



ENVIRONMENTAL HEALTH DEPARTMENT  
ENVIRONMENTAL PROTECTION  
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March 29, 2012

Mr. Steven Hill  
San Francisco Bay Regional Water Quality Control Board  
1515 Clay Street, Suite 1400  
Oakland, CA 94612  
(sent via electronic mail to: [SHill@waterboards.ca.gov](mailto:SHill@waterboards.ca.gov))

Subject: Notice of Enforcement Referral; Fuel Leak Case No. RO0000483 and GeoTracker Global ID T0600100977; Alameda Gateway, 2900 Main Street, Alameda, CA 94501

Dear Mr. Hill:

This is a notice of an enforcement referral for the subject site. Site Responsible Parties are non-responsive to Alameda County Environmental Health (ACEH) requests and are recalcitrant. The site has accumulated a series of Notice of Violations from ACEH. As a consequence, ACEH is referring this site to the San Francisco Bay Regional Water Quality Control Board for enforcement actions.

#### **Site Background**

Four USTs located within 500 feet of the estuary were removed from the site. Three monitoring wells were sporadically sampled until 1996 and for the last time in 2001, when free product was observed in the well adjacent to the estuary. Two of the three monitoring wells (including the well with free product) were improperly destroyed during site construction. The status of the free product, the potential ecological threat to the estuary, and the lateral and vertical extent of contamination remain unknown. To date, no further work had been performed.

In July 2011 the USTCF 5-Year Review Summary recommended that the site should be considered for Low Risk closure; however, ACEH disagreed because the USTCF incorrectly reported the site's contamination in parts per billion rather than the correct parts per million units, causing underestimation of the concentration of groundwater contamination in their review. The site appears to pose a potential ecological threat due to proximity to the estuary because free-product was found in a well located approximately 60 feet from the estuary; elevated lead (360 ppb) was also reported; and two of the three site wells were not properly decommissioned during construction activities.

In August 2006 ACEH sent a "Notice of Violation" requesting a work plan, which was submitted in September 2006 and approved in October 2006. ACEH has no records indicating that the work plan was ever implemented. Enforcement letters were issued in July 2008, July 2009, February and December 2011 for report non-submittal and non-compliance with Geotracker regulations. There has been no response.

Not all historic documents for the fuel leak case may be available on GeoTracker. A more complete historic case file for this site is located on the Alameda County Environmental Health website at: <http://ehgis.acgov.org/dehpublic/dehpublic.jsp>.

Should you have any questions, please contact me at (510) 567-6708 or send me an electronic mail message at [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org).

Sincerely,

Karel Detterman, P.G.  
Hazardous Materials Specialist

cc: Alameda Gateway, Ltd., c/o John Beery, 2415 Mariner Square Drive, Alameda CA 94501  
John Beery, Mariner Square Associates, 2900 Main Street #100, Alameda, CA 94501

Donna Drogos, ACEH, (sent via electronic mail to [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))  
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Geotracker, Electronic File