



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

January 9, 2009

Jack Ceccarelli  
Restructure Petroleum Marketing Service  
205 S. Hoover Blvd., Suite 101  
Tampa, FL 33609-905

Brian Cobb  
EZ Serve Petroleum Marketing  
100700 North I45, Suite 500  
Houston, TX 77037-1187

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Foster City, CA 94404-1403

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Harker Marketing of California  
1675 Manzanita Avenue  
Chico, CA 95926-1633

Azizolah Kandahari  
Himalaya Trading Company, Inc.  
5196 Grayhawk Lane  
Dublin, CA 94568-7764

Subject: Fuel Leak Case No. RO0000023 and GeoTracker Global ID T0600100483, EZ Serve #100877, 525 West A Street, Hayward, CA 94541

Dear Responsible Parties:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the recently submitted document entitled, "Report of Soil Excavation Activities," and the "Work Plan for Additional Site Assessment," both dated November 21, 2008, which were prepared by GeoEnviro Services, Inc. (GES) for the subject site. The report summarizes excavation activities conducted to facilitate new UST system installation. The scope of work presented in the work plan details installation of five borings to delineate the lateral extent soil and groundwater hydrocarbon contamination to the west of the site.

ACEH generally concurs with the proposed scope of work and requests that you address the following technical comments and send us the revised soil excavation report and work plan addendum described below.

#### **TECHNICAL COMMENTS**

1. **Disposal Manifests & Excavation Dimensions** – According to GESI, approximately 838 cubic yards of soil was transported between January 17, 2008 and August 11, 2008 to Contra Costa Landfill as daily cover. Approximately 425 cubic yards of that soil was transported on January 17, 2008 to Contra Costa Landfill for use as daily cover, although only three disposal tickets accounting for approximately 43.33 cubic yards of soil were available. The remaining 333 cubic yards of impacted soil from the January 2008 excavation was transported in April 2008 to Contra Costa Landfill for use as daily cover with disposal tickets accounting for approximately 313 cubic yards of soil. Therefore, out of the total 838 cubic yards of soil

disposed, it appears that approximately 758 cubic yards (425 cubic yards plus 333 cubic yards) of soil was excavated for the new USTs. The dimensions of the excavation for the new USTs appears to be approximately 45 feet in length by 26 feet in width, based on the scale on the Figure 2 of the "Report of Soil Excavation Activities," resulting in a calculated depth of the approximately 17.5 feet bgs for the excavation, which validates the reported soil quantity disposed. However, the remaining disposal tickets are necessary to confirm proper disposal of soil generated at the site for UST installation. Please contact the trucking company, the landfill, etc. to obtain the missing disposal tickets and submit the documentation due by the date requested below.

A second excavation was conducted in July 2008 to install a third UST. According to GESI, approximately 80 cubic yards of soil generated from the excavation were transported to Contra Costa Landfill between July 11, 2008 and August 11, 2008. Based on the Figure 2, the measured dimensions of this excavation are approximately 40 feet in length by 15 feet in width, resulting in a calculated depth of approximately 3.6 feet, which does not appear to be a viable depth to install an UST. Please provide the dimensions of both UST excavations and provide additional documentation confirming proper disposal of the soil generated at the site by the date specified below.

2. **Source Area Characterization** – GES proposes to install five borings to characterize the soil and groundwater impact to the west of the site. However, as stated in the "Report of Soil Excavation Activities," only stockpiled soil samples were collected, leaving the source area undefined for the most part, with no confirmation soil sampling conducted. Therefore, in order to cost-effectively characterize the site, please propose a scope of work to address all the apparent data gaps at the site, which appears to include sampling in the former source area(s) (the former USTs and dispensers) onsite, as well as down-gradient off-site. Please address the above-mentioned concerns and submit a work plan addendum, due by the date specified below.
3. **Scaled Figures** – The scale on Figure 2 of the "Report of Soil Excavation Activities," and on Figure 6 of the "Work Plan for Additional Site Assessment," is depicted as one inch equals forty feet (1 in = 40 ft). Using that scale, the rear property boundary measures approximately 145 feet on Figure 2 and approximately 125 feet on Figure 6. Since the scales appear inaccurate, it is difficult to compare (or superimpose) the former USTs and dispenser islands with the current UST and dispenser locations. Please correct the scale on the figures and submit a new figure that accurately depicts present and past site structures.

#### **TECHNICAL REPORT REQUEST**

Please submit technical reports to ACEH (Attention: Paresh Khatri), according to the following schedule:

- **January 30, 2009** – Quarterly Monitoring Report (4<sup>th</sup> Quarter 2008)
- **March 9, 2009** – Soil and Water Investigation Work Plan Addendum & Revised Soil Excavation Report

- **April 30, 2009** – Quarterly Monitoring Report (1<sup>st</sup> Quarter 2009)
- **July 30, 2009** – Quarterly Monitoring Report (2<sup>nd</sup> Quarter 2009)
- **October 30, 2009** – Quarterly Monitoring Report (3<sup>rd</sup> Quarter 2009)

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 in 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.swrcb.ca.gov/ust/electronic\\_submittal/report\\_rqmts.shtml](http://www.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml)).

