



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

May 24, 2013

Roya Kambin
Chevron Environmental
Management Company
6101 Bollinger Canyon Road
San Ramon, CA 94583
(Sent via electronic mail to:
RKambin@Chevron.com)

Ed Ralston
Phillips 66 Company
76 Broadway
Sacramento, CA 95818
(Sent via electronic mail to:
Ed.C.Ralston@p66.com)

Clover Trust 1997-1
PO Box 52085
Phoenix, AZ 85072

Harbans Singh
NETJA LLC
584 N. Rengstorff Ave.
Mountain View, CA 94043

Suncor Holdings Co II LLC
11601 Wilshire Boulevard
Los Angeles, CA 90025

Subject: Leak Case No. RO0000366 and Geotracker Global ID T0600101450, UNOCAL #3292, 15008 E. 14th Street, San Leandro, CA 94578

Dear Responsible Parties:

Thank-you for the recently submitted report entitled Conceptual Site Model and Closure Request dated March 29, 2013, and prepared by ARCADIS for the above referenced site. ACEH has evaluated the data and request for closure presented in the above-mentioned report, in conjunction with the case files, and the State Water Resources Control Board (SWRCB) Low-Threat Underground Storage Tank Closure Policy (LTCP). Based upon the information available in our files to date, ACEH has determined that the site meets the LTCP General Criteria A through G, the Media-Specific Criteria for Vapor Intrusion to Indoor Air exemption for an active service station (on-site) and scenario 3 criteria for adjacent off-site property, and the Media-Specific Criteria for Direct Contact and Outdoor Air Exposure.

Please note, sufficient data and analysis has not been presented to establish whether the Media-Specific Criteria for Groundwater and General Criteria H has been met due to a lack of plume delineation of shallow groundwater and the potential to intersect utility trenches in the vicinity of the site. However, low-to-no volatile compound (benzene, toluene, ethylbenzene and xylenes) concentrations have been detected in the monitoring well network, indicating a nuisance condition and shallow groundwater plume delineation would be de minimis. Therefore, although the site does not satisfy all the LTCP criteria, closure of this site appears to be warranted as a low-risk site.

At this juncture, prior to proceeding with case closure, ACEH requests that you address the Technical Comments below and submit the requisite information in accordance with the schedule presented in the Technical Report Request section of this letter.

TECHNICAL COMMENTS

1. **Land Owner** - Pursuant to Section 25297.15 (a) of the California Health and Safety Code, Alameda County Environmental Health (ACEH), the local agency, shall not consider cleanup or site closure proposals from the primary or active responsible party, issue a closure letter, or make a determination that no further action is required with respect to a site upon which there was an unauthorized release of hazardous substances from an underground storage tank subject to this chapter unless all current record owners of fee title to the site of the proposed action have been notified of the proposed action by the primary or active responsible party. ACEH is required to notify the primary or active responsible party of their requirement to certify in writing to the local agency that the notification requirement in the above-mentioned regulation has been satisfied and to provide the local agency with a complete mailing list of all record fee title owners. To satisfy this requirement, please complete the enclosed *List of Landowners Form*, and mail it back to ACEH by the date specified below.
2. **Electronic Submittal Compliance** - Site data and documents are maintained in two separate electronic databases – ACEH's ftp site and the SWRCB's GeoTracker database. Both databases act as repositories for regulatory directives and reports, however, only GeoTracker has the functionality to store electronic compliance data including analytical laboratory data for soil, vapor and water samples, monitoring well depth-to-water measurements, and surveyed location and elevation data for permanent sampling locations. Although the SWRCB is responsible for the overall operation and maintenance of the GeoTracker System, ACEH, as lead regulatory agency, is responsible to ensure the GeoTracker database is complete and accurate for sites regulated under ACEH's Environmental Cleanup Oversight Programs (SWRCB March 2011 document entitled *Electronic Reporting Roles and Responsibilities*).

A review of the case file and the State's GeoTracker database indicates that the site is not in compliance with California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1, stating that 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 SWRCB GeoTracker system via the internet. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs, including SLIC programs. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites was required in GeoTracker. At present missing data and documents include, but may not be limited to, EDF submittals, depth to groundwater data (GEO_WELL files), well data (GEO_XY, and GEO_Z files), stand alone site maps (GEO_MAP) and bore logs (GEO_BORE), work plans, and older reports (GEO_REPORT files). Please see Attachment 1 for limited additional details, and the State's GeoTracker website for full details. ACEH requests notification of, and a list of, the documents uploaded to Geotracker. Please upload all submittals to GeoTracker as well documents found to be missing from ACEH's ftp website by the date specified below.

TECHNICAL REPORT/WORK REQUEST

Please perform the requested work and submit technical reports to Alameda County Environmental Health Environmental Health (Attention: Keith Nowell), in accordance with Attachment 1 and the following schedule:

- **July 1, 2013** – Electronic Submittal of Information
- **July 1, 2013** – List of Landowners Form (mailer)

If you have any questions, please call me at (510) 567-6764 or send me an electronic mail message at keith.nowell@acgov.org.

Responsible Parties
RO0000366
May 24, 2013, Page 3

Sincerely,

Keith Nowell, PG, CHG
Hazardous Materials Specialist

Enclosures: Attachment A - List of Landowner Form
Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations and Electronic Report
Upload (ftp) Instructions

cc: Katherine Brandt, 2000 Powell Street, 7th Floor, Emeryville, CA 94608,
(sent via electronic mail to Katherine.Brandt@arcadis-us.com)
Donna Drogos (sent via electronic mail to donna.drogos@acgov.org)
Dilan Roe (sent via electronic mail to dilan.roe@acgov.org)
Keith Nowell (sent via electronic mail to keith.nowell@acgov.org)
Electronic File, GeoTracker

ATTACHMENT A

Landowner Notification Form

LIST OF LANDOWNERS FORM

County of Alameda
Environmental Health Services
Environmental Protection
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR:

Site Name: Unocal #3292

Address: 15008 E 14th St

City, State, Zip: San Leandro, CA 94578

Record ID #: RO0000366

Please fill out item 1 if there are multiple site landowners (attach an extra sheet if necessary). If you are the sole site landowner, skip item 1 and fill out item 2.

1. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I, _____ (name of primary responsible party), certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:

Name: _____

Address: _____

City, State, Zip: _____

E-mail Address: _____

Name: _____

Address: _____

City, State, Zip: _____

E-mail Address: _____

Name: _____

Address: _____

City, State, Zip: _____

E-mail Address: _____

2. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I _____, certify that I am the sole landowner for the above site.

Sincerely,

Signature of Primary
Responsible Party

Printed Name

Date

E-mail Address

ATTACHMENT 1

**Responsible Party(ies) Legal Requirements/Obligations
& ACEH Electronic Report Upload (ftp) Instructions**

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/)

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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: July 25, 2012
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: 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 .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 <://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 .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.