



ENVIRONMENTAL HEALTH DEPARTMENT  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
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January 23, 2013

Herma Lichtenstein  
City of Dublin  
100 Civic Plaza  
Dublin, CA 94568  
(sent via electronic mail to [Hermal@dublin.ca.gov](mailto:Hermal@dublin.ca.gov))

Subject: Request for Site Investigation Work Plan; Fuel Leak Case No. RO0003005 and GeoTracker Global ID T10000001168, 11759 Dublin Boulevard, Dublin, CA 94568

Dear Ms. Lichtenstein:

Alameda County Environmental Health (ACEH) has reviewed the case files documenting the removal of three former underground storage tanks (USTs) and a concrete vault from the subject site on December 9, 2008. Our review indicates the site has been claimed in the State Water Resources Control Board's GeoTracker website and the requisite electronic copies of analytical data and reports have been uploaded to the database in accordance with the directives in ACEH's letter dated July 24, 2009 and correspondence dated May 5, 2012. Thank you for your cooperation in this matter.

According to the March 17, 2009 *UST Closure Report* for the Former Dublin Square Shopping Center, prepared by ERM-West, Inc. (ERM) on behalf of the City of Dublin, three unregistered USTs and one concrete vault were discovered during construction activities associated with the City's conversion of the site into a park in January 2008. ERM surmises that these tanks may have been associated with a former gasoline service station that operated at the site location. At the time of discovery, liquid was noted to be present in Tank 1 (550-gallon capacity) and Tank 2 (920-gallon capacity). Tank 1 was nearly full, while Tank 2 had only a small amount of liquid at the bottom. No liquid was observed in Tank 3 (480-gallon capacity) or the concrete vault (1,220-gallon capacity); however Tank 3 showed considerable degradation at the bottom with several tears and holes. Analytical results of samples collected from the contents of Tank 1 and 2 detected total petroleum hydrocarbons (TPH) as gasoline and diesel, associated fuel related components and breakdown products, naphthalene, and several metals (cadmium, lead, nickel and zinc).

According to the UST Closure Report, following the concrete vault and tank removal activities, soil confirmation sampling was conducted. No TPH or breakdown products were detected above the standard limits of detection in confirmation samples collected from below the center of each tank and the concrete vault. However, concentrations of up to 355 parts per million TPH as motor oil and up to 50 milligrams per kilogram of lead were detected in samples collected from the excavated soil stockpiles, indicating an unauthorized release has occurred. Although no groundwater was observed during excavation of the tank pit, a review of the *Updated Phase 1 Environmental Site Assessment* report dated November 28, 2006, and prepared by Treadwell & Rollo, indicates that the depth to groundwater in the site vicinity is typically between 15 and 29 feet below ground surface.

Based on this data, additional investigation is required to delineate the vertical and lateral extent of soil and groundwater contamination. Further steps, if warranted, to progress the site to case closure will be dependent on the results of the investigation. ACEH requests that you address the above-mentioned concerns and send us the technical work plan requested below.

### **TECHNICAL REPORT REQUEST**

Please submit a soil and groundwater investigation work plan to ACEH (Attention: Dilan Roe) by uploading the document to the ACEH FTP site and SWRCB Geotracker website according to the following schedule and naming convention:

- **March 22, 2013** – Soil and Groundwater Investigation Work Plan  
File to be named: WP\_R\_yyyy-mm-dd

This report is 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.

### **UNDERGROUND STORAGE TANK CLEANUP FUND**

Please be aware that site investigation/site cleanup costs may be reimbursable from the California Underground Storage Tank Cleanup Fund. The application and additional information is available at the State Water Resources Control Board's website at [http://www.waterboards.ca.gov/water\\_issues/programs/ustcf](http://www.waterboards.ca.gov/water_issues/programs/ustcf). Please be aware that reimbursement monies are contingent upon maintaining compliance with directives from ACEH. Additional information about the USTCF can be found below in the attachments to this letter.

Thank you for your cooperation. Should you have any questions, please contact me at (510) 567-6767 or send me an electronic mail message at [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org).

Sincerely,



Dilan Roe, P.E.  
Hazardous Materials Specialist

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

cc: Donna Drogos, ACEH, (sent via electronic mail to [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))  
Dilan Roe, ACEH, (sent via electronic mail to [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Geotracker, Case Electronic File

## **Attachment 1**

### **Responsible Party(ies) Legal Requirements/Obligations**

#### **REPORT/DATA REQUESTS**

These reports/data are being requested pursuant to Division 7 of the California Water Code (Water Quality), Chapter 6.7 of Division 20 of the California Health and Safety Code (Underground Storage of Hazardous Substances), and Chapter 16 of Division 3 of Title 23 of the California Code of Regulations (Underground Storage Tank Regulations).

#### **ELECTRONIC SUBMITTAL OF REPORTS**

ACEH's Environmental Cleanup Oversight Programs (Local Oversight Program [LOP] for unauthorized releases from petroleum Underground Storage Tanks [USTs], and Site Cleanup Program [SCP] for unauthorized releases of non-petroleum hazardous substances) require submission of reports in electronic format pursuant to Chapter 3 of Division 7, Sections 13195 and 13197.5 of the California Water Code, and Chapter 30, Articles 1 and 2, Sections 3890 to 3895 of Division 3 of Title 23 of the California Code of Regulations (23 CCR). Instructions for submission of electronic documents to the ACEH FTP site are provided on the attached "Electronic Report Upload Instructions."

Submission of reports to the ACEH FTP site is in addition to requirements for electronic submittal of information (ESI) to the State Water Resources Control Board's (SWRCB) Geotracker website. In April 2001, the SWRCB adopted 23 CCR, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1 (Electronic Submission of Laboratory Data for UST Reports). Article 12 required electronic submittal of analytical laboratory data submitted in a report to a regulatory agency (effective September 1, 2001), and surveyed locations (latitude, longitude and elevation) of groundwater monitoring wells (effective January 1, 2002) in Electronic Deliverable Format (EDF) to Geotracker. Article 12 was subsequently repealed in 2004 and replaced with Article 30 (Electronic Submittal of Information) which expanded the ESI requirements to include electronic submittal of any report or data required by a regulatory agency from a cleanup site. The expanded ESI submittal requirements for petroleum UST sites subject to the requirements of 23 CCR, Division, 3, Chapter 16, Article 11, became effective December 16, 2004. All other electronic submittals required pursuant to Chapter 30 became effective January 1, 2005. Please visit the SWRCB website for more information on these requirements. ([http://www.waterboards.ca.gov/water\\_issues/programs/ust/electronic\\_submittal/](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, 7835, 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, 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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> July 25, 2012
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (petroleum UST 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 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 [.loptoxic@acgov.org](mailto:.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 <://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 [.loptoxic@acgov.org](mailto:.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.