

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



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

May 11, 2007

Mr. Mike Olvera  
AB&I Foundry  
7825 San Leandro Street  
Oakland, CA 94621-2598

Subject: Fuel Leak Case No. RO0000092 and Geotracker Global ID T0600100065, American Brass & Iron Foundry, 7825 San Leandro Street, Oakland, CA 94621

Dear Mr. Olvera:

Alameda County Environmental Health (ACEH) staff previously requested in correspondence dated September 14, 2006 (copy attached) that you prepare a Work Plan that addresses the technical comments in the September 14, 2006 correspondence. To date, we have not received a Work Plan or a request for a schedule extension. **Your site is out of compliance with directives from this agency.**

In order for your site to return to compliance, please submit the previously requested Work Plan **by June 15, 2007**. This date is not an extension of your due date, reports for this site are late and your site is out of compliance. ACEH makes this request pursuant to California Health & Safety Code Section 25296.10, 23 CCR sections 2652 through 2654, and 2721 through 2728 outline the duties of a responsible party in response to a reportable unauthorized release from a petroleum UST system, and require your compliance with this request. Due to the lack of compliance with ACEH requests, ACEH recommends that the Underground Storage Tank Cleanup Fund not reimburse you for future work until the site is brought back into compliance.

If it appears as though significant delays are occurring, or reports are not submitted as requested, we will consider referring your case to the County District Attorney or other appropriate agency, for enforcement. California Health and Safety Code, Section 25299.76 authorizes ACEH enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation. Please submit the requested Work Plan in electronic form as described below.

**TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **June 15, 2007** – Work Plan

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

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. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

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. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for 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 monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please be sure that you have claimed your site on the SWRCB Geotracker website (Global ID T0600100065). Visit the SWRCB website for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

### 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.

Mr. Mike Olvera  
RO0000092  
May 11, 2007  
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**UNDERGROUND STORAGE TANK CLEANUP FUND**

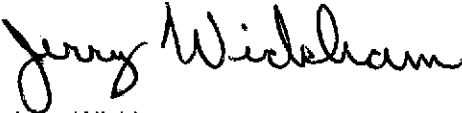
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

**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) 567-6791.

Sincerely,



Jerry Wickham  
Hazardous Materials Specialist

Attachment: ACEH Correspondence dated September 14, 2006

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Sunil Ramdass, SWRCB Cleanup Fund, 1001 I Street, 17<sup>th</sup> floor, Sacramento, CA 95814-2828  
Shari Knierem, SWRCB Cleanup Fund, 1001 I Street, 17<sup>th</sup> floor, Sacramento, CA 95814-2828

Donna Drogos, ACEH  
Jerry Wickham, 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)

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September 14, 2006

Mr. Mike Olvera  
AB&I Foundry  
7825 San Leandro Street  
Oakland, CA 94621-2598

Subject: Fuel Leak Case No. RO0000092, American Brass & Iron Foundry, 7825 San Leandro Street, Oakland, CA

Dear Mr. Olvera:

I am the caseworker assigned to your case. Please send future correspondence regarding this case to my attention. Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site. The most recent document submitted for the site is a response to comments and request for site closure in correspondence from AB&I Foundry dated November 21, 2001. ACEH responded to the November 21, 2001 correspondence in an electronic mail message that outlined technical observations on the responses presented. No more recent reports or correspondence are contained in our files. The fuel leak case for this site remains open.

The purpose of this correspondence is to provide a more formal response to the November 21, 2001 request for site closure and to request additional work at the site in order to allow the case to proceed towards closure. Based on the issues discussed in the technical comments below, the case cannot be closed at this time. This decision is subject to appeal to the State Water Resources Control Board (SWRCB), pursuant to Section 25299.39(b) of the Health and Safety Code (Thompson-Richter Underground Storage Tank Reform Act - Senate Bill 562). Please contact the SWRCB Underground Storage Tank Program at (916) 341-5851 for information regarding the appeal process.

We request that you submit a Work Plan by **November 30, 2006** to address the technical comments below.

**TECHNICAL COMMENTS**

1. **Extent of Soil and Groundwater Contamination for Former 550-gallon Gasoline UST.**  
The extent of soil and groundwater contamination has not been fully defined in the area of the former 550-gallon gasoline UST. The tank removal report for the 550-gallon UST (Levine Fricke January 31, 1992) indicated that contaminated soils were left in place on the south and west walls of the excavation and below the former UST because the excavation could not be extended further due to the presence of nearby structures. In addition, no soil samples were collected or excavation performed in the area of the former gasoline dispenser. Please present plans in the Work Plan requested below to define the lateral and vertical extent of petroleum hydrocarbons in this area.

2. **Extent of Soil and Groundwater Contamination for Former 1,1,1-Trichloroethane UST.** The extent of soil and groundwater contamination has not been fully defined in the area of the former 1,1,1-TCA UST. The tank removal report for the 1,1,1-TCA UST (AB&I April 4, 1992) indicated that contaminated soils were left in place due to the difficulty in removing a concrete surface structure. Odor, sheen, and discolored soils were observed in the MW-2 soil boring, which is adjacent to the former 1,1,1-TCA UST from 10.5 to 12 feet bgs. Please present plans in the Work Plan requested below to define the lateral and vertical extent of contamination in this area.
3. **Elevated Concentrations of Lead Detected in Groundwater.** Lead was detected in groundwater during two sampling events for well MW-4 at concentrations up to 86 micrograms per liter ( $\mu\text{g/L}$ ). The applicable aquatic habitat water quality goal for lead in groundwater is 2.5  $\mu\text{g/L}$ . Please present plans in the Work Plan requested below to evaluate these detections of elevated concentrations of lead.
4. **Sampling Monitoring Wells.** The most recent groundwater sampling data in our files are from April 1996. Please present plans in the Work Plan requested below to sample the existing groundwater monitoring wells at the site. Please note that laboratory analyses for fuel oxygenates and lead scavengers is required; however, no analyses for these constituents appear to have been conducted to date.
5. **Hydraulic Gradient.** The regional hydraulic gradient in the area of the site is to the southwest, towards San Francisco Bay. In the Work Plan requested below, please discuss potential reasons that the observed hydraulic gradient based on the four monitoring wells at the site has frequently been to northeast or northwest.

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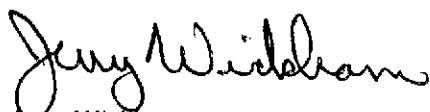
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Jerry Wickham  
Hazardous Materials Specialist

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