



October 24, 2016

Mr. Eric Uranga  
City of Livermore Economic Development  
1052 S. Livermore Avenue  
Livermore, CA 94550  
(Sent via email to: [ejuranga@ci.livermore.ca.us](mailto:ejuranga@ci.livermore.ca.us))

Subject: Request for draft work plan for Case No. RO0003179 and GeoTracker Global ID T10000007202, Chestnut Square, 1625 Chestnut Street, Livermore, CA 94551

Dear Mr. Uranga:

Alameda County Department of Environmental Health (ACDEH) is sending this correspondence as a follow-up to the meeting that took place on October 3, 2016, between ACDEH, Polo Munoz and Allyson Ujimori from MidPen Housing Corporation, and Ian Sutherland and Kim Bunting from ACC Environmental Consultants, during which we discussed the above referenced case, including the site development plans in relation to historic borings and sampling locations.

Based on our review of the case and discussion at the meeting, ACDEH requests a draft work plan. Summarized below are ACDEH staff recommendations for the scope of work to be included in the draft work plan, which were also discussed during the meeting:

- ACDEH noted that in an investigation performed in the area of the historic gas station by URS and discussed in a report entitled, "Targeted Site Investigation Report," dated April 26, 2011, benzene, ethylbenzene, toluene, and total xylenes (BTEX), although found to be below detection limits in both soil and groundwater, were detected in soil vapor samples. In addition, as noted by ACC Environmental Consultants, the soil vapor samples were collected on the date of a rainfall event, rather than collected at least five days without a significant rain event, as recommended by the Department of Toxic Substances Control's "Advisory- Active Soil Gas Investigations," dated April 2012. Therefore, we request that a soil gas sample be collected at the base of the planned elevator shaft nearest to the historic C-4 boring location. In addition, soil gas sampling should be collected in areas where BTEX was detected in soil and groundwater. In addition to BTEX, samples should be analyzed for methane.
- ACDEH noted that although soil samples were collected at 0 to 5 feet below ground surface (bgs) at the former gas station area, they were not collected at 5 to 10 feet bgs. In addition, the samples at 0 to 5 feet were analyzed for Total Petroleum Hydrocarbons and BTEX, but not for naphthalene. In order to characterize the soil at former gas station area for potential impacts to human health through direct contact and outdoor air exposure, sampling needs to be collected at both intervals of 0 to 5 feet bgs and 5 to 10 feet bgs and analyzed for the following: Total Petroleum Hydrocarbons as gasoline (TPH-g), diesel (TPH-d), and motor oil (TPH-mo) with and without silica gel cleanup; BTEX; and naphthalene. In addition, because motor oil has been detected in soil, the samples should be analyzed for polycyclic aromatic hydrocarbons (PAHs).
- ACDEH requests that shallow soil samples be collected in the proposed bioretention areas and analyzed for TPH-g, TPH-d, and TPH-mo with and without silica gel cleanup.
- According to figures and tables of historic sampling locations compiled and submitted to us by ACC Environmental Consultants, soil sampling was performed in the eastern portion of the site in 2007 or 2008 by Fugro, and the samples analyzed for volatile organic

compounds (VOCs) including BTEX, methyl *tert*-butyl ether (MTBE), tetrachloroethene (PCE), and naphthalene. Please propose in the draft work plan further shallow soil sampling at 0 to 5 feet bgs and 5 to 10 feet bgs in the eastern area and analyze for TPH-g TPH-d, and TPH-mo with and without silica gel cleanup.

- We request that shallow soil sampling at 2 feet bgs be performed at the southern portion of the site near the railroad tracks and spurs and at the location of the transformer and hydraulic lift in the western part of the site and the samples be analyzed for polycyclic aromatic hydrocarbons (PAHs) using EPA 8270C/D with Selective Ion Monitoring SIM as the analytical method, as well as analyze for polychlorinated biphenyls (PCBs)

Submit the draft work plan via email to me ([anne.jurek@acgov.org](mailto:anne.jurek@acgov.org)) and copy to Dilan Roe ([dilan.roe@acgov.org](mailto:dilan.roe@acgov.org)) by **November 30, 2016**.

### **GeoTracker Compliance**

A review of the State Water Resources Control Board's (State Water Board) GeoTracker website indicates that several reports, including Phase I and Phase II Environmental Site Assessments, that have been uploaded onto ACDEH's ftp site have not been uploaded onto GeoTracker as required. Please upload to GeoTracker all historic reports that you have pertaining to site.

