



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

August 20, 2015

Mr. Eric Uranga
City of Livermore Economic Development
1052 S. Livermore Ave.
Livermore, CA 94550
(Sent via E-mail to: ejuranga@ci.livermore.ca.us)

CRP Properties, Inc.
c/o Mailstop CA2-5012
17875 Von Karman Avenue
Irvine, CA 92614-6200

Antrim Group Ltd.
1228 Quarry Lane, Suite C
Pleasanton, CA 94566-4768

PAMCO
586 Escondido Circle
Livermore, CA 94550-5247

Payless Drug Stores Northwest, Inc.
c/o Prop. Acctg. #4066
9275 SW Peyton Lane
Wilsonville, OR 97070

James D. Robertson
Bruce M. Robertson
Address Unknown

Subject: Fuel Leak Case No. RO0003179 and GeoTracker Global ID T10000007202, Chestnut Square, 1625 Chestnut Street, Livermore, CA 94551

Dear Responsible Parties:

The Alameda County Department of Environmental Health (ACDEH) has reviewed several reports for the site at 1625 Chestnut Street, which is currently owned by the City of Livermore. Based on evidence of soil and groundwater contamination originating from a leaking underground storage tank (UST) system, a fuel leak case has been opened for the above referenced site. Pursuant to sections 25297.1 and 25297.15 of the Health and Safety Code, ACEH is required to provide a Notice of Responsibility for all fuel leak cases. As part of this requirement, we are also attaching a Notice of Responsibility to this letter.

From the 1960s until the mid-1970s, the northwest corner of the site was occupied by a gasoline service station. No records of the tank removal or sampling during the tank removal appear to be available. During a site investigation conducted in 2009 by Enercon Services, Inc., six soil samples were collected from three locations within the outline of the former service station. Total petroleum hydrocarbons as diesel (TPHd) and volatile organic compounds (VOCs) were not detected at concentrations above reporting limits in the six soil samples.

During a site investigation conducted in the area of the former service station in 2011 (Targeted Site Investigation Report by URS, April 2011), soil samples were collected at 14 locations. TPHd was detected in soil at concentrations up to 140 milligrams per kilogram (mg/kg) and TPH as motor oil (TPHmo) was detected at concentrations up to 400 mg/kg. Naphthalene and benzo(a)pyrene were detected in soil at concentrations up to 36 and 21 micrograms per kilogram ($\mu\text{g}/\text{kg}$), respectively. TPHd was detected in multiple groundwater samples at concentrations up to 130 $\mu\text{g}/\text{L}$. Benzene was detected at a concentration above screening levels in one soil gas sample collected in 2011. The URS April 2011 Targeted Site Investigation Report concluded that the vertical extent of contamination was not bounded and that the lateral extent of contamination is not well

Responsible Parties
RO0003179
August 20, 2015
Page 2

defined south of sampling point C1. URS recommended additional characterization prior to redevelopment of the site.

Additional investigation was conducted by ACC Environmental Consultants in December 2013. During the 2013 site investigation, petroleum hydrocarbons were generally detected at lower concentrations than were detected in 21011 by URS. The reason for the differences in results is not well known.

Further investigation of the site is required to assess the nature and extent of residual contamination at the site and the potential for the residual contamination to affect potential future redevelopment. Therefore, we request that you submit a Work Plan to complete delineation of the extent of contamination at the site. Prior to submitting a Work Plan, you may wish to meet with ACEH staff regarding the scope of work.

ADDITIONAL INFORMATION

We request that you submit copies of any reports you have documenting additional investigation activities or other work that is relevant to the fuel release or other unauthorized releases and not currently in ACEH case files. This includes Phase I environmental site assessment reports and site investigations conducted for potential real estate transactions. ACEH case files may be reviewed online using the ACEH website (<http://www.acgov.org/aceh>).

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:

- **October 21, 2015** – Site Investigation Work Plan
File to be named: WP_R_yyyy-mm-dd RO3179

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 ST system, and require your compliance with this request.

