

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
ALAMEDA, CA 94502
(510) 567-6700
FAX (510) 337-9335

June 16, 2017

Navistar International Corporation
2701 Navistar Drive
Lisle, IL 60532
Attn.: Environmental Affairs

Mitchell Brown
c/o Cypress Property
1120 Nye Street, #929
San Rafael, CA 94901-6102

2855 Mandela LLC
c/o: Balco Properties, Ltd., LLC
1624 Franklin Street, Suite 310
Oakland, CA 94612-2822
Attn.: Mr. Reed Westphal
(Sent via electronic mail to:
Reed.Westphal@balcoproperties.com)

Cypress Property
1120 Nye Street, #929
San Rafael, CA 94901-6102

Wareham Property Development
2855 Cypress St.
Oakland, CA 94607

MFC-OP
1120 Nye Street
San Rafael, CA 94901-6102

2855 Mandela Property LLC
c/o: Colliers International
Address Unknown

Leighton R. Taylor and Linda P. Taylor Revocable Trust
and Page SP-V, LLC
c/o: Ms. Faye Beverett
Address Unknown

Leighton R. Jr. & Linda P. Taylor Trust et al.
c/o: Page Street Properties
Address Unknown

Richard K. Robbins &
Marin Financial Corporation (& Trust)
c/o: Wareham Property Group
Address Unknown

Page Street Properties, LLC
c/o: Ms. Faye Beverett
Address Unknown

Subject: Meeting Request- Fuel Leak Case No. RO0000378 and Geotracker Global ID T0600101522,
Wareham Property Development, 2855 Mandela Parkway, Oakland, CA 94607

Dear Responsible Parties:

Alameda County Department of Environmental Health (ACDEH) has completed a file review for the subject case, including the recently submitted document entitled *Additional Site Investigation Report (SWI)* dated December 21, 2016 and prepared by Trihydro Corporation (Trihydro). At this time, ACDEH is requesting a meeting at our office to discuss the status of this case and the path forward.

We are available on the following dates and times:

- Monday, July 10, 2017 at 10:00 am
- Wednesday, July 12, 2017 at 1:00 pm
- Monday, July 17, 2017 at 10:00 am

Please select a date and time from above that is convenient for you and contact me at keith.nowell@acgov.org or at 510-567-6764 to confirm our meeting. If you are unavailable during the above-listed dates and times, please propose a date and time that is convenient for you and we will try to accommodate your request.

Additionally, our review of the case files revealed the only documents submitted to the State Water Resources Control Board's (SWRCBs) GeoTracker website are reports. In addition to reports the state requires electronic submittal of information (ESI) of supporting documentation. No supporting documents- e.g. EDFs, GEO_MAPs, GEO_BOREs, GEO_WELLS, GEO_XY, and GEO_Z- have been submitted, thus rendering the site to a non-compliant status pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3890 to 3895. Failure to comply may result in your case becoming ineligible for reimbursement through the SWRCB's Underground Storage Tank Cleanup Fund.

At present, acceptance of the SWI to GeoTracker is on hold pending submittal of its associated electronic submittals (including EDFs, GEO_MAPs, GEO_BOREs, GEO_WELLS). Prior to our meeting we request you upload the requisite documents to bring the case in to compliance with state regulations. A link to the GeoTracker information page regarding document submittals is provided below.

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

Thank you in advance for your cooperation and we look forward to meeting with you to expeditiously advance this case towards case closure.

Sincerely,

Keith Nowell, P.G., C.HG
Hazardous Materials Specialist

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

cc: Matthew Jones, Trihydro Corporation, 6227 Hamilton Avenue, Ferndale, WA 98248
(Sent via electronic mail to: mjones@trihydro.com)

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.