

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP) FOR
HAZARDOUS MATERIALS RELEASES
1131 HARBOR BAY PARKWAY
ALAMEDA, CA 94502

REBECCA GEBHART, Interim Director

June 5, 2017

Scott C. Atthowe Trust
3924 Market Street
Oakland, CA 94608-3828
Attn.: Scott Atthowe
(Sent via electronic mail to: scott@atthowe.com)

Andre Boudine Bakeries
132 Hawthorne Street
San Francisco, CA 94107
Attn.: Larry Strain

Toscana Baking Company /
San Francisco French Bread Company
Attn.: Peter H. Sher
Address Unknown

Specialty Foods Corp.
Attn.: Kevin Keegan
Address Unknown

Metz Baking Company
Attn.: Christopher Rants
Address Unknown

Earthgrains Company
c/o: Environmental Compliance Dept.
Address Unknown

Subject: Conditional Work Plan Approval, Fuel Leak Case No. RO0000490 and GeoTracker Global ID T0600101187, San Francisco French Bread, 3924 Market Street, Oakland, CA 94607

Dear Responsible Parties:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the document entitled *Workplan for Plume Delineation* (Work Plan) dated May 22, 2017 and prepared by Gribi Associates (Gribi) for the subject site. The Work Plan was prepared at the request of ACDEH in our letter dated May 11, 2017. During our case file review, it was determined the case does not meet the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case Closure Policy (LTCP) media specific criteria for groundwater as the plume has not been defined.

To address this data gap, Gribi proposes to advance three (3) soil bores along the 40th Street right-of-way. Soil samples will then be collected at five-foot intervals starting at approximately 5 feet in depth and from specific zones of interest. It is anticipated approximately 12 soil samples (four per boring) and three water samples (one per boring) will be collected and submitted for laboratory analysis, which will consist of total petroleum hydrocarbons as gasoline (TPHg); benzene, toluene, ethylbenzene, and xylenes (collectively BTEX); the fuel oxygenates methyl tertiary butyl ether (MTBE), diisopropyl ether (DIPE), ethyl tertiary butyl ether (ETBE), tertiary amyl methyl ether (TAME), and tertiary butyl alcohol (TBA); and naphthalene by EPA test method 8260B. Additionally Gribi proposes to analyze the samples for Total Petroleum Hydrocarbons-Carbon Chain by EPA test method 8015B.

The proposed scope of work may be implemented provided that the modifications requested in the technical comments below are addressed and incorporated during the field implementation. Submittal of a revised Work Plan is not required unless an alternate scope of work outside that described in the Work Plan and technical comments below is proposed.

Technical Comments

1. Contingency Soil Bore – ACDEH requests a contingency soil bore be located east of the bore B-16 location, as depicted on Figure 4 of the Work Plan. Use a similar distance between bores B-15 and B-16 as the distance

from B-16 to the contingency bore location, and generally in-line with the locations of bores B-14, B-15 and B-16. If field observations suggest contamination is present in bore B-16, ACDEH requests the contingency bore also be advanced.

2. Soil Sampling – As indicated above, the Work Plan states soil samples will be collected at five-foot intervals starting at approximately five feet in depth and from specific zones of interest. ACDEH requests collection and analysis soil samples at maximum intervals of not more than five feet, at signs of obvious contamination, at the soil/groundwater interface, and at significant changes in lithology. Please submit a sufficient number of soil samples for laboratory analyses to define the vertical extent of contamination from each boring. Per the LTCP, please collect and analyze samples from each boring at two depths within the upper five-feet and at least one sample from the interval of five- to 10 feet, bgs.
3. Laboratory Analysis – ACDEH requests the soil samples collected from the upper 10 feet that are submitted for laboratory analysis include the semi-volatile organic compounds (SVOCs) by EPA test method 8270.
4. Total Petroleum Hydrocarbons-Carbon Chain Analysis – Please perform the 8015 analysis both with and without silica gel cleanup for the purpose of comparison to assess the relative degree of biodegradation.

Technical Report Request

Please upload technical reports to the ACDEH FTP site (Attention: Keith Nowell), and to the SWRCB's Geotracker website, in accordance with the following specified file naming convention and schedule:

- **September 4, 2017– Soil and Groundwater Investigation Report**
(file name: RO0000490_SWI_R_yyyy- mm-dd)

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.

ACDEH looks forward to working with you and your consultants to advance the case toward closure. Should you have any questions regarding this correspondence or your case, please call me at (510) 567-6764 or send an electronic mail message at keith.nowell@acgov.org.

Sincerely,

Keith Nowell PG, CHG
Hazardous Materials Specialist

Enclosure: Responsible Party(ies) Legal Requirements/Obligations
ACDEH Electronic Report Upload (FTP) Instructions

cc: James Gribi, Gribi Associates, 1090 Adams Street, Suite K, Benicia, CA 94510 (*Sent via electronic mail to:*
JGribi@gribiassociates.com)

Skadden, c/o: Mr. Ken Berlin, 1440 New York Ave, N. W., Washington D. C. 20005

Skadden, c/o: Mr. Don Frost, 1440 New York Ave, N. W., Washington D. C. 20005

Jefferies & Co., c/o: Mr. Paul Phillips, 11100 Santa Monica Blvd., 10th Floor, Los Angeles, CA 90025

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.