



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

June 17, 2014

William V. and Joan D. Mullen  
1875 Via Hermana  
San Lorenzo CA 94580

Grace K. Giese Trust c/o Vincent Giese  
4845 Proctor Road  
Castro Valley CA 94546

Christopher Giese  
4301 W. William Cannon Dr.  
Suite B 150  
Austin, TX 78749

Carlanne M. and Vincent J. Giese Trustees  
3776 Somerset Avenue  
Castro Valley, CA 94546

Subject: Technical Report Request for Fuel Leak Case No. RO0003104 and GeoTracker Global ID T10000004353, Giese Property, 4845 Proctor Road, Castro Valley, CA 94546

Dear Ladies and Gentlemen:

On April 19, 2012, one 500-gallon underground storage tank (UST) was removed from the site. Water infiltrated into the UST pit and a water sample collected from the pit detected benzene, xylenes, and Total Petroleum Hydrocarbons as gasoline (TPHg). A soil sample collected from beneath the fuel dispenser detected TPHg. The detections of petroleum hydrocarbons in soil and water indicate an unauthorized release may have occurred from the underground storage tank system at this site. A fuel leak case was opened for this site in September 2012. Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above referenced site and concluded that the contamination at the site poses a low-threat and the case can be closed without further investigation or cleanup.

Pursuant to sections 25297.1 and 252917.15 of the Health and Safety Code, ACEH is required to provide a Notice of Responsibility for all fuel leak cases. To complete this requirement, we have sent the Notice of Responsibility under separate cover. However, as previously discussed, the fuel leak case can be closed and no further action is required.

#### **List of Landowners Form**

Pursuant to Section 25297.15 (a), ACEH, the local agency, shall not consider cleanup or site closure proposals from the primary or active responsible party, issue a closure letter, or make a determination that no further action is required with respect to a site upon which there was an unauthorized release of hazardous substances from an underground storage tank subject to this chapter unless all current record owners of fee title to the site of the proposed action have been notified of the proposed action by the primary or active responsible party. ACEH is required to notify the primary or active responsible party of their requirement to certify in writing to the local agency that the notification requirement in the above-mentioned regulation has been satisfied and to provide the local agency with a complete mailing list of all record fee title owners.

To satisfy this requirement, please complete the enclosed *List of Landowners Form*, and mail or e-mail it back to me at [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org) by the date identified below. Also your comments, if any, must be considered prior to the proposed closure. Please respond within 30 days from the date of this letter for your comments to be considered.

## Public Participation

Public participation is a requirement for the case closure process. In order to notify potentially affected members of the public of the potential fuel leak case closure, ACEH will distribute the attached *Invitation to Comment - Potential Case Closure* to addresses in the immediate vicinity. The *Invitation to Comment - Potential Case Closure* requests that landowners or residents submit any comments or questions to ACEH regarding potential case closure by August 18, 2014. ACEH will consider all comments from the public prior to potential case closure. ACEH will provide written notification if any comments are received. Local Oversight Programs are required by the State's Low Threat Closure Policy (LTCP) to issue a uniform closure letter within 30 days from the end of the public comment period. After written ACEH concurrence (e-mail or other) that there have been no comments, the site can proceed to closure.

## TECHNICAL REPORT REQUEST

Please submit the following documents to Alameda County Environmental Health (Attention: Karel Detterman), according to the following schedule:

- **June 20 , 2014** – Public Comment Period Begins
- **July 18, 2014** - Return *List of Landowner Form*  
File to be named: RO3104\_LNDOWNR\_F\_yyyy-mm-dd
- **August 18, 2014** – Public Comment Period Ends
- **4 Weeks after the end of the public comment period** – ACEH to issue uniform closure letter if all required documents are submitted

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>. Should you have any questions, please contact me at (510) 567-6708 or send me an e-mail message at [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org)

Sincerely,

Karel Detterman, PG  
Hazardous Materials Specialist

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

Attachment 2 - *List of Landowners Form*

Attachment 3 – *Invitation to Comment - Potential Case Closure* and Mailing List

cc: Dilan Roe, ACEH, (sent via e-mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Karel Detterman, ACEH, (sent via e-mail to: [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org))  
Geotracker, Electronic 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/](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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>REVISION DATE:</b> May 15, 2014
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> 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](mailto: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](mailto: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.

# ATTACHMENT 2

# LIST OF LANDOWNERS FORM

County of Alameda  
Environmental Health Services  
Environmental Protection  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

## CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR:

Site Name: Giese Property

Address: 4845 Proctor Road

City, State, Zip: Castro Valley, CA 94546

Record ID #: RO0003104

Please fill out item 1 if there are multiple site landowners (attach an extra sheet if necessary). If you are the sole site landowner, skip item 1 and fill out item 2.

1. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I, \_\_\_\_\_ (name of primary responsible party), certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

2. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I \_\_\_\_\_, certify that I am the sole landowner for the above site.