#### 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**

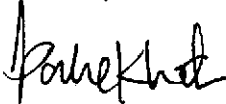
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

**AGENCY OVERSIGHT**

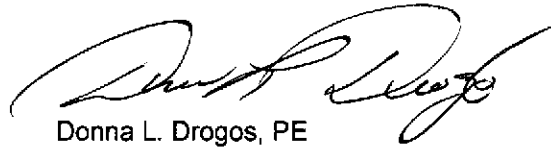
If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

If you have any questions, please call me at (510) 777-2478 or send me an electronic mail message at [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org).

Sincerely,



Paresh C. Khatri  
Hazardous Materials Specialist



Donna L. Drogos, PE  
Supervising Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Joseph Schaaf, Geoenviron Services, Inc., 5529 Kailas Street, Ventura, CA 93003  
Hugh Murphy, City of Hayward Fire Dept., 777 B Street, Hayward, CA 94541  
Gary Aguilar, Hydro Analysis, Inc., 11100 San Pablo Ave., Suite 200-A, El Cerrito, CA 94530  
Donna Drogos, ACEH  
Scott Seery, ACEH  
Robert Weston, ACEH  
Paresh Khatri, ACEH  
File

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>ISSUE DATE:</b> July 5, 2005
	<b>REVISION DATE:</b> December 16, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> Electronic Report Upload (ftp) Instructions

Effective **January 31, 2006**, 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

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- 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)

#### Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

#### 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 [dehloptoxic@acgov.org](mailto:dehloptoxic@acgov.org)  
or
  - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of Alicia Lam-Finneke.
- 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 and Firefox browsers will not open the FTP site.
- b) Click on File, then on Login As.
- 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 [dehloptoxic@acgov.org](mailto:dehloptoxic@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 at acgov.org. (e.g., [firstname.lastname@acgov.org](mailto: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)



ALAMEDA COUNTY  
**HEALTH CARE SERVICES AGENCY**  
 Department Of Environmental Health  
 Environmental Protection Division  
 1131 Harbor Bay Parkway  
 Alameda, CA 94502-6577

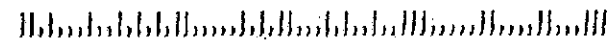
2009 JAN 20 11 15:00

**Jack Ceccarelli**  
**Restructure Petroleum Marketing**  
**Services**  
**705 S. Hoover Blvd. Suite 101**

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RETURN TO SENDER  
 NOT DELIVERABLE AS ADDRESSED  
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BC: 94502654031 \*0105-02217-12-97



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ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



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**UNDERGROUND STORAGE TANK CLEANUP FUND**

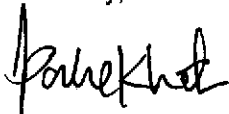
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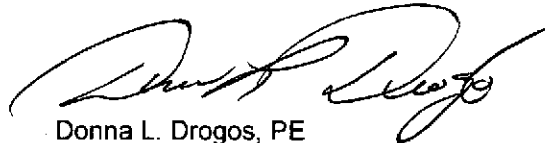
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Sincerely,



Paresh C. Khatri  
Hazardous Materials Specialist



Donna L. Drogos, PE  
Supervising Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Joseph Schaaf, Geoenviro Services, Inc., 5529 Kailas Street, Ventura, CA 93003  
Hugh Murphy, City of Hayward Fire Dept., 777 B Street, Hayward, CA 94541  
Gary Aguilar, Hydro Analysis, Inc., 11100 San Pablo Ave., Suite 200-A, El Cerrito, CA 94530  
Donna Drogos, ACEH  
Scott Seery, ACEH  
Robert Weston, ACEH  
Paresh Khatri, ACEH  
File

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>ISSUE DATE:</b> July 5, 2005
	<b>REVISION DATE:</b> December 16, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> Electronic Report Upload (ftp) Instructions

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or
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  - 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 [dehloptoxic@acgov.org](mailto:dehloptoxic@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 at 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)



ALAMEDA COUNTY  
**HEALTH CARE SERVICES AGENCY**  
 Department Of Environmental Health  
 Environmental Protection Division  
 1131 Harbor Bay Parkway  
 Alameda, CA 94502-6577

Alameda County

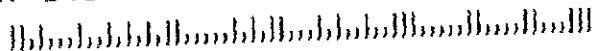
JAN 23 2009

Environmental Health

NIXIE 773 DC 1 00 01/18/09

RETURN TO SENDER  
 NOT DELIVERABLE AS ADDRESSED  
 UNABLE TO FORWARD

BC: 94502654031 \*1305-00125-12-37



Brian Cobb  
 EA Serve Petroleum Marketing  
 100700 North I45, Suite 500  
 Houston, TX 77037-1187

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77037-1187 945026540

