

From: Roe, Dilan, Env. Health
To: ["AFaass@pcandf.com"](mailto:AFaass@pcandf.com)
Cc: [Don Pinkerton](#); [Walter T. Sprague \(wsprague@pcandf.com\)](mailto:wsprague@pcandf.com); ["Dennis Dettloff"](#); [Ralston, Ed C.: \(P66\)](#)
Bcc: [Drogos, Donna, Env. Health](#)
Subject: Fuel Leak Case No. RO0000459, UNOCAL #6419, 6401 Dublin Boulevard, Dublin, California
Date: Tuesday, March 05, 2013 4:11:00 PM

Hi Allen:

Thank-you for talking with me today about the subject site. As I indicated on the phone, Alameda County Environmental Health's (ACEH's) Local Oversight Program (LOP) has been sending communication relating to the subject site to Liz Bermudez since October 2009, when Pacific Convenience & Fuels, LLC (PCF) acquired the subject site from ConocoPhillips. The clarification that you provided today regarding Ms. Bermudez's departure from the company, explains why ACEH has not received any communication from PFC subsequent to the submittal of the document entitled "Case Closure Request", dated March 9, 2012 and prepared by Antea Group on behalf of PFC.

The recent vexing correspondence from Mr. Dennis Dettloff with Antea Group that we discussed today is provided in the email chain below. Based on the language in the email correspondence, it is not clear to ACEH whether Mr. Dettloff has been acting on PCF's behalf, or independently on behalf of Antea Group. Our confusion stems from the fact that the Case Closure Petition letter dated May 21, 2012 was signed by Mr. Dettloff but not by an authorized representative of PCF. Additionally, with the exception of the last email, PCF does not appear to be copied on the correspondence. If in fact PCF was blind copied on this communication, it is unfortunate that ACEH was not made privy to the email addresses of PCF staff who have replaced Ms. Bermudez.

Mr. Dettloff states that he has mailed the fact sheet on ACEH's behalf, however did not provide a copy of the fact sheet and the list of recipients to us, nor did we see this information posted on GeoTracker or the ACEH ftp site. Please note that Mr. Dettloff does not have the authority to mail out this public notification on ACEH's behalf.

Please provide the requisite contact information for PFC so that we may revise the Case Closure Summary and proceed with moving the case to closure. Additionally, please ensure that all future documents submitted to ACEH LOP are signed by an authorized representative of PCF and that communication is transmitted via PCF and that all other responsible parties are copied appropriately.

Thank-you for your cooperation. We look forward to working with you on closing this case.

Dilan Roe, P.E.

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PDF copies of case files can be reviewed/downloaded at:

<http://www.acgov.org/aceh/lop/ust.htm>

From: Dennis Dettloff [mailto:Dennis.Dettloff@anteagroup.com]
Sent: Monday, March 04, 2013 11:27 AM
To: Roe, Dilan, Env. Health; Ralston, Ed C.: (P66); Walter T. Sprague (wsprague@pcandf.com)
Cc: Don Pinkerton; Lockwood, George@Waterboards (George.Lockwood@waterboards.ca.gov)
Subject: RE: Fuel Leak Case No. RO0000459, UNOCAL #6419, 6401 Dublin Boulevard, Dublin, California
Importance: High

Ms. Roe:

Antea may have been wrong in the stated CCR that we listed on our 60 day notification letter. However, we did get approval from the State Water Resources Control Board (SWRCB) to proceed with the preparation and submittal of the public notification letter for the above referenced location as Antea's request for closure has already been submitted to the SWRCB for petition. That is why we submitted the 60-day notification letter to your office indicating our intentions to do so. The public notification letter was sent out on February 15, 2013 for the 60-day comment period.

This work was done on the behalf of the Alameda County Health Care Services Agency (ACHCSA) due to their lack of progress on this work. Antea Group received a letter from the ACHCSA on October 4, 2012 indicating their wish to move forward with the closure process (public notification and well destruction). However, as of February 15th when Antea Group sent out the public notification letter on ACHCSA's behalf, it had been more than four months since the ACHCSA letter had been received by Antea Group. It does not take four plus months for anyone to prepare and send out a 60-day public notification letter. Due to ACHCSA lack of response, this process is already going to take more than six plus months to complete. In addition, except for correspondence initiated by Antea Group, we have received nothing from the ACHCSA indicating the reasoning for their lack of progress with this work.

On March 9, 2013 it will be one year since Antea Group first requested case closure on this site from the ACHCSA. It should not take this long to close a site that the last time the groundwater was sampled, the most impacted monitoring well, MW-5 contained 9.0ug/L MTBE. All other constituents were below the laboratory's indicated reporting limits. This site should have been closed long ago and Antea Group is just trying to make certain that it happens in a reasonable and timely manner.

Regards,

Dennis S. Dettloff, P.G. | Senior Project Manager
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From: Roe, Dilan, Env. Health [<mailto:Dilan.Roe@acgov.org>]
Sent: Monday, March 04, 2013 10:34 AM
To: LBermudez@pcandf.com; Ralston, Ed C.: (P66)
Cc: Dennis Dettloff; Don Pinkerton
Subject: Fuel Leak Case No. RO0000459, UNOCAL #6419, 6401 Dublin Boulevard, Dublin, California

Dear Ms. Bermudez and Mr. Ralston:

Alameda County Environmental Health (ACEH) recently received a letter dated February 14, 2013, from Mr. Dennis Dettloff with Antea Group (Antea) regarding his intent to produce and distribute a public notification fact sheet on behalf of ACEH for the subject site. We received notification that this letter was uploaded to ACEH's ftp site via email correspondence from Antea on February 14, 2013, however ACEH does not recognize this submittal as neither of your names is listed as responsible parties. This communication was sent subsequent to ACEH's correspondence to Mr. Dettloff on February 11, 2013, whereby we provided an update on the status of the case closure process for the subject site. In our correspondence, ACEH informed Mr. Dettloff that we are currently preparing the public participation letter and would send it out to the responsible parties for mailing when it is complete.

In Antea's February 14, 2013 letter, Mr. Dettloff states that timely completion of this work is crucial for Antea to meet contractual milestones and timelines. He furthermore cites Title 23, Division 3, Chapter 16, Article 11, Section 2722(e) of the California Code of Regulations (CCR) as justification for informing ACEH of Antea's intent to prepare the public notification on ACEH's behalf. The CCR section referred to by Mr. Dettloff is provided below for your reference:

"In the interest of minimizing environmental contamination and promoting prompt cleanup, the responsible party may begin implementation of the proposed actions after the work plan has been submitted and before it has received agency concurrence. Implementation of the work plan may begin sixty (60) days after submittal, unless the responsible party is otherwise directed in writing by the regulatory agency. Before beginning these activities, the responsible party shall:

- (1) Notify the regulatory agency of the intent to initiate the proposed actions included in the work plan submitted; and
- (2) Comply with any conditions set by the regulatory agency, including mitigation of adverse consequences from cleanup activities."

As stated in the above cited regulation, this section of the CCR refers to the submittal of corrective action work plans and therefore is inappropriately cited by Mr. Dettloff for his justification to prepare the public participation notice on behalf of ACEH.

ACEH has been working diligently on finalizing the case closure for this site and providing status updates as a courtesy to Mr. Dettloff, and considers this communication to be inappropriate. Therefore, please advise Antea to not proceed with their stated intent to prepare and distribute the public participation notice on ACEH's behalf. Additionally, please ensure that all future communication for this site must be transmitted to ACEH via the responsible parties. Your cooperation in this matter is greatly appreciated.

Thank-you,

Dilan Roe, P.E.

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