



February 8, 2017

Emeryville Properties LLC
c/o Mr. Tony Geisler
P.O. Box 626
Diablo, CA 94528
(Sent via electronic mail to:
AWGeisler@sbcglobal.net)

Emeryville Properties LLC
c/o Mr. William Lewerenz
3963 Woodside Ct.
Lafayette, CA 94549
(Sent via electronic mail to:
WLewerenz@aol.com)

Dolores W. and Anthony W. Geisler
c/o Mr. William Lewerenz
3963 Woodside Ct.
Lafayette, CA 94549

Subject: Notification of Potential Closure Consideration; Fuel Leak Case No. RO0000398 and GeoTracker Global ID T0600102202, Chromex, 1400 Park Avenue, Emeryville, CA 94608

Dear Messrs. Lewerenz and Geisler:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the *Additional Soil Vapor Sampling Report and Request for Underground Storage Tank Closure*, dated December 20, 2016. The report was prepared and submitted on your behalf by Dudek, Inc (Dudek) for the subject site. Thank you for submitting the report.

As you are aware, numerous site investigations and groundwater monitoring events for a underground storage tank leak has been performed at the subject property to which you are named as the primary or active responsible party. Based on the recently collected data, ACDEH is considering the above referenced site for potential case closure. Concurrent with the case proceeding towards closure, please address the following Technical Comment.

TECHNICAL COMMENTS

1. **Electronic Report and Data Upload Compliance** – A review of the case file and the State's Geotracker database indicates that the site is not in compliance with previous directive letters. Compliance is a State requirement that will delay closure. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the UST or LUST program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs, including SLIC programs. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites was required in GeoTracker. At present missing data and documents include, but may not be limited to, recent EDF submittals, recent GEO MAPS, and all bore logs (wells and bores). Compliance is required by the State and is tied to reimbursement funding by the UST Cleanup Fund. Please see Attachment 1 for limited additional details, and the state GeoTracker website for full details. ACDEH requests notification of, and a list of, the documents uploaded to Geotracker. Please upload all submittals to GeoTracker as well as to ACDEH's ftp website by the date specified below.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACDEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with the following specified file naming convention and schedule:

- **March 24, 2017** – Geotracker Electronic Upload Compliance
Please notify your case worker by email.

Site Management Requirements

As you are aware, ACDEH staff has evaluated the case file and believes the case may be eligible for closure. Closure would be under the existing commercial land use scenario with site management requirements, as residual soil contamination remains in soil beneath the site. Should excavation or construction activities occur in areas of residual contamination ACDEH will require preparation of a health and safety plan addressing the potential contaminants of concern. These activities will require planning and implementation of appropriate health and safety procedures by the responsible party (or current property owner/developer) prior to and during excavation and construction activities.

Re-evaluation of this case will be required if land uses changes to any residential or other conservative land use, or any redevelopment occurs as residual contamination is documented to remain in the soil beneath the site.

This site is to be entered into the City of Emeryville Permit Tracking System due to the residual contamination on site.

Public Participation

Public participation is a requirement for the Corrective Action Plan and case closure processes. In order to notify potentially affected members of the public of the potential fuel leak case closure a *Notification of Potential Case Closure* will be distributed to addresses in the immediate vicinity. The *Notification of Potential Case Closure* requests that landowners or residents submit any comments or questions to ACDEH regarding potential case closure. ACDEH will consider all comments from the public prior to potential case closure. ACDEH will provide you with written notification if any comments are received during the following Public Comment Period:

- **February 13, 2017** – Public Comment Period Begins
- **April 10, 2017** – Public Comment Period Ends

Monitoring Well Destruction and Waste Removal Activities

After public comments have been addressed you will be requested to destroy site monitoring wells and remove any remaining investigation, remediation, and well destruction derived waste from the site.

ACDEH will request the well destruction in a separate letter following the conclusion of the public notification period.

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

If your email address is not listed on the first page of this letter, or in the list of cc's listed below, ACDEH is requesting your email address to help expedite communications and to help lower overall costs.

Thank you for your cooperation. 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

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

Attachment 2 - *Invitation to Comment - Potential Case Closure* and Address List

cc: Gwen Tellegen, DUDEK, Inc, 605 Third Street, Encinitas, CA 92024 (Sent via electronic mail to:
GTellegen@dudek.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)

Mark Detterman, ACDEH, (Sent via electronic mail to: mark.detterman@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.

