

Detterman, Mark, Env. Health

From: Detterman, Mark, Env. Health
Sent: Thursday, August 07, 2014 3:32 PM
To: 'Megan Walsh'
Cc: airleslie@hotmail.com
Subject: RE: 132 Guilford Rd. - Case RO0003070

Hi Megan,

The heating oil exemption is from regulatory compliance regulations used to ensure tanks do not leak, such as at service stations (continuous leak detection monitoring, yearly testing, yearly permitting, etc). These actions are intended to prevent releases. It does not apply to regulatory environmental oversight from the release of contamination. Once contamination is released an investigation is warranted. For this particular case, ACEH generally believes that limited additional work is needed to reach closure and does not expect the work to be very intrusive.

Once source of confusion may be that the compliance group (known by its acronym - CUPA) closed the task removal portion of the case; but with documentation of contamination an environmental case was opened in the group I work with (the LOP group). It is the environmental case we are trying to get closed in this situation.

We do have a copy of the tank report. Should you want to determine we have everything, please use the link below my name to access the ACEH website that contains all documents associated with this case. You'll need to work through several screens and drop down menus. Make sure you are not in the "Restaurant Inspection" result box, but are in the LOP Records box. I usually use the case number (RO0003070), but there are several choices. Hope this helps,

Mark Detterman
Senior Hazardous Materials Specialist, PG, CEG
Alameda County Environmental Health
1131 Harbor Bay Parkway
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Direct: 510.567.6876
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PDF copies of case files can be downloaded at:

<http://www.acgov.org/aceh/lop/ust.htm>

From: Megan Walsh [mailto:meganwalshesq@gmail.com]
Sent: Thursday, August 07, 2014 9:31 AM
To: Detterman, Mark, Env. Health
Cc: airleslie@hotmail.com
Subject: Re: 132 Guilford Rd. - Case RO0003070

Hi Mark,

Before we move further, can you shed light on why Leslie's property does not qualify for exemption as a residential heating oil tank? I am more than happy to forward the tank report if that is helpful.

My apologies if I have missed a step earlier in the process.

Thanks,
Megan

On Tue, Aug 5, 2014 at 10:53 AM, Detterman, Mark, Env. Health <Mark.Detterman@acgov.org> wrote:

Megan and Ms. Mulholland,

Thanks for the email. I understand your concerns. We generally have found that meetings help move a site to a closure stage more quickly, so the intent is to bring interested parties together, focus the discussions, and hopefully obtain a consensus. For this particular case, hopefully less than 90 minutes will be needed, but we generally schedule 2 hours. As you have guessed, the intent is to “walk” the site through the LTCP together; that is the limit of the agenda. Existing data indicates that the site does not appear to meet the groundwater specific criteria of the LTCP; however, the discussions may shed additional light on the available data. Because the meeting will be limited to a technical discussion of the LTCP, Ms. Mulholland may want her consultant to attend.

At present the following dates and times are available. Please be aware these go quickly and have already been offered to other sites. If these are not sufficient, I will forward additional dates and times.

Monday 9/8; 1 – 5 (90 minute time block estimated)

Tuesday 9/9; 1 – 5

Wednesday 9/10; 10 – 12; or 1- 5

Let me know and I will reserve the time and a room.

Regards,

Mark Detterman

Senior Hazardous Materials Specialist, PG, CEG

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From: Megan Walsh [mailto:meganwalshesq@gmail.com]
Sent: Tuesday, August 05, 2014 10:00 AM
To: Detterman, Mark, Env. Health
Cc: airleslie@hotmail.com
Subject: 132 Guilford Rd. - Case RO0003070

Dear Mark,

I hope you enjoyed your vacation. I think it's probably best while you sort through what I imagine is a very full inbox and Dilan Roe prepares for vacation that we schedule our meeting for sometime in September. If you could provide available times on Mondays those would work best. If not, Wednesday or Friday is possible.

I hope you can explain to me why you imagine this meeting will take as long as 90 minutes. I presume that you wish to walk us through the low threat closure policy, but I'm not certain that we even need to get there. I believe that a closure letter is appropriate for a residential heating oil tank of approximately 200 gallons, particularly when the tank and all media has been removed. (23 CCR §2621 (a)(2), §2611).

If you could help me understand where the County is coming from on this case and why it is not subject for closure under §2621(a)(2) that would be very much appreciated. Further, please send an agenda in advance of the meeting so that we may be as efficient as possible.

If you have any questions or concerns please call me at [510.206.0462](tel:510.206.0462).

Sincerely,

Megan

Megan K Walsh Esq.

meganwalshesq@gmail.com

[510.206.0462](tel:510.206.0462)