Sincerely,

\_\_\_\_\_  
Signature of Primary Responsible Party      Printed Name      Date      E-mail Address

# ATTACHMENT 3



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

## **INVITATION TO COMMENT – POTENTIAL CASE CLOSURE**

**GEISE PROPERTY  
4845 PROCTOR ROAD, CASTRO VALLEY, CA 94546  
FUEL LEAK CASE RO0003104  
GEOTRACKER GLOBAL ID T1000004345**

**JUNE 20, 2014**

The above referenced site is a fuel leak case that is under the regulatory oversight of the Alameda County Environmental Health (ACEH) Local Oversight Program for the investigation and cleanup of a release of petroleum hydrocarbons from an underground storage tank system. Site investigation and cleanup activities have been completed and the site has been evaluated in accordance with the State Water Resources Control Board Low-Threat Closure Policy. The site appears to meet all of the criteria in the Low-threat Closure Policy. Therefore, ACEH is considering closure of the fuel leak case. *Due to the residual contamination on site, the site would be closed with site management requirements that require ACEH notification if the site is to be redeveloped in the future.*

This notice is being sent to the current landowner in compliance with Health and Safety Code Section 25295.40. It is also being sent to the current occupants and landowners of adjacent properties and known interested parties for this site.

The public is invited to review and comment on the potential closure of the fuel leak case. The entire case file can be viewed over the Internet on the ACEH website (<http://www.acgov.org/aceh/lop/ust.htm>) or the State of California Water Resources Control Board GeoTracker website (<http://geotracker.swrcb.ca.gov>). Please send written comments to Karel Detterman, ACEH, 1131 Harbor Bay Parkway, Alameda, CA 94502; all comments will be forwarded to the responsible parties. Comments **received by August 18, 2014** will be considered and responded to prior to a final determination on the proposed case closure.

If you have comments or questions regarding this site, please contact the ACEH caseworker, Karel Detterman at 510-567-6708 or by email at [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org). Please refer to ACEH case RO0003104 in any correspondence.



STRAUSS ROBERT L & JEANNE M  
Parcel #: 84D-1190-9-3  
17507 DORSON LN  
CASTRO VALLEY CA 94546-1443

LELIS ELINA K  
Parcel #: 84D-1190-11  
17513 DORSON LN  
CASTRO VALLEY CA 94546-1443

CONCANNON JASON M & RACHEL L TRS  
Parcel #: 84D-1190-12-1  
17525 DORSON LANE  
CASTRO VALLEY CA 94546-1443

WILSON JEFF G & PATRICIA A  
Parcel #: 84D-1190-12-2  
17531 DORSON LN  
CASTRO VALLEY CA 94546-1443

LIPARI SHERYL M  
Parcel #: 84D-1190-12-3  
17665 DORSON LN  
CASTRO VALLEY CA 94546-1445

WHEELER MICHAEL J  
Parcel #: 84D-1190-12-4  
17673 DORSON LN  
CASTRO VALLEY CA 94546-1445

MOORE ELIZABETH L  
Parcel #: 84D-1190-13  
17681 DORSON LN  
CASTRO VALLEY CA 94546-1445

MULLEN WILLIAM V & JOAN D  
Parcel #: 84D-1190-8  
1875 VIA HERMANA  
SAN LORENZO CA 94580-1337

MCSHANE DIANNE TR  
Parcel #: 84D-1275-3  
19443 SAN MIGUEL AVE  
CASTRO VALLEY CA 94546-3424

SCHAFFER PAUL  
Parcel #: 84D-1275-2-3  
3196 LUCERNE CT  
CASTRO VALLEY CA 94546-3340

CHUMBER BALBIR S  
Parcel #: 84D-1190-16  
4311 ADELINE ST  
EMERYVILLE CA 94608-3311

CHUMBER BALBIR S  
Parcel #: 84D-1190-18  
4311 ADELINE ST  
EMERYVILLE CA 94608-3311

LONG BAIREN & LUO SANDY P  
Parcel #: 84D-1270-13  
4822 PROCTOR RD  
CASTRO VALLEY CA 94546-1450

ESTABROOK GABRIELE & REED  
Parcel #: 84D-1270-36  
4838 PROCTOR RD  
CASTRO VALLEY CA 94546-1450

ANDERSON SUSAN R  
Parcel #: 84D-1275-1-3  
4852 PROCTOR RD  
CASTRO VALLEY CA 94546-1450

FRAGOMENI FRANK J JR TR - MARITAL TRUST :  
Parcel #: 84D-1190-9-2  
4853 PROCTOR RD  
CASTRO VALLEY CA 94546-1449

CHUMBER AMAR & SINGH PARMJIT ETAL  
Parcel #: 84D-1190-17  
P O BOX 8818  
EMERYVILLE CA 94662-0818