

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
ALEX BRISCOE, Director



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

October 5, 2012

Mr. John Buestad  
Foley Street Investments LLC  
2533 Clement Avenue  
Alameda, CA 94501  
(Sent via E-mail to: [john@buestad.com](mailto:john@buestad.com))

Mr. John F. Buono, Jr.  
Good Chevrolet  
P.O. Box 1730  
Alameda, CA 94501

Subject: Conditional Approval of the Revised Data Gap Investigation and Interim Source Removal Work Plan Addendum for Fuel Leak Case No. RO0000008 and GeoTracker Global T0600100655, Good Chevrolet, 1630 Park Street, Alameda, CA 94501

Dear Messrs. Buestad and Buono:

Alameda County Environmental Health (ACEH) reviewed your September 7, 2012 *Revised Data Gap Investigation and Interim Source Removal Work Plan Addendum (Addendum)*. Based on ACEH staff review of the work plan the proposed scope of work is conditionally approved for implementation provided that the technical comment below is addressed in the Soil and Groundwater Investigation Report requested below. Submittal of a revised work plan or a work plan addendum is not required unless an alternate scope of work outside that described in the work plan or technical comments below is proposed. We request that you address the following technical comment, perform the proposed work, and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to: [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org)) prior to the start of field activities.

#### **TECHNICAL COMMENTS**

- Decommissioning of three groundwater monitoring wells (MW-1, MW-2, MW-3), three vapor points (VP-1, VP-2, VP-3), and a dual phase extraction well (DPE-9):** Technical Comment #2 from ACEH's August 10, 2012 Directive Letter was not addressed in the Site Conceptual Model (SCM) contained in the September 7, 2012 Addendum. ACEH's preference is to keep the wells as long as possible as they continue to be useful. Please provide justification to support decommissioning these wells and justification for or against reinstallation of DPE-9 in the updated SCM that ACEH requests to be included in the Soil and Groundwater Investigation Report requested below.

#### **TECHNICAL REPORT REQUEST**

Please upload technical report to the ACEH ftp site (Attention: Karel Detterman), and to the State Resources Control Board's Geotracker website, in accordance with the specified file naming convention below, according to the following schedule:

Messrs. Buestad and Buono  
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- **December 7, 2012 – Updated SCM and Soil and Groundwater Investigation Report**

File to be named: SWI\_R\_yyyy-mm-dd\_RO8

If you have any questions or concerns regarding this correspondence or your case, please send me an e-mail at [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org) or call me at (510) 567-6708.

Sincerely,

Karel Detterman, PG  
Hazardous Materials Specialist

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

cc: Robert Robitaille, AEI Consultants, 2500 Camino Diablo, Walnut Creek, CA 94597 (Sent via E-mail to [rrobitaille@aeiconsultants.com](mailto:rrobitaille@aeiconsultants.com))

Peter McIntyre, AEI Consultants, 2500 Camino Diablo, Walnut Creek, CA 94597 (Sent via E-mail to [pmcintyre@aeiconsultants.com](mailto:pmcintyre@aeiconsultants.com))

Andrew Thomas, Planning Services Manager, City of Alameda Planning and Building Development, 2263 Santa Clara Avenue, Room 190, Alameda, CA 94501-4477 (Sent via E-mail to: [athomas@ci.alameda.ca.us](mailto:athomas@ci.alameda.ca.us))

Eric Fonstein, Development Manager, City of Alameda Community Development Department, 2263 Santa Clara Avenue, Room 120, Alameda, CA 94501-4477 (Sent via E-mail to: [efonstei@ci.alameda.ca.us](mailto:efonstei@ci.alameda.ca.us))

Donna Drogos, ACEH (Sent via E-mail to: [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))

Karel Detterman, ACEH (Sent via E-mail to: [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org))

GeoTracker, Electronic Case File

## 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 [.loptoxic@acgov.org](mailto:.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](mailto:.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.