



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

February 19, 2015

Jim Fitzpatrick  
Public Storage Northern California Newark, Inc.  
701 Western Avenue  
Glendale, CA 91201  
(Sent via E-mail to: [jfitzpatrick@publicstorage.com](mailto:jfitzpatrick@publicstorage.com))

6800 Overlake LLC  
2110 Waverly Street  
Palo Alto, CA 94301-3954

Subject: Revised Site Management Plan Approval for Spills, Leaks, Investigation, and Cleanup Case No. RO0003136 and GeoTracker Global ID T10000006057, Public Storage #CA13186, 6800 Overlake Place, Newark, CA 94560

Dear Mr. Fitzpatrick:

Alameda County Environmental Health (ACEH) has reviewed the case file for the above referenced site including the most recently submitted document entitled, "*Revised Site Management Plan, Public Storage #CA13186, 6800 Overlake Place, Newark, California,*" dated February 16, 2015 (SMP). The SMP, which was prepared on your behalf by Antea Group, is a revision from the previous SMP dated December 8, 2014. The SMP was revised in response to technical comments received from the Alameda County Water District on the proposed removal and relocation of shallow soils containing slag material during and after construction of a planned storage facility. As proposed in the previous December 8, 2014 SMP, the slag-containing materials, which contain elevated concentrations of lead, would be excavated from areas where it may be encountered by current or future receptors and relocated beneath building slabs, asphalt pavement, or a cap at depths greater than the current depth of the slag containing material. Based on the technical comments provided by the Alameda County Water District during a public comment period on the proposed corrective action and potential case closure, the SMP was revised so that slag containing materials will not be buried at depths greater than the current depth of the slag containing material. The revisions in the "*Revised Site Management Plan, Public Storage #CA13186, 6800 Overlake Place, Newark, California,*" dated February 16, 2015 appear to adequately address the technical comments provided by Alameda County Water District. Therefore, the plans as presented in the February 16, 2015 SMP to remove, relocate, and manage shallow soils containing slag material during and after construction of the planned storage facility are approved for implementation with one condition described in the technical comment below.

Please provide 5 days advance notification to ACEH (email preferred to [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org)) prior to start of excavation. ACEH may conduct site inspections during excavation and construction of the cap. Following implementation of the SMP, we request that you submit a report that documents the activities conducted during the soil excavation, relocation, soil sampling, and cap construction. A Covenant and Environmental Restriction on Property will be required following completion of the corrective action and cap construction.

### **TECHNICAL COMMENT**

1. **Section 7.2.7 Backfill Materials and Methods.** Section 7.2.7 of the SMP indicates that if additional soil is required for import to the site, the borrow source material will be tested following the California Department of Toxic Substances Control Information Advisory, Clean Imported Fill Material (DTSC, 2001). Use of the DTSC 2001 Advisory to assess the suitability of imported fill is generally acceptable; however, ACEH could potentially request additional information and/or analyses based upon the site history of the fill source. We request that you submit sufficient information to review the suitability of the imported fill including the following:

- 1) A description including maps and/or aerial photos showing the location(s) where the fill came from.
- 2) Background information and/or reports on the fill source
- 3) The volume of the fill and the volume that each sample represents.
- 4) The type of samples - composite or discrete.
- 5) The type of fill and the heterogeneity.
- 6) Whether the fill contains any debris or construction material.
- 7) Whether any staining or odor was observed.
- 8) Locations and depths where the imported fill is to be placed on site.
- 9) Laboratory analytical results.

Please provide 72 hours notification prior to submittal of the request for approval. ACEH will endeavor to review the submittal within four business days. Analytical results may initially be screened against San Francisco Bay Regional Water Quality Control Board Environmental Screening Levels (December 2013); however, ACEH will make the final determination on suitability of the fill based on case-specific conditions and the proposed location for fill placement.

### **TECHNICAL REPORT REQUEST**

Please upload technical reports to the ACEH ftp site (Attention: Jerry Wickham), and to the State Water Resources Control Board's GeoTracker website according to the following schedule and file-naming convention:

- **November 13, 2015** – Corrective Action and Cap Construction Report  
File to be named: REM\_R\_yyyy-mm-dd RO3136

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org). Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

Sincerely,

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

Responsible Parties  
RO0003136  
February 19, 2015  
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Attachments: Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Andy Lojo, Antea Group (*Sent via E-mail to: [Andy.Lojo@anteagroup.com](mailto:Andy.Lojo@anteagroup.com)*)

Nicole Persaud, Antea Group (*Sent via E-mail to: [Nicole.Persaud@anteagroup.com](mailto:Nicole.Persaud@anteagroup.com)*)

Tom Graf (*Sent via E-mail to: [tom@grafcon.us](mailto:tom@grafcon.us)*)

Eileen Chen, Alameda County Water District (*Sent via E-mail to: [eileen.chen@acwd.com](mailto:eileen.chen@acwd.com)*)

Jerry Wickham, ACEH (*Sent via E-mail to: [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org)*)  
GeoTracker, eFile

## 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.