

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**  
AGENCY

COLLEEN CHAWLA, Agency Director



DEPARTMENT OF ENVIRONMENTAL HEALTH  
LOCAL OVERSIGHT PROGRAM (LOP)  
For Hazardous Materials Releases  
1131 HARBOR BAY PARKWAY, SUITE 250  
ALAMEDA, CA 94502  
(510) 567-6700  
FAX (510) 337-9335

**NOTICE TO COMPLY**

January 18, 2018

Mr. Jacob Levy  
Palm Peninsula, LLC and 7200 Bancroft, LLC  
201 Wilshire Boulevard  
Santa Monica, CA 90401  
(Sent via E-mail to: [jacob@levyaffiliated.com](mailto:jacob@levyaffiliated.com))

Subject: Site Cleanup Program (SCP) Case RO0002942 and GeoTracker Global ID SLT19735483, Sparkle Cleaners, 7200 Bancroft Avenue, Oakland, CA 94605 – **Notice to Comply: Request for Technical Reports**

**Response Required Within 14 Days**

Dear Mr. Levy:

You are named Responsible Party (RP) for the subject site in Alameda County Department of Environmental Health's (ACDEH) Site Cleanup Program (SCP). ACDEH, in our 20 June 2017 directive letter, requested you submit technical reports describing subsurface contamination at your property. To date, the reports have not been submitted and are late. Therefore, this case is out of compliance with directives from this agency. Failure to submit the reports may subject you to enforcement actions. The ACDEH requires you respond to this notice in writing within 14 days of the date of this letter, and not later than 31 January 2018, informing the ACDEH of your plan to regain compliance.

**TECHNICAL REPORT REQUEST**

Please upload technical reports to the State Water Resources Control Board's GeoTracker website according to the following schedule and file-naming convention:

- 18 August 2017 - Results from the Resampling of Existing Soil Vapor Probes and Groundwater Monitoring Wells; Electronic Submittal to Geotracker of water level data and analytical laboratory results (EDF). (This deadline includes an extension granted by the ACDEH from the initial requested date of 17 July 2017.)
- 18 August 2017 – Work Plan for Vapor Intrusion Investigation at and in Adjacent Areas of Sparkle Cleaners. (This deadline includes an extension granted by the ACDEH from the initial requested date of 28 July 2017.)  
File to be named: RO2942\_WP\_R\_yyyy-mm-dd
- 8 September 2017 – Site Management Plan.  
File to be named: RO2942\_SMP\_yyyy-mm-dd

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- 8 September 2017 – Work Plan for Additional Soil, Groundwater and Soil Vapor Investigation at and in Adjacent Areas of Sparkle Cleaners; the Work Plan should include a section describing the installation methods, well construction details, and analytical results from sampling of well MW-2B. File to be named: RO2942\_WP\_R\_yyyy-mm-dd
- 8 December 2017 – Soil, Groundwater and Vapor Intrusion Investigation Report and Updated Site Conceptual Model. File to be named: RO2942\_SWI\_SCM\_yyyy-mm-dd
- 1 January 2018 - Semi-Annual Monitoring and Progress Report. File to be named: RO2942\_GWM\_R\_yyyy-mm-dd

ACDEH administers the SCP under authority of H&SC §101480. Alameda County Department of Environmental Health (ACDEH responsible party requirements and detailed instructions pertaining to this request are summarized in Attachment 1. If you have any questions, please contact me at [robert.schultz@acgov.org](mailto:robert.schultz@acgov.org). Online case files are available for review at the following website: [http://geotracker.waterboards.ca.gov/profile\\_report.asp?global\\_id=SLT19735483](http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=SLT19735483).

