

Nowell, Keith, Env. Health

From: Nowell, Keith, Env. Health
Sent: Wednesday, March 30, 2016 3:51 PM
To: 'Joseph A. Hernon (joehernon@gmail.com)'
Cc: 'Michael Kara (mmkara707@aol.com)'; 'James E. Gribi (JGribi@gribiassociates.com)';
Roe, Dilan, Env. Health
Subject: Meeting Follow Up, 411 Macarthur Redevelopment, Voluntary Cleanup Program Case RO3192, and GeoTracker Global ID T10000007937, 411 West Macarthur Blvd, Oakland
Attachments: Attachment_1_and_ftpUploadInstructions_2014-05-15.pdf

Dear Mr. Hernon,

Thank you, Michael Kara of Applied Remedial Systems Inc. (ARSI), and Jim Gribi of Gribi Associates for participating in the meeting with Alameda County Environmental Health (ACEH) staff on March 30, 2016. The purpose of the meeting was to discuss the redevelopment project proposed for the subject Voluntary Cleanup Program case. ACEH staff has reviewed the case file, including the recent document entitled *Transmittal of Site Documents* (TSD) prepared by ARSI and dated February 28, 2016 that was prepared in response to our previous meeting held on January 8, 2016.

As discussed, the soil and groundwater data for the site, collected during evaluation of the now closed fuel leak case, ACEH Local Oversight Program (LOP) case Unocal #3538, case number RO0000251 and GeoTracker Global ID T0600101472, may not be indicative of current site conditions. Based on the age of the data, ACEH determined that a data gap exists for evaluating the proposed mixed use development for exposure related to vapor intrusion to indoor air (VI-IA). Two areas were identified for VI-IA evaluation at the meeting- the eastern portion of the site, due to the residual fuel impacts in this area, and the elevator shaft, due to its significant depth and proximity to the contaminated area to the east. Therefore, ACEH requests submittal of a work plan to address the VI-IA data gap.

Additionally, the ACEH file review revealed the TSD has not been uploaded to the State Water Resources Control Board's (SWRCBs) GeoTracker website or to the ACEH ftp website. Please note that the case will need to be claimed in GeoTracker prior to uploading files to the SWRCB website. The SWRCB also requires electronic submittal of information (ESI) to GeoTracker in the form of electronic deliverable format (EDF) for laboratory analysis report(s), reports (GEO_REPORTs) and figures (GEO_MAPs). Please include these documents when submitting future GeoTracker uploads.

Please claim your site and upload existing and all future submittals to GeoTracker and ACEH's ftp websites by the date specified below. Electronic reporting instructions for uploading files to the ACEH ftp website is provided as an attachment. Additional information regarding the SWRCB's GeoTracker website may be obtained online at:

http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/

and at http://www.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml.

Additional information and/or clarification may be obtained by contacting the GeoTracker Help Desk at geotracker@waterboards.ca.gov or (866) 480-1028.

Technical Report Request

Please upload technical reports to the ACEH ftp site (Attention: Keith Nowell), and to the SWRCBs Geotracker website, in accordance with the following specified file naming convention and schedule:

- **April 14, 2016** – Claim Site in GeoTracker
- **April 14, 2016** – Electronic Submittal of Information
- **April 14, 2016** – Investigation Work Plan for Vapor Intrusion Evaluation (file name: RO0003192_WP_R_yyyy-mm-dd)

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.

Respectfully,
Keith Nowell

Keith Nowell PG, CHG
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PDF copies of case files can be reviewed/downloaded at:

<http://www.acgov.org/aceh/top/ust.htm>

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.