



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

NOTICE TO COMPLY

May 14, 2015

Mr. Jeffrey Cook (*Sent via E-mail to: jcook@peralta.edu*)
Facilities Program Coordinator
Peralta Community College District
333 East 8th Street
Oakland, CA 94606

Subject: Notice to Comply for Fuel Leak Case No. RO0000384 and GeoTracker Global ID T0600100983, Peralta College District, 501 5th Avenue, Oakland, CA 94606

Dear Mr. Cook:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above referenced site. In correspondence dated July 8, 2013 (attached), ACEH provided conditional approval of a Work Plan for soil, soil vapor, and groundwater sampling at various locations within the site. The proposed soil, soil vapor, and groundwater sampling was described in a document entitled, "*Revised Work Plan for Additional Soil and Groundwater Characterization Peralta Community College District Maintenance Yard 501 5th Avenue, Oakland, California,*" dated June 14, 2013 that was prepared on behalf of the Peralta Community College District by ACC Environmental, Inc. The July 8, 2013 ACEH correspondence requested that the results of the soil, soil vapor, and groundwater sampling be presented in a Site Characterization Report no later than November 5, 2013.

To date, we have not received the Site Characterization Report. Therefore, this case is out of compliance with directives from this agency. As a Responsible Party, you are required by California Code of Regulations, Title 23, Division 3, Chapter 16, Article 11, §2720 through §2728 to implement corrective action and provide the results in timely technical reports as requested. In order to regain compliance with directives from this agency, please submit the Site Characterization Report **no later than July 24, 2015**. Failure to submit the requested document by the due date specified below may result in issuance of a Notice of Violation and possible enforcement action by the District Attorney and/or ineligibility for reimbursement of corrective action costs incurred at the site from the Underground Storage Tank Cleanup Fund. Furthermore, ACEH may recommend removal of this site from eligibility for cost reimbursement from the Underground Storage Tank Cleanup Fund.

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:

- **July 24, 2015** – Site Characterization Report
File to be named: SWI_R_yyyy-mm-dd RO384

Peralta Community College District
RO0000384
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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.

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org. Case files can be reviewed online 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

Attachments: July 8, 2013 ACEH Correspondence
Responsible Party(ies) Legal Requirements/Obligations
Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Dr. Sadiq B. Ikharo, Vice Chancellor of General Services, Peralta Community College District, 333 East 8th Street, Oakland, CA 94606

Ian Sutherland, ACC Environmental Consultants, 7977 Capwell Drive, Oakland, CA 94621 (*Sent via E-mail to: isutherland@accenv.com*)

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

GeoTracker, e-File



ENVIRONMENTAL HEALTH SERVICES
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July 8, 2013

Mr. Jeffrey Cook (Sent via E-mail to: jcook@peralta.edu)
Facilities Program Coordinator
Peralta Community College District
333 East 8th Street
Oakland, CA 94606

Subject: Work Plan Approval for Fuel Leak Case No. RO0000384 and GeoTracker Global ID T0600100983, Peralta College District, 501 5th Avenue, Oakland, CA 94606

Dear Mr. Cook:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the recently submitted document entitled, "*Revised Work Plan for Additional Soil and Groundwater Characterization Peralta Community College District Maintenance Yard 501 5th Avenue, Oakland, California,*" dated June 14, 2013. The Revised Work Plan, which was prepared on behalf of the Peralta Community College District by ACC Environmental, Inc., proposes soil, soil vapor, and groundwater sampling at various locations within the site. In correspondence dated April 29, 2013, ACEH provided technical comments on the previous, "*Additional Soil and Groundwater Characterization Work Plan,*" dated March 27, 2013.

Based on our review, the Revised Work Plan adequately addresses the technical comments in our April 29, 2013 correspondence with the clarification described in our technical comments below. Therefore, the proposed scope of work is conditionally approved and may be implemented with the clarification described in technical comment 1 below. We request that you perform the proposed work and send us a Site Characterization Report **no later than November 5, 2013**.

TECHNICAL COMMENTS

- 1. Laboratory Analysis of Soil Samples.** The Revised Work Plan indicates that three soil samples from each boring will be submitted for laboratory analysis. We request that soil samples be collected continuously from the soil borings for logging and screening purposes. Field screening is to be conducted using visual observations, odor, and measurements using a field photoionization detector (PID) fitted with an appropriate lamp and calibrated for the chemicals of concern. Soil samples are to be collected for laboratory analysis from any zones where visible staining, odor, or elevated PID readings are observed. If no visible staining, odor, or elevated PID readings are observed, the collection of soil samples at fixed intervals of 5, 10, and 15 feet below ground surface is acceptable. Please present the results in the Site Characterization Report requested below.

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:

- **November 5, 2013** – Site Characterization Report
File to be named: SWI_R_yyyy-mm-dd RO384

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.

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org. Case files can be reviewed online 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

Attachments: Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (*Sent via E-mail to: lgriffin@oaklandnet.com*)

Dr. Sadiq B. Ikharo, Vice Chancellor of General Services, Peralta Community College District, 333 East 8th Street, Oakland, CA 94606

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

Ian Sutherland, ACC Environmental Consultants, 7977 Capwell Drive, Oakland, CA 94621 (*Sent via E-mail to: isutherland@accenv.com*)

Peralta Community College District
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July 8, 2013
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Donna Drogos, ACEH (*Sent via E-mail to: donna.drogos@acgov.org*)
Jerry Wickham, ACEH (*Sent via E-mail to: jerry.wickham@acgov.org*)

GeoTracker, e-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.