

October 7, 2016

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Subject: Work Plan Request for Fuel Leak Case No. RO0003231 and GeoTracker Global ID T1000009413, 3820 Penniman Avenue, Oakland, CA 94619

Dear Responsible Parties:

Alameda County Department of Environmental Health (ACDEH) is sending this correspondence as a follow-up to the meeting that took place on September 27, 2016, between ACDEH and the current property owner. A Notice of Responsibility has been sent out to all Responsible Parties (RPs) that ACDEH staff has identified. In addition, the above referenced case has been opened in the State Water Resources Control Board's (State Water Board) GeoTracker website. Please claim this site in GeoTracker.

ACDEH has reviewed the case file, including the report entitled, "*Closure Report; Former Underground Storage Tanks*," dated January 14, 2016, and submitted on the behalf of the current property owner by Iris Environmental. According to the report, on November 6, 2015, two 750 gallon underground storage tanks (USTs) were excavated 3 feet below the tanks to 11 feet below ground surface (bgs), and the tanks removed. Soil samples were collected at 11 feet bgs. A maximum petroleum hydrocarbon concentration of 200 milligrams per kilogram (mg/kg) total petroleum hydrocarbons as gasoline (TPH-g) was detected in the bottom samples. This concentration indicates that an unauthorized release has occurred from the underground storage tank at this site. In addition, according to a Phase I Environmental Site Assessment dated July 9, 2015, and performed by Basics Environmental, an auto repair garage with a gas and oil fueling area operated on the property between approximately 1930 and 1975.

Based on our review of the case file and discussions during a meeting, the site requires further characterization to determine whether or not it meets all of the criteria under the State Water Resources Control Board's Low-Threat Underground Storage Tank Case Closure Policy (LTCP) before it can be closed. ACDEH is therefore requests a draft work plan.

Summarized below are ACDEH staff recommendations for the scope of work to be included in the draft work plan:

A groundwater sample collected in the former tank pit to be analyzed for Total Petroleum Hydrocarbons (TPH), Volatile Organic Compounds (VOCs), and Semi-volatile Organic Compounds (SVOCs).

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Soil samples collected to laterally delineate potential impacts from the tank leak. During the meeting, we recommended three samples be collected approximately 15 feet from the perimeter of the tank pit to the northwest, northeast and southeast. The samples should at 0 to 5 feet bgs and 5 to 10 feet bgs in order to characterize the soil for potential impacts to human health through direct contact and outdoor air exposure in accordance with the LTCP and analyzed for TPH, VOCs, SVOCs, Polychlorinated Biphenyls (PCBs), and LUFT 5 Metals.

A soil vapor sample collected 5 feet below the site building's foundation depth as a step-out from the soil sample to be collect northeast of the pit. The sample should be analyzed for VOCs and methane.

A discussion of groundwater flow direction (e.g. a rose diagram of groundwater flow direction on a site location figure based on depth to water data of adjacent sites on GeoTracker).

Identification of sensitive receptors, including the nearest surface water bodies and water supply wells.

Please submit the draft work plan to me via email ([anne.jurek@acgov.org](mailto:anne.jurek@acgov.org)) by November 11, 2016

If you have any questions, please call me at (510) 567-6721 or send me an email message. If your email address does not appear on the cover page of this notification, ACDEH is requesting that 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)

Attachments: Responsible Party(ies) Legal Requirements/Obligations  
Enclosure: ACDEH Electronic Report Upload (ftp) Instructions

cc:

Anne Jurek, ACDEH (Sent via E-mail to: [anne.jurek@acgov.org](mailto:anne.jurek@acgov.org))  
Craig Pelletier, Iris Environmental (Sent via E-mail to: [cpelletier@irisenv.com](mailto:cpelletier@irisenv.com))  
GeoTracker, eFile

## **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.