton, CA 94566

Peter Littman, Environmental Investigation Services, Inc., 170 Knowles Drive, Suite 212,
Los Gatos, CA 95032

Scott Fooks, Weldon & Hass, 205 East Anapamu Street, Santa Barbara, CA 93101

John Mahoney, Antrim Construction, 1635-A Chestnut Street, Livermore, CA 94551

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: December 16, 2005
	PREVIOUS REVISIONS: October 31, 2005
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

Effective January 31, 2006, 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

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- 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)

Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

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 dehloptoxic@acgov.org
 - or
 - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of Alicia Lam-Finneke.
- 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 and Firefox browsers will not open the FTP site.
- b) Click on File, then on Login As.
- 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 dehloptoxic@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 at 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)