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ENVIRONMENTAL PROTECTION  
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April 25, 2012

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Subject: Request for Status Update and for Work Plan; 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 *Revised Site Conceptual Model and Preferential Pathway Study*, dated February 28, 2011 (received May 10, 2011), and the *2011 Third Quarter Groundwater Sampling Results*, dated October 17, 2011. The reports were prepared and submitted on your behalf by GeoEnviro Services, Inc and Gallardo & Associates, Inc, respectively. Thank you for submitting the reports. Based on ACEH staff review of the case file, we request that you address the following technical comments and send us the reports described below.

#### **TECHNICAL COMMENTS**

- 1) Request for Status Update** – On December 9, 2010, ACEH approved (with modifications) a work plan to relocate six missing wells (MW-6, MW-8, MW-9, MW-10, MW-11, and MW-13). It had been assumed that the results of this effort would be reported in the Site Conceptual Model report; however, they were not. ACEH notes that with the change in consultants three of the missing wells (MW-6, MW-9, and MW-13) have been sampled during the recent groundwater monitoring event; however, details on the effort to find the wells have not been provided. ACEH requests, at a minimum, a full status update report on this effort. If this effort has essentially not been implemented, ACEH requires the work be implemented and the results be included in the requested work plan.
- 2) Request for Site Delineation Work Plan** – The referenced groundwater monitoring report recommends that a work plan be generated to delineate the extent of groundwater contamination to the south, north, east, and west; however, does not appear to incorporate data from the Prime Properties site kitty-corner to the subject site, across West A Street to the southwest. Well MW-12, installed for Prime Properties lies on the north side of West A Street not far west of well MW-9,

contains elevated concentrations, and data from the well is needed to help delineate the extent of contamination (as potentially would other wells associated with that site). Coordinated groundwater monitoring (see Technical Comment 5 below) will also be useful towards this end, has previously been requested, but does not appear to have been implemented. This site is out of compliance with this request. However, ultimately ACEH is in agreement that the lateral and vertical extent of groundwater contamination is appropriate; however, ACEH specifically requests utilization of existing useful data to achieve this required goal (relocation of lost wells, use of existing vicinity wells, and installation of appropriate additional wells). As a consequence, ACEH requests a work plan, by the date identified below, to laterally and vertically delineate the groundwater contaminant plume.

- 3) Request for Neighborhood Door-to-Door Well Survey** – The referenced Site Conceptual Model (SCM) listed known 12 domestic wells within 2,000 feet of the site and one irrigation well within approximately 900 feet of the site. The SCM also referenced the presence of two unregistered residential irrigation wells on Victory Lane; both are reported to be impacted by petroleum hydrocarbons, in part assumed to be associated with the former service station at 580 West A Street (to the southwest across A Street from the subject site). None of the wells were located on a map to facilitate a quick understanding of the potential for concern; this is requested for the results in Technical Comment No. 4.

The presence of the two unregistered residential wells on Victory Lane is of potential concern. ACEH is very aware that many older areas of the East Bay contain an above average number of “backyard” residential or irrigation wells that are both registered and unregistered (and would be unknown if unregistered). In general, assumptions are made that because domestic water is available in the area, the wells are unused. ACEH has continued, and recent, experience that this is an erroneous assumption. The recent groundwater monitoring reports appears to indicate that the groundwater gradient may be at times directed towards the northeast or southeast, an anomaly in the larger southwestward directed flow of the local vicinity. This can suggest unknown vicinity groundwater extraction. A quick review of the site vicinity on Google Maps indicates the vicinity consists of a mixed use area that includes older residential (and non-residential) parcels, which typically have a higher probability of containing an older well (registered or unregistered). Because this site has multiple reported groundwater gradient directions, ACEH requests a focused neighborhood door-to-door well survey in an attempt to locate all vicinity wells, both known or unknown. Depending on location, any new wells may require sampling for site related contaminants. Specifically ACEH requests the door to door survey be bound by I880 on the east, Lupine Way on the northeast, a southwesterly directed line from the intersection of Lupine Way and A Street (a distance equal to the distance to I880), a southeasterly directed line to West A Street, and back to I880. If a similar survey has not been conducted for properties on Victory Lane, ACEH requests residential properties on both sides of Victory Drive be included in the well survey for a distance of 500 feet south from the intersection of West A Street and Victory Lane. ACEH requests the submittal of a technical report, including a door to door tabulation of the results, and an analysis and evaluation of the data (with recommendations), by the date identified below.

- 4) Electronic Report and Data Upload Compliance** – A review of the case file and the State’s Geotracker database indicates that the site is not in compliance with previous directive letters. Compliance is a State requirement. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1, 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 a recent GEO\_MAP, and all bore logs (regardless of age).

