



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

May 26, 2016

Robert A. and Leslie C. Elliott (and Trust)
415 Blue Ridge Drive
Martinez, CA 94553

Richard E. Moore (and Trust)
1855 Olympic Blvd
Walnut Creek, CA 94596

Robert A. Elliott Sr. (and Trust)
408 Silver Chief Way
Danville, CA 94526 (Sent via E-mail to coachelliott@me.com)

Subject: Fuel Leak Case No. RO0003159 and GeoTracker Global ID T10000006491, Roofing Facility,
745 Kevin Court, Oakland, CA 94621

Ladies and Gentlemen:

Alameda County Environmental Health (ACEH) has reviewed the case file for the subject site including the February 17, 2016 *Soil, Groundwater, and Soil Vapor Assessment Report* (Report) prepared on your behalf by Aqua Science Engineers, Inc. (ASE). ACEH has evaluated the data in conjunction with the case files, and the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case Closure Policy (LTCP). Based on ACEH staff review, we have determined that the site does not meet the LTCP General Criteria d (Free Product), e (Site Conceptual Model), f (Secondary Source Removal), Media-Specific Criteria for Groundwater, Media-Specific Criteria for Vapor Intrusion to Indoor Air, and the Media-Specific Criteria for Direct Contact. Thank you for submitting the Report.

According to the case file, a 1,000 gallon underground storage tank (UST) was reportedly removed in 1991; however, the UST removal was undocumented. Elevated detections of Total Petroleum Hydrocarbons as gasoline (TPHg), Total Petroleum Hydrocarbons as diesel (TPHd), and benzene in both soil and grab groundwater samples collected north of the suspected former UST location during the January 2016 and November 2014 investigations suggest that the former UST may not have been located adjacent to the offices based on anecdotal evidence, and/or there are/have been other USTs, or sources at the site. Additionally grab groundwater samples collected from soil borings north of the suspected former UST location detected concentrations of up to 6,200 micrograms per liter (ug/L) TPHg, and 11,000 ug/L TPHd (without silica gel cleanup) indicating the possible presence of free product as discussed in the *Technical Justification for Vapor Intrusion (VI) Media Specific Criteria* for the LTCP.

We request that you address the following technical comments and send us the technical report requested below. Additionally, we request setting up an appointment with you and your consultant to visit the site the week of June 6th through 10th or June 13th through 17th. Please send me an e-mail proposing three times/dates to meet by the date provided below.

TECHNICAL COMMENTS

- 1. Request for a Work Plan to Define Lateral and Vertical Extent of Potential Source Area(s):**
Please present a strategy to identify source areas in the vicinity of the suspected former UST location. ACEH suggests utilizing a "step-out" strategy to investigate potential source area(s) in the vicinity of the former UST.

- 2. Site Conceptual Model (SCM) Update:** The initial SCM was included in ASE's November 6, 2015 *Revised Work Plan for a Soil, Groundwater, and Soil Vapor Assessment (Revised Work Plan)*; however an updated SCM incorporating the new data was not provided in the Report. Please include in all future Investigation Reports an updated SCM. As mentioned in our December 23, 2015 Directive Letter, please ensure that the text in the SCM table is complete in each text box; the Risk Evaluation Description text was cut off on page 5 of the *Revised Work Plan's* SCM. Please include tables summarizing all historical soil, groundwater, and soil vapor data in all future reports.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACEH ftp site (Attention: Karel Detterman), and to the State Water Resources Control Board's GeoTracker website, in accordance with the following schedule and file naming convention:

- **June 3, 2016** E-mail proposing three meeting times/dates
- **July 27, 2016** Data Gap Investigation Work Plan and Updated Site Conceptual Model
File to be named: RO0003159_SCM_WP_R_yyyy-mm-dd

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.

Should you have any questions, please contact me at (510) 567-6708 or send me an electronic mail message at karel.detterman@acgov.org

Sincerely,

Karel Detterman, PG
Hazardous Materials Specialist

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

cc: Joseph Bernardini, Bernardini Enterprises, Inc. & JD Services, P.O. Box 1563, Burlingame, CA 94011, (Sent via E-mail to: JDHauling@hotmail.com)

David Allen, Aqua Science Engineers, Inc., 55 Oak Court, Ste. 220, Danville, CA 94526, (Sent via E-mail to: dallen@aquascienceengineers.com)

Karel Detterman, ACEH, (Sent via E-mail to: karel.detterman@acgov.org)
Dilan Roe, ACEH, (Sent via E-mail to: dilan.roe@acgov.org)
Electronic File, GeoTracker

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: May 15, 2014
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 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.