



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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December 4, 2015

OQ Enterprises Inc.
27472 Hayward Boulevard
Hayward, CA 94542
Attn.: Oscar Quiambao
(Sent via electronic mail to: oq.enterprises@yahoo.com)

Subject: Conditional Work Plan Approval; Fuel Leak Case No. RO0003188 and GeoTracker Global ID T10000007782, Winton Valero, 23990 Hesperian Boulevard, Hayward, CA 94541

Dear Mr. Quiambao:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site, including the *Soil and Groundwater Assessment Work Plan (Work Plan)*, dated October 26, 2015, and prepared by DMI-EMK Environmental Services, Inc. (DMI-EMK). The Work Plan proposes advancing five soil bores for the recovery of soil and grab-groundwater samples. As stated in the Work Plan and depicted on Figure 2, four additional step out borings are indicated. Thank you for claiming your site in Geotracker, for the Work Plan and the initial work at the site.

Based on ACEH staff review of the referenced documents and of the case file we generally concur with the recently proposed scope of work, provided that the modifications requested in the technical comments below are addressed and incorporated during the field implementation. Submittal of a revised Work Plan is not required unless an alternate scope of work outside that described in the Work Plan and technical comments below is proposed. We request that you address the following technical comments, perform the proposed work, and send us the technical reports requested below. Please provide 72-hour advance written notification to this office (e-mail preferred to: keith.nowell@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

- 1. Site Status** – The Work Plan section entitled Site Description indicates the removal of the automobile repair facility has occurred and that it will be replaced by a structure which will house a convenience store. The Work Plan does not indicate if a waste oil tank was operated in association with the automobile repair facility, only that the two hydraulic hoists were removed. Please indicate language in the site description stating if a waste oil tank was associated with the facility, and if present, if the tank was an underground storage tank (UST) or an above ground tank (AST). Please additionally indicate if it is active or has it been removed (provide date).
- 2. Soil Sampling Interval** – The Field Exploration section states soil samples will be collected at approximate five-foot intervals during exploration. The sampling depths may be modified based on observations of actual field conditions at the time of exploration. In order to satisfy the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case

Closure Policy (LTCP), ACEH requires at least one soil sample be recovered and analyzed from each boring from the 0- to 5-foot and 5- to 10-foot intervals, as measured from the ground surface. Additionally, ACEH requests that soil samples be collected and analyzed at intervals of not more than five feet, signs of obvious contamination, such as odor, discoloration, photoionization detector (PID) readings, free product, the soil/groundwater interface, and at significant changes in lithology. Please ensure that the analytical results define the vertical and horizontal extent of TPH impacts in soil and groundwater at the site.

- 3. Number of Soil Samples** – Based on the proposed 30-foot depth of the soil bores, ACEH requests that a minimum of four soil samples be submitted for laboratory analysis. However, the actual number of soil samples submitted per boring should be determined in the field as addressed in Technical Comment 2.
- 4. Groundwater Collection Methodology** – Groundwater samples will be collected through the drill rod using clean polythene tubing and placed into 1-liter amber, and 40-milliliter glassware. If a dedicated bailer will not be used for the recovery of the grab-groundwater samples, ACEH requests the use of a low flow peristaltic pump to minimize agitation of the water sample.
- 5. List of Landowners Form** – In our correspondence dated October 23, 2015, ACEH provided a List of Landowners Form but did not provided a date for returning the form. Please return the completed form by the date specified below. The form may be land mailed or provided as an email attachment to the attention of Keith Nowell. Please include the ACEH case file number in the subject line.

TECHNICAL REPORT REQUEST

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

- **December 18, 2015** – List of Landowners Form (provided via land or email - Attn.: Keith Nowell)
- **March 4, 2016** – Soil and Groundwater Investigation - (file to be named: RO0003188_SWI_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.

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

Thank you for your cooperation. ACEH looks forward to working with you and your consultants to advance the case toward closure. Should you have any questions regarding this correspondence or your case, please call me at (510) 567-6764 or send an electronic mail message at keith.nowell@acgov.org

Mr. Oscar Quiambao
RO0003188
December 4, 2015, Page 3

Sincerely,

Keith Nowell, PG, CHG
Hazardous Materials Specialist

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

Cc: Eric Kirkegaard, DMI-EMK Environmental Services, Inc., 1056 East Meta Street, #101,
Ventura, CA 93001 (*Sent via electronic mail to: Erick@dmi-emk.com*)

Dilan Roe, ACEH (*electronic mail to: dilan.roe@acgov.org*)

Keith Nowell, ACEH, (*Sent via electronic mail to keith.nowell@acgov.org*)

GeoTracker, 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/).

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.