

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

REBECCA GEBHART, Interim Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM FOR
HAZARDOUS MATERIALS RELEASES
1131 HARBOR BAY PARKWAY, SUITE 250
ALAMEDA, CA 94502
(510) 567-6700
FAX (510) 337-9335

October 21, 2016

East Bay Municipal Utility District

375 Eleventh Street

Oakland, CA 94607

Attn.: John Walter (*Sent via electronic mail to: jwalter@ebmud.com*)

Subject: Conditional Work Plan Approval; Fuel Leak Case No. RO0000030 and GeoTracker Global ID T0600102115, EBMUD, 1200 21st Street, Oakland, CA 94607

Dear Mr. Walter:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the document entitled *Sensitive Receptor Survey Work Plan* (Work Plan) dated August 2, 2016 and prepared by Engineering/Remediation Resources Group, Inc. (ERRG). The Work Plan was received by our office on September 22, 2016.

As presented in the Work Plan, ERRG proposes to perform a well radius search and conduct a geophysical survey. The well search will be conducted for the area surrounding the site to locate any domestic, agricultural, and municipal wells on record with the California Department of Water Resources (DWR) and with the Alameda County Public Works (ACPWA) Water Resources Section. The purpose of the geophysical survey is to locate subsurface utilities at the site to aid in the evaluation of whether utility corridors are potential preferential pathways for lateral migration of contaminants in the subsurface.

ACDEH generally concurs with the proposed scope of work and requests that you address the following technical comments, perform the proposed work, and submit the requested report by the date specified below.

TECHNICAL COMMENTS

- 1. Well Search** - ACDEH requests in addition to the DWR and ACPWA databases searched for domestic, agricultural, and municipal wells, all supply wells, including irrigation wells, and wells which may provide a conduit to deeper water bearing zones, e.g. cathodic protection wells, be included in the database search. Additionally, the document entitled *East Bay Plain Groundwater Basin Beneficial Use Evaluation Report, Alameda and Contra Costa Counties, CA 1999* prepared by the California Regional Water Quality Control Board Groundwater Committee, June 1999, includes Figure 5, *Locations of Water Wells in 1910*. Numerous wells appear to be depicted in the vicinity of the EBMUD facility on this figure. ACDEH requests contacting EBMUD for information for evaluation of the presence of supply wells within the search radius.

No search radius is specified in the Work Plan. In the absence of contaminant plume definition, ACDEH requests that the search radius, at a minimum, include the maximum plume length plus the buffer distance from the leading edge of the contaminant plume. The maximum plume length may be identified in the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case Closure Policy (LTCP) *Technical Justification for Groundwater Plume Length, Indicator Constituents, Concentrations, Buffer Distances (Separation Distances) to Receptors* (LTCP Guidance; SWRCB 2012). The buffer distance for the LTCP may be interpreted as 1,000 feet for an

undefined plume. Please insure the radius encompasses the entire complex, including Block 1 and Block 4 of the East Bay Municipal Utilities District (EBMUD) facility.

- 2. Geophysical Survey** - As presented in the Work Plan, ERRG proposes to perform a geophysical survey to locate and determine the depths of any underground utilities in the vicinity of three areas of concern (AOCs). ACDEH requests in addition to the three AOCs identified in the Work Plan, the areas surveyed include the former underground storage tanks (USTs) locations on Block 1 and Block 4 and the former UST which supplied the generator located on Block 3.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACDEH ftp site (Attention: Keith Nowell), and to the SWRCBs GeoTracker website, in accordance with the following specified file naming convention and schedule:

- **January 20, 2017** – Sensitive Receptor Survey (file name: RO0000030_COND_WELL_R_yyyy-mm-dd)

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.

Thank you for your cooperation. ACDEH looks forward to working with you and your consultants to advance the case toward closure. Should you have any questions regarding this correspondence or your case, please call me at (510) 567-6764 or send an electronic mail message at keith.nowell@acgov.org.

Respectfully,

Keith Nowell PG, CHG
Hazardous Materials Specialist

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

cc: Dan Lohr, Engineering/Remediation Resources Group, Inc., 4585 Pacheco Blvd., Suite 200, Martinez, CA 94553 (*Sent via electronic mail to: dan.lohr@errg.com*)

Dilan Roe, ACDEH (*Sent via electronic mail to: dilan.roe@acgov.org*)
Paresh Khatri, ACDEH (*Sent via electronic mail to: paresh.khatri@acgov.org*)
Keith Nowell, ACDEH (*Sent via electronic mail to: keith.nowell@acgov.org*)
GeoTracker / 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.