

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

November 13, 2017

Mark Arniola (*Sent via E-mail to: marniola@oaklandnet.com*)
City of Oakland
250 Frank Ogawa Plaza, Suite 5301
Oakland, CA 94612

Subject: Request for Site History Reports for City of Oakland Gas Station Oil/Depot, City of Oakland Vehicle Maintenance Garage, and Old Lake Merritt Pump Station formerly located at 5th Avenue, Oakland, California

Dear Mr. Arniola:

Alameda County Department of Environmental Health (ACDEH) is requesting site history information for the City of Oakland Gas Station Oil/Depot, City of Oakland Vehicle Maintenance Garage, and Old Lake Merritt Pump Station, facilities formerly owned and/or operated by the City of Oakland up to the 1960's at 5th Avenue in Oakland, the current location of Peralta Community College. A Leaking Underground Fuel Tank (LUFT) case (RO0000384) is currently open at the Peralta Community College site located at 501 5th Avenue in Oakland and site investigations have been ongoing. As explained below, this information will assist ACDEH staff with its investigation of soil and groundwater contamination in the vicinity as well name additional Responsible Party(ies) in accordance with California Code of Regulations, Chapter 16, Article 11, §2720. This letter is directed to you as the former owner and operator of the above-cited facilities.

Background

ACDEH understands that the City of Oakland operated the above-cited facilities at 500 block of 5th Avenue in Oakland from at least 1936 up to the late 1960's, when the land was purchased by Peralta Community College District. Several underground storage tanks and various hazardous materials were utilized at the facilities.

During environmental investigations conducted in 1992 through 2012 at the Peralta Community College site located 501 5th Avenue in Oakland, petroleum hydrocarbons have been detected in soil, groundwater and soil vapor samples. This subsurface contamination appears to pose a risk to human health and the environment and therefore, must be fully evaluated. The City of Oakland facilities historical information will assist ACDEH staff determine the source(s) of the contamination.

Please submit a technical report containing the following information by **Monday, December 11, 2017**.

TECHNICAL COMMENTS

1. A description of: (a) the period of time that the City of Oakland owned and/or operated at the property, (b) the operator's name and current mailing address, (c) a contact person and their current phone number, and (d) the nature of the City of Oakland's facility operations, including chemicals stored and/or utilized.
2. Any reports prepared to investigate or evaluate the environmental conditions at the property.

3. A description of the sources consulted to respond to the above items (e.g. written records, former employees, local agency files).
4. A statement that the information provided in response to the above items is full, true, and correct, under penalty of perjury.

This request for a report is made pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16 and California Health and Safety Code Section 101480, which allows the local health officer to oversee the remedial action. Any extension in the above deadline must be confirmed in writing by ACDEH staff.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Department of Environmental Health (Attention: Bob Schultz), according to the following schedule:

- **December 11, 2017** – Technical Report

If you have any questions, please call me at (510) 777-2478 or send me an electronic mail message at Paresh.Khatri@acgov.org.

Sincerely,

Paresh C. Khatri
Supervising Hazardous Materials Specialist
Local Oversight and Site Cleanup Program Manager

Encl.: Electronic Report Upload (ftp) Instructions

cc: Dilan Roe, ACDEH, Chief Land, Water Division (*Sent via E-mail to: dilan.roe@acgov.org*)
Alyce Sandbach, Office of the District Attorney (*Sent via E-mail to: Alyce.Sandbach@acgov.org*)
Bob Schultz, ACDEH (*Sent via E-mail to: robert.schultz@acgov.org*)
Paresh Khatri, ACDEH (*Sent via E-mail to: paresh.khatri@acgov.org*)
Electronic File, GeoTracker

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 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.