The referenced groundwater monitoring report documents that site wells were resurveyed in August 2011; however, the survey data has not been uploaded to Geotracker. Thus ACEH is unsure if the resurvey was conducted to Geotracker survey standards (latitude and longitude to sub-meter accuracy using NAD 83.) The groundwater monitoring report also references wells MW-15 and MW-

16 (as being lost); however, ACEH is not aware of the existence of these two wells and requests additional information. **Please be aware that compliance of these requests is required by the State and is tied to reimbursement funding by the UST Cleanup Fund.** Please see Attachment 1 for limited additional details, and the state GeoTracker website for full details. Please upload all submittals to GeoTracker as well as to ACEH's ftp website by the date specified below.

- 5. Groundwater Monitoring** – Review of the case file has resulted in a number of requests associated with groundwater monitoring at the site:
- a. Renewed Request for Joint Groundwater Monitoring** - In the directive letters dated September 26, 2008, and August 16, 2010, ACEH requested joint groundwater plume monitoring between the subject site and the Prime Properties site at 580 West A Street. A spot check of the last two groundwater monitoring events indicates this has not been acted upon. This site is out of compliance with this request and it remains a valid and useful request. Contact information for the consultant handling the Prime Properties site can be found at the end of this letter; please initiate coordination of the two sites by the date identified below.
  - b. Renewed Request for Joint Gradient and Groundwater Contour Maps** - In the August 2010 letter, ACEH requested data sharing between the two sites be undertaken in order to facilitate site investigations. ACEH additionally requested that gradient and concentration contour maps for the two sites be combined and depicted on site vicinity maps. This site is out of compliance with these requests; they remain a valid and useful request and will assist in understanding the site vicinity. Please initiate coordination of the two sites by the date identified below.
  - c. Reduction of Groundwater Monitoring Interval** – In the August 2010 directive letter, ACEH requested that wells MW-12 and MW-14 be reduced to an annual groundwater monitoring interval. This appears to have been done with your previous consultant; however, the wells have reverted back to semi-annual sampling. Please return the wells to an annual basis during the September groundwater monitoring event, until otherwise determined. All other wells should continue on a semi-annual basis.
  - d. Clarification of Wells MW-15 and MW-16** – As indicated in the previous Technical Comment, the referenced groundwater monitoring report mentioned wells MW-15 and MW-16, not previously known to ACEH. ACEH seeks clarification of the existence of these wells by the date identified below.

#### **TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Mr. Mark Detterman), according to the following schedule:

- **May 18, 2012** – Geotracker Compliance Uploads
- **May 18, 2012** – First Semi-Annual 2012 Groundwater Monitoring Report (Coordinated with Adjacent Site)
- **June 1, 2012** – Well Relocation Status Update
- **June 29, 2012** – Work Plan for Soil and Groundwater Investigation with Door-to-Door Well Survey
- **November 30, 2012** – Second Semi-Annual 2012 Groundwater Monitoring (Coordinated with Adjacent Site)
- **60 Days After Work Plan Approval** – Soil and Groundwater Report (SWI)

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

Ladies and Gentlemen  
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Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org).

Sincerely,

Mark E. Detterman, PG, CEG  
Senior Hazardous Materials Specialist

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

cc: Janet Ceccarelli, Restructure Petroleum Marketing Services of California, 9519 E. ML King Blvd,  
Suite 100, Tampa, Florida 33610

Rafael Gallardo, Gallardo & Associates, Inc, 304 Belle Court, El Dorado Hills, CA 95762; (sent  
via electronic mail to: [rafaelgallardo@hotmail.com](mailto:rafaelgallardo@hotmail.com))

Hugh Murphy, City of Hayward Fire Dept., 777 B Street, Hayward, CA 94541  
(sent via electronic mail to [Hugh.Murphy@hayward-ca.gov](mailto:Hugh.Murphy@hayward-ca.gov))

Danny Galang, City of Hayward Fire Dept., 777 B Street, Hayward, CA 94541  
(sent via electronic mail to: [Danny.Galang@hayward-ca.gov](mailto:Danny.Galang@hayward-ca.gov))

Robert Trujillo, Prime Properties, 916 Silver Spur Road, Suite 210, Rolling Hills Estates, CA  
90274

Gary Aguilar, Hydro Analysis, Inc., 11100 San Pablo Ave., Suite 200-A, El Cerrito, CA 94530  
(sent via electronic mail to [gary@hydroanalysis.com](mailto:gary@hydroanalysis.com))

Donna Drogos, ACEH, (sent via electronic mail to [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))

Mark Detterman, ACEH, (sent via electronic mail to [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org))  
Geotracker, Electronic 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/](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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>REVISION DATE:</b> July 20, 2010
	<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 (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](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.