Sincerely,



Robert W. Schultz, CHG  
Senior Hazardous Materials Specialist

Attachment 1 - Responsible Party(ies) Legal Requirements / Obligations

cc: William Mast, PES Environmental, Inc., 1682 Novato Boulevard, Suite 100, Novato, CA 94947  
(Sent via E-mail to: [wmast@pesenv.com](mailto:wmast@pesenv.com))  
Dilan Roe, ACDEH (Sent via E-mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Paresh Khatri, ACDEH (Sent via E-mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org))  
Robert Schultz, ACDEH (Sent via E-mail to: [robert.schultz@acgov.org](mailto:robert.schultz@acgov.org))  
GeoTracker, eFile

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> December 14, 2017
	<b>ISSUE DATE:</b> July 25, 2012
	<b>PREVIOUS REVISIONS:</b> September 17, 2013, May 15, 2014, December 12, 2016
<b>SECTION:</b> ACDEH Procedures	<b>SUBJECT:</b> Responsible Party(ies) Legal Requirements / Obligations

REPORT & DELIVERABLE REQUESTS

Alameda County Department of Environmental Health (ACDEH) Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) require submission of all reports in electronic form to the State Water Board's (SWB) GeoTracker website in accordance with California Code of Regulations, Chapter 30, Division 3, Title 23 and Division 3, Title 27.

Leaking Underground Fuel Tank (LUFT) Cases

Reports and deliverable requests are 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 (RP) in conjunction with an unauthorized release from a petroleum underground storage tank (UST) system.

Site Cleanup Program (SCP) Cases

For non-petroleum UST cases, reports and deliverables requests are pursuant to California Health and Safety Code Section 101480.

ELECTRONIC SUBMITTAL OF REPORTS

A complete report submittal includes the PDF report and all associated electronic data files, including but not limited to GEO\_MAP, GEO\_XY, GEO\_Z, GEO\_BORE, GEO\_WELL, and laboratory analytical data in Electronic Deliverable Format™ (EDF). Additional information on these requirements is available on the State Water Board's website ([http://www.waterboards.ca.gov/water\\_issues/programs/ust/electronic\\_submittal/](http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/))

- Do not upload draft reports to GeoTracker
- Rotate each page in the PDF document in the direction that will make it easiest to read on a computer monitor.

GEOTRACKER UPLOAD CERTIFICATION

Each report submittal is to include a GeoTracker Upload Summary Table with GeoTracker valid values<sup>1</sup> as illustrated in the example below to facilitate ACDEH review and verify compliance with GeoTracker requirements.

**GeoTracker Upload Table Example**

Report Title	Sample Period	PDF Report	GEO_MAPS	Sample ID	Matrix	GEO_Z	GEO_XY	GEO_BORE	GEO_WELL	EDF
<b>2016 Subsurface Investigation Report</b>	2016 S1	✓	✓	Effluent	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
<b>2012 Site Assessment Work Plan</b>	2012	✓	✓			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>2010 GW Investigation Report</b>	2008 Q4	✓	✓	SB-10	W	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				SB-10-6	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				MW-1	WG	✓	✓	✓	✓	✓
				SW-1	W	✓	✓	✓	✓	✓

<sup>1</sup> GeoTracker Survey XYZ, Well Data, and Site Map Guidelines & Restrictions, CA State Water Resources Control Board, April 2005

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> NA
	<b>ISSUE DATE:</b> December 14, 2017
	<b>PREVIOUS REVISIONS:</b> September 17, 2013, May 15, 2014, December 12, 2016
<b>SECTION:</b> ACDEH Procedures	<b>SUBJECT:</b> Responsible Party(ies) Legal Requirements / Obligations

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 the State Water Board's GeoTracker website." This letter must be signed by the Responsible Party, or legally authorized representative of the Responsible Party.

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 and include the professional registration stamp, signature, and statement of professional certification. 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

For LUFT cases, RP's non-compliance with these regulations may result in ineligibility to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse the cost of cleanup. Additional information is available on the internet at: [https://www.waterboards.ca.gov/water\\_issues/programs/ustcf/](https://www.waterboards.ca.gov/water_issues/programs/ustcf/)

AGENCY OVERSIGHT

Significant delays in conducting site assessment/cleanup or report submittals may result in referral of the case to the Regional Water 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.