1421 PARK AVENUE LLC
PARCEL #: 49-617-14-1
5855 DOYLE ST #101
EMERYVILLE CA 94608-2533

45TH STREET ARTISTS COOPERATIVE INC
PARCEL #: 49-1033-4
1420 45TH ST
OAKLAND CA 94608-2906

BASHLAND
PARCEL #: 49-1032-3-1
4065 HORTON ST
EMERYVILLE CA 94608-3509

BASHLAND
PARCEL #: 49-1032-4
4065 HORTON ST
EMERYVILLE CA 94608-3509

BASHLAND
PARCEL #: 49-1032-11
4065 HORTON ST
EMERYVILLE CA 94608-3509

BASHLAND
PARCEL #: 49-1032-10
4065 HORTON ST
EMERYVILLE CA 94608-3509

BASHLAND
PARCEL #: 49-617-8-1
4065 HORTON ST
EMERYVILLE CA 94608-3509

BISCHOFF ADELIE L
PARCEL #: 49-1032-12
109 STRATHMOOR DR
BERKELEY CA 94705-1750

COMMON AREA OF PM 6051 5 THRU 19
PARCEL #: 49-1033-20
4053 HARLAN ST #207
EMERYVILLE CA 94608-3681

COMMON AREA OF TR 6991 8 THRU 126
PARCEL #: 49-1035-127
1 ANNABEL LN #100
SAN RAMON CA 94583-4359

DAVIES ROLAND G & SHIRLENE TRS & TMV \\
PARCEL #: 49-617-13
PO BOX 5841
TAHOE CITY CA 96145-5841

EMERYVILLE HOMES LLC
PARCEL #: 49-617-15-1
1900 S NORFLK ST #150
SAN MATEO CA 94403-1161

EMERYVILLE PROPERTIES LLC
PARCEL #: 49-1033-2
3963 WOODSIDE CT
LAFAYETTE CA 94549-3413

OCCUPANT
PARCEL #: 49-1033-2
1400 PARK AVE
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-1033-4
4250 HORTON ST
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-1033-20
4300 HORTON ST #1-15
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-1034-1-4
1451 SHERWIN ST
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-1034-1-3
4220 HUBBARD ST
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-1032-14
4245 HOLLIS ST
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-1032-13
4227 HOLLIS ST
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-1032-3-1
4221 HOLLIS ST
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-1032-4
4213 HOLLIS ST
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-1032-11
4216 HOLDEN ST
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-1032-10
4214 HOLDEN ST
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-1032-12
4224 HOLDEN ST
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-1032-9
4210 HOLDEN ST
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-1032-8-4
1396 PARK AVE
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-1032-8-3
1392 PARK AVE
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-1032-7-1
1368 PARK AVE
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-617-15-1
1401 PARK AVE
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-617-14-1
1421 PARK AVE
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-617-13
1447 PARK AVE
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-617-8-1
1461 PARK AVE
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-617-7-1
1485 PARK AVE
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-1035-127
1500 PARK AVE
EMERYVILLE CA 94608

OCCUPANT
PARCEL #: 49-1041-26-15
1450 SHERWIN ST
EMERYVILLE CA 94608

P & H ASSOCIATES
PARCEL #: 49-1034-1-4
5674 SONOMA DR
PLEASANTON CA 94566-8102

P & H ASSOCIATES
PARCEL #: 49-1034-1-3
5674 SONOMA DR
PLEASANTON CA 94566-8102

P G & E CO 135-1-2-3
PARCEL #: 49-1032-14
PO BOX 770000
SAN FRANCISCO CA 94177-0001

P G & E CO 135-1-2A-1
PARCEL #: 49-1032-13
PO BOX 770000
SAN FRANCISCO CA 94177-0001

PARK AVENUE BUILDING LLC
PARCEL #: 49-617-7-1
6114 LASALLE AVE #341
OAKLAND CA 94611-2802

SANTNER DEAN K TR
PARCEL #: 49-1032-9
1800 FERRY POINT
ALAMEDA CA 94501

SHAOLIAN SOLEYMAN & NAHID
PARCEL #: 49-1032-7-1
5104 GARDEN GROVE AVE
TARZANA CA 91356-4339

SWACE LLC
PARCEL #: 49-1041-26-15
101 W PROSPECT AVE
CLEVELAND OH 44115-1093

VARINSKY HOWARD J & GOULD LESLIE W TF
PARCEL #: 49-1032-8-4
5 WEE BLYTHEN CT
OAKLAND CA 94619-2433

VARINSKY HOWARD J & GOULD LESLIE W TF
PARCEL #: 49-1032-8-3
5 WEE BLYTHEN CT
OAKLAND CA 94619-2433



INVITATION TO COMMENT – POTENTIAL CASE CLOSURE

**CHROMEX
1400 PARK AVENUE
FUEL LEAK CASE RO0000398
GEOTRACKER GLOBAL ID T0600102202**

February 8, 2017

The above referenced site is a fuel leak case that is under the regulatory oversight of the Alameda County Department of Environmental Health (ACDEH) 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, ACDEH is considering closure of the fuel leak case. Due to the residual contamination on site, the site would be closed with site management requirements that require further evaluation if the site is to be redeveloped in the future.

The public is invited to review and comment on the potential closure of the fuel leak case. This notice is being sent to the current occupants and landowners of the site and adjacent properties and other known interested parties. The entire case file can be viewed over the Internet on the ACDEH website (<http://www.acgov.org/aceh/lop/ust.htm>) or the State of California Water Resources Control Board GeoTracker website (<http://geotracker.waterboards.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 April 10, 2017** 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 ACDEH caseworker, Mark Detterman at 510-567-6876 or by email at mark.detterman@acgov.org. Please refer to ACDEH case RO0000398 in any correspondence.