



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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August 2, 2012

Michael von Wittenau, et al
4640 Admiralty Way, Suite 306
Marina del Rey, CA 90292

Yun Shik Kim
Bell Cleaners
Address Unknown

Subject: REQUEST FOR REVISED WORK PLAN, SLIC Leak Case No. RO0003080 and Geotracker Global ID T10000003362, Bell Cleaners/ Wittenau Property, 1534 Park Street, Alameda, CA 94501

Dear Responsible Parties:

Thank you for the recently submitted document entitled, Site Investigation Work Plan, 1534 Park Street, Alameda, California, which was prepared by Bonkowski & Associates for the subject site. Alameda County Environmental Health (ACEH) staff has reviewed the case file including the above-mentioned work plan for the above-referenced site. ACEH requested the work plan in our Directive Letter dated January 12, 2012. In our Directive Letter, ACEH requested two reports:

- Work Plan for Soil and Groundwater Investigation with Soil Vapor Work Plan and
- Preferential Pathway Study (PPS)

The reports were initially to be submitted on March 14, 2012. Two extension requests for Work Plan submittal, presented on March 3 and on April 18, 2012, were both approved by ACEH for a final submittal date of May 15, 2012. As of the date of this letter, the PPS report has not been received. In order to prepare for an adequate evaluation of the Work Plan, ACEH would need to compare proposed soil, groundwater, and soil vapor sampling points with preferential pathways identified in the PPS. ACEH made a request via email for the PPS on July 9, 2012. If the report was in draft form, ACEH requested specific information that could be provided to aid in the work plan review. The information has not been submitted.

The above-mentioned work plan does not include utility/conduit locations or the rationale for locating vapor sampling points in the street rather than within the former dry cleaning suite and adjacent suites where the risk has not been evaluated. The scope of work presented in the work plan has not been adequately justified and cannot be approved at this time. ACEH requests that you address the following technical comments and send us a revised work plan as requested in the technical report request below.

TECHNICAL COMMENTS

1. **Work Plan-** ACEH is unable to determine if the above-mentioned work plan incorporates information from the PPS. Therefore, an adequate evaluation could not be performed and the work plan is rejected. Please prepare a revised work plan that incorporates the findings of the PPS.

2. **GeoTracker Compliance-** In preparation of the work plan review, it was determined the site has not been claimed in GeoTracker. Compliance with GeoTracker is also a State requirement. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the UST or LUST program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs, including SLIC programs. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites was required in GeoTracker. Please see Attachment 1 for limited additional details, and the state GeoTracker website for full details. ACEH requests notification of, and a list of, the documents uploaded to Geotracker.

We request that you address the aforementioned technical comments, perform the proposed work, and send us the technical reports requested below.

TECHNICAL REPORT REQUEST

Please submit technical reports to ACEH (Attention: Keith Nowell), according to the following schedule:

- **August 17, 2012** – Claim Site in GeoTracker
- **September 1, 2012** – Preferential Pathway Study
- **September 1, 2012** – Revised Work Plan for Soil and Groundwater Investigation with Soil Vapor

Our file does not contain contact information for the current contact information for the last tenant to operate the Bell Cleaners dry cleaning establishment. Please provide the contact information, including email addresses if known, for these individuals. Please include the email address for the cc listed below, if not present, in order to expedite future communications.

Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, please call me at (510) 567 - 6764 or send me an electronic mail message at keith.nowell@acgov.org.

Sincerely,

Keith Nowell PG, CHG
Hazardous Materials Specialist

Enclosure: Responsible Party(ies) Legal Requirements/Obligations
ACEH Electronic Report Upload (ftp) Instructions

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cc: Marcia Breese, 706 Registry Run, Kennesaw, GA 30152(*Sent via E-mail to:*
Marcia.Breese@turner.com)
Jamie Wittenau, 1349 Running Springs Road, #8 E10, Walnut Creek, CA 94595
Cynthia Dittmar, Bonkowski & Associates, Inc., 6400 Hollis Street, Suite 4,
Emeryville, CA 94608 (*Sent via E-mail to:* cindy@bonkowski.com)
Donna Drogos, ACEH (*Sent via E-mail to:* donna.drogos@acgov.org)
Keith Nowell, ACEH (*Sent via E-mail to:* keith.nowell@acgov.org)
GeoTracker
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.