



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

March 1, 2012

Mr. Lee Cover (*Sent via E-mail to: Lee.Cover@hanson.biz*)
Hanson Aggregates West Region
12667 Alcosta Blvd., Suite 400
San Ramon, CA 94583

Mr. Steven Dunn (*Sent via E-mail to: dunn@legacypartners.com*)
Legacy Partners
4000 East Third Avenue, Suite 600
Foster City, CA 94404-4805

Subject: Filling Activities at the Busch Pit, SLIC Case RO0002952 and GeoTracker Global ID SL0600101555, Hanson Aggregates Radum Plant, 3000 Busch Road, Pleasanton, CA 94566

Dear Mr. Cover and Mr. Dunn:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site including the recently submitted document entitled, "*Consulting Services, Response to Alameda County Community Development Agency Letter,*" dated February 6, 2012 and received by ACEH on February 22, 2012. The document, which was prepared by Haley & Aldrich, presents an evaluation of conditions in the Busch Pit prior to filling operations, information regarding the placement of fill within the Busch Pit, and a recommended procedure for future filling activities. The Busch Pit is Area of Concern #6 within ACEH SLIC case RO0002952. The scope of ACEH's response in this correspondence is limited to environmental issues related to infilling of the Busch Pit.

In correspondence dated January 18, 2012, ACEH requested that infilling of the Busch Pit cease until ACEH and the Alameda County Community Development Agency (CDA) approve such activities. The ACEH correspondence requested responses to technical comments on several issues. Although the February 6, 2012 correspondence addresses most issues, several items require further clarification or are incomplete. We request that you complete the submittal by providing the information requested in the Technical Comments below **no later than March 29, 2012.**

TECHNICAL COMMENTS

- 1. Volume of Fill to Date.** Please clarify how much fill has been added to the Busch Pit to date. The February 6, 2012 correspondence lists five fill sources and quantities of fill that were accepted for placement in the Busch Pit. The total volume of approved fill from the five sources is 30,800 cubic yards. Please clarify whether this represents the total volume of fill added to the Busch Pit to date.

2. **On-Site Fill Material.** Exhibit 9 of the February 6, 2012 correspondence discusses the use of “select fill,” from approximately 750,000 cubic yards of on-site soil stockpiles. No information is presented in the February 6, 2012 document regarding the proposed use of fill from an on-site source or the quality of this on-site soil. If on-site-soil is to be used for backfilling, please submit a detailed description that includes:
 - Locations and volumes of stockpiles.
 - Type and source of the material in each stockpile.
 - Specific area of the site where the soil was derived.
 - Sampling protocols and analytical results for the on-site fill material.

3. **Analytical Reports.** Exhibit 13 of the February 6, 2012 correspondence includes analytical reports for four composite soil samples from the Windemere-San Ramon site. The analytical results appear to be acceptable for placement of fill in the Busch Pit. However, please note that compositing of soil samples for volatile and semivolatile analysis is not an acceptable protocol. Electronic mail messages that refer to approvals or analytical results are presented for other imported fill sources but no analytical results or site background information is presented to evaluate whether the other four import fill sources were acceptable. Please complete the submittal by providing the analytical results and background information used to evaluate these import sources.

4. **Document Submittal.** Exhibit 4 includes a report entitled, “Busch Pond-Surface Water and Shallow Soil Characterization Results, Former Hanson Radum Site, Pleasanton, California,” dated February 11, 2009. However, Exhibit 4 appears to an incomplete version of the report that does not include soil data or laboratory analytical results. This document is not in the ACEH case files. You are required to submit the entire report to the ACEH case files and GeoTracker no later than March 29, 2012.

5. **Environmental Criteria.** Please clarify whether the Environmental Criteria listed in Exhibit 10 were developed for the February 6, 2012 correspondence or were used in the past to approve all fill sources accepted for placement in the Busch Pit to date.

TECHNICAL REPORT REQUEST

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

- **March 29, 2012** – All Items Identified in this Correspondence

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

Sincerely,

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

Responsible Parties
RO0002952
March 1, 2012
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Attachment: Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Danielle Stefani, Livermore Pleasanton Fire Department, 3560 Nevada St, Pleasanton, CA 94566 (Sent via E-mail to: dstefani@lpfire.org)

Colleen Winey (QIC 8021), Zone 7 Water Agency, 100 North Canyons Pkwy, Livermore, CA 94551 (Sent via E-mail to: cwiney@zone7water.com)

John Rigter, Livermore-Pleasanton Fire Department, 3560 Nevada Street, Pleasanton, CA 94566 (Sent via E-mail to: jrigter@lpfire.org)

James Gilford, Alameda County Development Agency, 224 W. Winton Avenue, Room 205, Hayward, CA 94544 (Sent via E-mail to: james.gilford@acgov.org)

Kevin Colin, Lamphier-Gregory, 1944 Embarcadero, Oakland, CA 94606 (Sent via E-mail to: kcolin@lamphier-gregory.com)

Voytek Bajsarowicz, Haley & Aldrich, 9040 Friars Road, Suite 220, San Diego, CA 92108-5860 (Sent via E-mail to: VBajsarowicz@haleyaldrich.com)

Ron Goloubow, LFR, 1900 Powell Street, 12th Floor
Emeryville, CA 94608-1827 (Sent via E-mail to: Ron.Goloubow@lfr.com)

Jonathan P. Lowell, City Attorney, City of Pleasanton, P.O. Box 520, Pleasanton, CA 94566 (Sent via E-mail to: jlowell@ci.pleasanton.ca.us)

Donna Drogos, ACEH (Sent via E-mail to: donna.drogos@acgov.org)

Jerry Wickham, ACEH (Sent via E-mail to: jerry.wickham@acgov.org)

GeoTracker, e-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: July 20, 2010
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 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.