

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

REBECCA GEBHART, Interim Director



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

September 29, 2017

Mr. Sven Vetter
Corporate Environmental Sustainability Manager
Nestle USA
(Sent via electronic mail to: Sven.Vetter@US.nestle.com)

Subject: Conditional Work Plan Approval- Fuel Leak Case No. RO0000153 and GeoTracker Global ID T0600100466 Dreyer's Grand Ice Cream, 5929 College Avenue, Oakland, CA 94618

Dear Mr. Vetter:

Thank you for your recent submittal of the document entitled *Work Plan for Well Redevelopment and Sampling* (Work Plan), dated August 24, 2017 and prepared by Haley and Aldrich, Inc. (HAI) for the subject case. HAI proposes to redevelop the six wells comprising the site's monitoring well network, and following redevelopment, recover water samples for laboratory analysis. As presented in the Work Plan, the scope of analyses consists of total petroleum hydrocarbons (TPH) as gasoline (TPHg) and the full list of volatile organic compounds (VOCs) using United States Environmental Protection Agency (USEPA) Test Method 8260B; TPH quantified as diesel (TPHd) and motor oil (TPHmo) using USEPA Test Method 8015M; and priority pollutant polycyclic aromatic hydrocarbons (PAHs) using USEPA Test Method 8270C.

Alameda County Environmental Health (ACDEH) has reviewed the case file and the Work Plan in conjunction with the State Water Resource Control Board's (SWRCB) *Low-Threat Underground Storage Tank Closure Policy* (LTCP). ACDEH generally concurs with the proposed scope of work and requests that you address the following technical comments, perform the proposed work, and send us the technical reports described below.

TECHNICAL COMMENTS

1. **Silica Gel Cleanup** – As presented in the Work Plan, HAI's proposed scope of analysis includes TPHmo and TPHd. However, the use of silica gel cleanup (SGC) for these analyses is not discussed. Therefore, ACDEH would like to present its position regarding SGC.

The San Francisco Bay Region, Regional Water Quality Control Board (SFBR-RWQCB) does not utilize SGC when evaluating concentrations of TPHd and TPHmo with the Environmental Screening Levels (ESLs). For consistency, ACDEH follows the SFBR-RWQCB lead when evaluating cases having TPHd and TPHmo concentrations with regard to risks to human or ecological receptors, including our LTCP evaluation. Therefore, TPHd and TPHmo analyses should be performed without SGC for evaluation of risks to human or ecological receptors. However, ACDEH acknowledges that useful information may be gathered when comparing TPH concentrations for a sample analyzed both with and without SGC. Therefore, SGC may be used on selected samples for comparison with non-SGC concentrations.

ACDEH requests that the analysis of TPHd and TPHmo reflect this position.

TECHNICAL REPORT REQUEST

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

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- **December 29, 2017 – Electronic Submittal of Information** (GeoTracker submittals including GEO_REPORTS, EDFs, GEO_BOREs, GEO_WELLS, GEO_MAPs, GEO_XY, and GEO_Z)
- **December 29, 2017 – List of Documents Submitted to GeoTracker** (provided via electronic mail to ACDEH, Attention: Keith Nowell)
- **December 29, 2017 – Groundwater Monitoring Report** (file to be named: RO0000153_GWM_R_yyyy-mm-dd)
- **TBD – Meeting;** A follow up meeting to discuss findings and path forward to be scheduled following a one week review period for the Groundwater Monitoring Report.

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

Sincerely,

Keith Nowell, PG, CHG
Hazardous Materials Specialist

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

cc: Michael Calhoun, Haley & Aldrich, Inc., 1956 Webster Street, Suite 300, Oakland, CA 94612 (*Sent via electronic mail to: mcalhoun@haleyaldrich.com*)

Peter Bennett, Haley & Aldrich, Inc., 1956 Webster Street, Suite 300, Oakland, CA 94612 (*Sent via electronic mail to: PBennett@haleyaldrich.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

Alameda County Department of Environmental Health's (ACDEH) Environmental Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) 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 File Transfer Protocol (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 SCP 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 (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/) for more information on these requirements.

ACKNOWLEDGEMENT STATEMENT

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to ACDEH's FTP server and the SWRCB's GeoTracker website." 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 6731, 6735, and 7835) 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 licensed 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 case meet this requirement. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: December 1, 2016
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010; May 15, 2014, November 29, 2016
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions


The Alameda County Environmental Cleanup Oversight Programs (LOP 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 acknowledgement 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) Open File Explorer using the Windows  key + E keyboard shortcut.
 - i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) On the address bar, type in ftp://alcoftp1.acgov.org.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive)
 - d) Click Log On.
 - e) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - f) 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.