



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

March 28, 2012

Mr. Manmohan Chopra Jaswant and Lakhvr Brar
Haber Oil Products 1401 Grand Avenue
29211 Marshbrook Drive San Leandro, CA 94577-5368
Hayward, CA 94545
(sent via electronic mail to: choprajee@yahoo.com)

Subject: Request for a Data Gap Work Plan; Fuel Leak Case No. RO0000370 (Geotracker Global ID T0600101827), Haber Oil Products, 1401 Grand Avenue, San Leandro, CA 94577

Dear Mr. Chopra, and Jaswant & Lakhvr Brar:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the *Site Conceptual Model*, dated January 25, 2012, and the *Quarterly Groundwater Monitoring Report Fourth Quarter 2011*, dated January 31, 2012. The reports were prepared and submitted on your behalf by Stratus Environmental, Inc. (Stratus). Thank you for submitting the reports.

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

TECHNICAL COMMENTS

1. **Request for a Data Gap Work Plan** – ACEH has reviewed the referenced reports and is in general concurrence with the recommendations contained in the Site Conceptual Model. As a consequence, ACEH requests a data gap work plan, including pilot tests procedures, by the date identified below. This is a standing request from the previous directive letter and is now overdue.
2. **Modification and Reduction of Groundwater Monitoring Requirements** – ACEH has made note of a number of contaminant trends at the site, and as a consequence requests modification of groundwater monitoring efforts at the site. These observations include:
 - a. Petroleum hydrocarbon contaminant concentrations in groundwater monitoring wells MW-5 to MW-8 have declined to below the detection limit and have remained below these limits, or below MCLs or ESLs, for varying lengths of time (one year to in excess of 15 years)
 - b. Concentrations of PCE and chloroform have been sporadically detected in wells MW-6 to MW-8; however, concentrations have generally been below ESLs and are in general declining.
 - c. Concentrations of 1,2,4-trimethylbenzene and 1,3,5-trimethylbenzene have consistently been detected in well MW-2 since these analytes were incorporated into the analytical suite at the site.

As a consequence, ACEH requests that the groundwater monitoring interval for wells MW-5 to MW-8 be reduced to annual (wells MW-1 to MW-4 are to remain on a semi-annual basis). This is requested to occur in the second quarter of a year. Analysis for chlorinated organic compounds (and fuel oxygenates) is requested to continue on that interval. ACEH additionally requests that well MW-2 be sampled for TPHd, with, and without, a silica gel cleanup, on at a minimum, a one time basis. The

groundwater monitoring analytical suite may be further modified based on these results. ACEH requests groundwater monitoring reports be submitted by the following dates.

TECHNICAL REPORT REQUEST

Please submit the following deliverable to ACEH (Attention: Mark Detterman), according to the following schedule:

- **May 18, 2012** – Data Gap Work Plan (with appropriate pilot test procedures)
- **June 1, 2012** – First 2011 Semi-Annual Groundwater Monitoring Report
- **December 3, 2012** – Second 2011 Semi-Annual groundwater Monitoring 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.

Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,

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

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

cc: Stephen Carter, Stratus Environmental, Inc, 3330 Cameron Park Drive, Suite 550, Cameron Park, CA 95682 (sent via electronic mail to: scarter@stratusinc.net)

Scott Bittinger, Stratus Environmental, Inc, 3330 Cameron Park Drive, Suite 550, Cameron Park, CA 95682 (sent via electronic mail to: sbittinger@stratusinc.net)

Donna Drogos, ACEH, (sent via electronic mail to donna.drogos@acgov.org)
Mark Detterman, ACEH, (sent via electronic mail to mark.detterman@acgov.org)
Geotracker, Electronic File

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: July 20, 2010
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 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.