

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
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December 12, 2008

Mr. A.K. Jain  
State of California  
Department of General Services  
RES/PSB/Seismic & Special Programs  
707 3<sup>rd</sup> Street, Suite 4-430  
West Sacramento, CA 95605

Subject: Fuel Leak Case No. RO0002950 and Geotracker Global ID T06197636657, CHP  
Oakland, 3601 Telegraph Avenue, Oakland, CA 94609

Dear Mr. Jain:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site, including the document entitled, "*Environmental Site Investigation Report, California Highway Patrol – Oakland, 3601 Telegraph Avenue, Oakland, California, 94609*," (Report) dated November 14, 2008 and prepared on your behalf by Kleinfelder. The Report presents the results from soil and groundwater sampling conducted in September 2009 to assess the extent of petroleum hydrocarbons released from a leaking underground storage tank (UST) system and lead impacts associated with a demolished shooting range building.

During the September 2009 investigation activities, lead was detected in shallow soil at concentrations up to 910 milligrams per kilogram (mg/kg). Fuel hydrocarbons and oxygenates were detected at low concentrations in groundwater samples collected from the soil borings advanced during the September 2009 investigation.

We request that you address the technical comments below and submit a schedule for the proposed AST installation and UST removal **no later than February 20, 2009**.

**TECHNICAL COMMENTS**

1. **Lead in Shallow Soil.** The Report concludes that lead concentrations for both near-surface and subsurface soil are below the commercial/industrial Environmental Screening Level (ESL) of 750 milligrams per kilogram (mg/kg). The Report by Kleinfelder presents the opinion that lead distribution has been characterized and that no further action is required with respect to investigation or remediation of lead. Based on the results and analysis presented, we concur that no further investigation or remediation for shallow soil is required at this time provided that land use for the site remains commercial/industrial. Therefore, a land use restriction stipulating a re-evaluation of the site if land use changes in the future, will be placed upon the site prior to or at the time of case closure.
2. **AST Installation.** The Report indicates that the State of California Department of General Services plans to remove the underground storage tank (UST) and install an above ground storage tank (AST) on the pad for the former shooting range building. The construction of the AST has been on hold pending completion of sampling for lead in shallow soil in the area

of the former shooting range building. We have no objection to proceeding with the construction of the AST on the former pad of the shooting range building.

- 3. UST Removal.** The Report recommends that DGS and ACEH evaluate potential monitoring and/or remediation options following UST removal construction and sampling activities. We have no objection to UST removal. Permitting and oversight of UST removals within the City of Oakland are provided by the City of Oakland Fire Department. Tank removal excavations provide an opportunity for overexcavation and confirmation sampling that can be accomplished more cost effectively than soil borings and in-situ remediation in the tank pit area. Therefore, we recommend that you include plans for overexcavation of contaminated soil if encountered and confirmation sampling during the UST removal. Permitting and oversight of UST removals within the City of Oakland are provided by the City of Oakland Fire Department. Although the City of Oakland will provide regulatory oversight of the UST removal, the site remains an open fuel leak case. Therefore, please provide copies of all work plans and reports for the UST removal to ACEH as well as the City of Oakland Fire Department. In addition, please provide 48 hours advance notification of any soil sampling activities during UST removal to Jerry Wickham (email preferred at [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org)). Please provide a schedule for the proposed AST installation and UST removal **no later than February 20, 2009.**

#### **TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **February 20, 2009** – Schedule for AST Installation and UST Removal

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

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Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

#### 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.

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If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org).

Sincerely,



Jerry Wickham, California PG 3766, CEG 1177, and CHG 297  
Senior Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Susan Gardner, Kleinfelder, 3077 Fite Circle, Sacramento, CA 95827-1815

Leroy Griffin, Oakland Fire Hazardous Materials Unit, 250 Frank Ogawa Plaza, Suite 3341  
Oakland, CA 94612

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>ISSUE DATE:</b> July 5, 2005
	<b>REVISION DATE:</b> December 16, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> Electronic Report Upload (ftp) Instructions

Effective **January 31, 2006**, 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

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- 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)

#### Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

#### 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 [dehloptoxic@acgov.org](mailto:dehloptoxic@acgov.org)  
or
  - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of Alicia Lam-Finneke.
- 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 and Firefox browsers will not open the FTP site.
- b) Click on File, then on Login As.
- 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 [dehloptoxic@acgov.org](mailto:dehloptoxic@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 at acgov.org. (e.g., [firstname.lastname@acgov.org](mailto: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)