In addition, ACC Environmental Consultants on behalf of the Responsible Party (RP) submitted to ACDEH in September 2016 figures of historic locations of samples. Some of the sampling referenced a 2008 investigation performed by Fugro. However, this 2008 investigation report has not been uploaded to either ACDEH's ftp site or GeoTracker. Please upload this report to both sites.

Other required files, including electronic data files for laboratory analytical data, boring logs, and site maps for all investigative work performed for this site have not been uploaded onto GeoTracker. Because this is a state requirement, ACDEH requests that all the above requested reports and data be uploaded to GeoTracker by **November 4, 2016**.

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 State Water Board GeoTracker system via the internet. Also, beginning January 1, 2002, all permanent monitoring points utilized to collect groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level and latitude and longitude to sub-meter accuracy using NAD 83. A California licensed surveyor may be required to perform this work. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs, including SCP programs. Additionally, pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3893, 3894, and 3895, beginning July 1, 2005, the successful submittal of electronic information (i.e. report in PDF format) shall replace the requirement for the submittal of a paper copy. Please upload all required submittals to GeoTracker. Electronic reporting is described below on the attachments.

Eric Uranga  
RO0003179  
October 24, 2016  
Page 3

If you have any questions, please call me at (510) 567-6721 or send me an electronic mail message at [anne.jurek@acgov.org](mailto:anne.jurek@acgov.org). Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>. As your email address does not appear on the cover page of this notification ACEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

Sincerely,

Anne Jurek, M.S.  
Professional Technical Specialist II (Geology)

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

cc: Apolonio Munoz, MidPen Housing Corporation, 1970 Broadway Suite 440, Oakland, CA 94612 (Sent via email to: [amunoz@midpen-housing.org](mailto:amunoz@midpen-housing.org))

Colleen Lopez, (Sent via email to: [colleen.dblassociates@gmail.com](mailto:colleen.dblassociates@gmail.com))

Dilan Roe (sent via electronic mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))

Allyson Ujimori, MidPen Housing Corporation, 1970 Broadway Suite 440, Oakland, CA 94612 (Sent via email to: [aujimori@midpen-housing.org](mailto:aujimori@midpen-housing.org))

Ian Sutherland, ACC Environmental Consultants, 7977 Capwell Drive, Suite 100, Oakland, California 94621 (Sent via email to: [isutherland@accenv.com](mailto:isutherland@accenv.com))

## **Attachment 1**

### **Responsible Party(ies) Legal Requirements/Obligations**

#### **REPORT/DATA REQUESTS**

These reports/data are being requested pursuant to Division 7 of the California Water Code (Water Quality), Chapter 6.7 of Division 20 of the California Health and Safety Code (Underground Storage of Hazardous Substances), and Chapter 16 of Division 3 of Title 23 of the California Code of Regulations (Underground Storage Tank Regulations).

#### **ELECTRONIC SUBMITTAL OF REPORTS**

ACEH's Environmental Cleanup Oversight Programs (Local Oversight Program [LOP] for unauthorized releases from petroleum Underground Storage Tanks [USTs], and Site Cleanup Program [SCP] for unauthorized releases of non-petroleum hazardous substances) require submission of reports in electronic format pursuant to Chapter 3 of Division 7, Sections 13195 and 13197.5 of the California Water Code, and Chapter 30, Articles 1 and 2, Sections 3890 to 3895 of Division 3 of Title 23 of the California Code of Regulations (23 CCR). Instructions for submission of electronic documents to the ACEH FTP site are provided on the attached "Electronic Report Upload Instructions."

Submission of reports to the ACEH FTP site is in addition to requirements for electronic submittal of information (ESI) to the State Water Resources Control Board's (SWRCB) Geotracker website. In April 2001, the SWRCB adopted 23 CCR, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1 (Electronic Submission of Laboratory Data for UST Reports). Article 12 required electronic submittal of analytical laboratory data submitted in a report to a regulatory agency (effective September 1, 2001), and surveyed locations (latitude, longitude and elevation) of groundwater monitoring wells (effective January 1, 2002) in Electronic Deliverable Format (EDF) to Geotracker. Article 12 was subsequently repealed in 2004 and replaced with Article 30 (Electronic Submittal of Information) which expanded the ESI requirements to include electronic submittal of any report or data required by a regulatory agency from a cleanup site. The expanded ESI submittal requirements for petroleum UST sites subject to the requirements of 23 CCR, Division, 3, Chapter 16, Article 11, became effective December 16, 2004. All other electronic submittals required pursuant to Chapter 30 became effective January 1, 2005. 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, 7835, 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, late 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 SCP)</b>	<b>REVISION DATE:</b> July 25, 2012
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (petroleum UST and SCP) 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.