



November 8, 2016

Ms. Rachel Green
Anton Development Company
1415 L Street, Suite 450
Sacramento, CA 95814
(Sent via electronic mail to: rgreen@anton.co)

Subject: Request for Interim Remedial Action Monitoring Plan and Schedule; SCP Case RO000548 and Geotracker Global ID T0600100894, Mike Roberts Color Production 6707 Bay Street, Emeryville, CA 94608

Dear Ms. Green:

Alameda County Department of Environmental Health (ACDEH) has reviewed the case file and the BAAQMD *Authority to Construct* Permit submitted on your behalf by PES Environmental, Inc. (PES) by email on November 4, 2016. Thank you for submitting the permit.

Based on the review of the case file ACDEH requests that you address the following technical comments and send us the documents requested below.

TECHNICAL COMMENTS

1. **BAAQMD Permit** – In regards to the BAAQMD permit, please additionally ensure the permit is uploaded to Geotracker to complete the public record for the site.
2. **Authorization to Proceed** – Per the conference call of October 28, 2016, and the September 26, 2016 directive letter, ACDEH has no objections to implementation of the implementation of Interim Remedial Actions at the site pending finalization of a Corrective Action Plan and public notification.
3. **Interim Remediation** – Per the referenced conference call, please submit a Monitoring Plan and Schedule (Operations and Maintenance Plan and Schedule) within one week of the date of this letter.
 - a. **Interim Remedial Progress Reporting** – Due to the planned implementation of interim remedial actions, monthly Remedial Progress Reports (RPR) are requested, by the dates identified below; the dates have been extended slightly from previous dates, based on the actual start-up date. These are intended to monitor system progress, site progress, and SVE system effectiveness during the interim remedial action period. ACDEH requests the first RPR include as-built diagrams of the SVE system, monitoring program tasks and schedule, as well as sufficient tables and figures to demonstrate system performance metrics.
4. **Draft Corrective Action Plan** – As stated previously, ACDEH generally concurs that Soil Vapor extraction (SVE) may be an effective alternative to remediate volatile organic compounds (VOCs) at the site. Please expand upon the SVE conceptual plans presented in the previous reports, and include implementation details including, but not be limited to, the following:
 - Design drawings and specifications for the SVE system including installation details for the SVE wells proposed.
 - Operation and maintenance plans.
 - System optimization and performance metrics.
 - Post-corrective action monitoring and verification plans with proposed strategy for collecting groundwater, soil and soil vapor monitoring and confirmation samples.

- Cleanup goals, either utilizing the 2016 San Francisco Bay Regional Water Quality Control Board Environmental Screening Levels, or Site Specific goals based on an updated Human Health Risk Assessment (HHRA).
- Implementation schedule with milestone dates.
- Draft Public Notification Document (MS Word)

Please note implementation of the CAP is contingent on submittal and ACDEH acceptance of the draft Corrective Action Plan. In order to expedite corrective actions at the site, please prepare this document and submit to ACDEH prior to the start of public participation, by the date identified below.

- 5. Geotracker 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 ACDEH is tasked with implementing. 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, EDF submittals, and current GEO_MAPS. Please see Attachment 1 for limited additional details, and the state GeoTracker website for full details. ACEH requests notification of, and a list of, the documents uploaded to Geotracker. Please upload all submittals to GeoTracker as well as to ACEH'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 specified file naming convention below, according to the following schedule:

- **November 16, 2016** – Interim Remedial Action Operations and Maintenance Plan
File to be named: RO548_SWI_CAP_R_yyyy-mm-dd
- **December 16, 2016** – Remedial Progress Report (Initial System Data)
File to be named: RO548_REM_R_yyyy-mm-dd
- **December 16, 2016** – Draft Public Notification
Please email to your case worker in MS Word format
- **December 16, 2016** – Draft Corrective Action Plan
File to be named: RO548_SWI_CAP_R_yyyy-mm-dd
- **January 16, 2017** – Remedial Progress Report
File to be named: RO548_REM_R_yyyy-mm-dd

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>. Should you have any questions, please contact me at (510) 567-6876 or send me an electronic mail message at mark.detterman@acgov.org.

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Sincerely,

Mark Detterman, PG, CEG
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations
Electronic Report Upload (ftp) Instructions

cc: John Nady, Nady Systems, Inc., 11 Glen Alpine Road, Piedmont, CA 94611

Toby Nady, Nady Systems, Inc; (Sent via electronic mail to: tnady@nady.com)

Miroo Desai, City of Emeryville, 1333 Park Avenue, Emeryville, CA 94608
(Sent via electronic mail to: mdesai@emeryville.org)

Kyle Flory, PES Environmental, Inc, 1682 Novato Blvd, Suite 100, Novato, CA 94947
(Sent via electronic mail to: kflory@pesenv.com)

Robert Creps, PES Environmental, Inc, 1682 Novato Blvd, Suite 100, Novato, CA 94947
(Sent via electronic mail to: rcreps@pesenv.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)

Geotracker, Electronic 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

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) 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 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 Spills, Leaks, Investigations, and Cleanup (SLIC) 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 for more information on these requirements (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/).

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." 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 6735, 6835, and 7835.1) 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 registered 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 fuel leak case meet this requirement.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, later 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 SLIC)	REVISION DATE: May 15, 2014
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) 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) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
 - (i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) Click on Page located on the Command bar on upper right side of window, and then scroll down to Open FTP Site in Windows Explorer.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
 - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - e) 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.