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at 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
RO0003179
August 20, 2015
Page 3

Attachments: Attachment A – Responsible Parties Data Sheet
Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Scott Johnson, MidPen Housing, East Bay Development Office, 1970 Broadway, Suite 440,
Oakland, CA 94612 (*Sent via E-mail to: sjohnson@midpen-housing.org*)

Julia Smith, ACC Environmental Consultants, 7977 Capwell Drive, Suite 100, Oakland, CA 94621
(*Sent via E-mail to: jsmith@accenv.com*)

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

GeoTracker, eFile

ALAMEDA COUNTY ENVIRONMENTAL HEALTH
LUFT LOCAL OVERSIGHT PROGRAM

ATTACHMENT A - RESPONSIBLE PARTIES DATA SHEET

August 11, 2015

Site Name & Address

**CHESTNUT SQUARE
1625 CHESTNUT STREET
LIVERMORE, CA 94551**

ACEH Case No.: RO0003179

Global ID: T1000007202

All Responsible Parties

RP has been named a Primary RP – CITY OF LIVERMORE

c/o Eric Uranga, 1052 South Livermore Avenue, Livermore, CA 94551

RP has been named a Primary RP – CRP PROPERTIES, INC.

c/o Mailstop CA2-5012, 17875 Von Karman Avenue, Irvine, CA 92614-6200

RP has been named a Primary RP – ANTRIM GROUP LTD.

1228 Quarry Lane, Suite C, Pleasanton, CA 94566-4768

RP has been named a Primary RP – PAMCO

586 Escondido Circle, Livermore, CA 94550-5247

RP has been named a Primary RP – PAYLESS DRUG STORES NORTHWEST, INC.

c/o Prop. Acctg. #4066, 9275 SW Peyton Lane, Wilsonville, OR 97070

RP has been named a Primary RP – JAMES D. ROBERTSON AND BRUCE M. ROBERTSON

Address Unknown

Responsible Party Identification Background

Alameda County Environmental Health (ACEH) names a "Responsible Party," as defined under 23 C.C.R. Sec. 2720. Section 2720 defines a responsible party 4 ways. An RP can be:

1. "Any person who owns or operates an underground storage tank used for the storage of any hazardous substance."
2. "In the case of any underground storage tank no longer in use, any person who owned or operated the underground storage tank immediately before the discontinuation of its use."
3. "Any owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred."
4. "Any person who had or has control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance."

ACEH has named the responsible parties for this site as detailed below.

Existence of an Unauthorized Release

From the 1960s until the mid-1970s, the northwest corner of the site was occupied by a gasoline service station. No records of the tank removal or sampling during the tank removal appear to be available. During a site investigation conducted in 2009 by Enercon Services, Inc., six soil samples were collected from three locations within the outline of the former service station. Total petroleum hydrocarbons as diesel (TPHd) and volatile organic compounds (VOCs) were not detected at concentrations above reporting limits in the six soil samples.

During a site investigation conducted in the area of the former service station in April 2011 by URS, soil samples were collected at 14 locations. TPHd was detected in soil at concentrations up to 140 milligrams per kilogram (mg/kg) and TPH as motor oil (TPHmo) was detected at concentrations up to 400 mg/kg. Naphthalene and benzo(a)pyrene were detected in soil at concentrations up to 36 and 21 micrograms per kilogram ($\mu\text{g}/\text{kg}$), respectively. TPHd was detected in multiple groundwater samples at concentrations up to 130 $\mu\text{g}/\text{L}$. Benzene was detected at a concentration above screening levels in one soil gas sample collected in 2011. Additional investigation by ACC Environmental Consultants in December 2013 detected TPHd at a maximum concentration of 3.4 mg/kg.

Based on results from the investigations described above, an unauthorized release or releases appears to have occurred from the former UST system at the site.

Responsible Party Identification

The City of Livermore purchased the property in 2010. The City of Livermore is a responsible party because they are current owner of the property where an unauthorized release occurred (Definition 3).

CRP Properties, Inc purchased the property in 2009. CRP Properties, Inc. is a responsible party because they were the former owner of the property where an unauthorized release occurred (Definition 3).

Antrim Group Ltd. purchased the property in 2000. Antrim Group Ltd. is a responsible party because they were the former owner of the property where an unauthorized release occurred (Definition 3).

PAMCO purchased the property in 1987. PAMCO is a responsible party because they were the former owner of the property where an unauthorized release occurred (Definition 3).

Pay Less Drug Stores Northwest, Inc. purchased the property in 1986. Pay Less Drug Stores Northwest, Inc. is a responsible party because they were the former owner of the property where an unauthorized release occurred (Definition 3).

James D. Robertson and Bruce M. Robertson owned the property from 1970 until approximately 1986. James D. Robertson and Bruce M. Robertson are responsible parties for the fuel leak because they were the former owners of property where an unauthorized release occurred (Definition 3).

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.