



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

**PLEASE READ THIS LETTER –  
THIS LETTER CONTAINS IMPORTANT INFORMATION THAT AFFECTS YOU**

October 29, 2013

Mr. Robert M Frost  
c/o Frost & Wright  
20980 Redwood Road, #260  
Castro Valley, CA 94546

California Central Trust Bank TR  
Address Unknown

California Central Trust Bank TR ETAL  
c/o Diversified Loan SVC  
267 E. Campbell Avenue  
Campbell, CA 95008-2057

Lincoln Trust Co., TR ETAL  
P.O. Box 5831  
Denver, CO 80217

Mr. James Jiang & Ms. Hilda Wong  
75 Burnham Place  
Fremont, CA 94539

Subject: **Monitoring Well Destruction and List of Landowners Form Required**; Fuel Leak Case No. RO0000158 and Geotracker Global ID T0600100903, Walt's Auto Tec, 2896 Castro Valley Boulevard, Castro Valley, CA 94546

Dear Responsible Parties:

Alameda County Environmental Health (ACEH) has been requesting the destruction of the groundwater monitoring well at this site for at least three and one-half years (copies of previous letters are attached). This site is listed as a Leaking Underground Fuel Tank (LUFT) site as the result of a leak from a former underground storage tank (UST) which was previously located at the property. This site has been cleaned to the extent required by the State of California. However, without the destruction of the well, ACEH cannot close the case. Therefore we need your assistance.

**Why Is This Important to You?**

Well destruction and case closure is important for you for the following reasons:

- Generalized stigmas are commonly associated with known contaminated sites.
- Until the case is closed, the property will remain listed in a state database of contaminated sites. This generally affects property refinancing to obtain lower rates as lenders are hesitant to loan on a contaminated site.
- Until the case is closed, the property value is generally reduced due to concerns about the extent of residual contamination that may remain at the site. With closure, the extent of contamination is understood to be acceptable and protective of human health and the environment.
- Closed sites generally have higher property values, are sold more quickly, and fewer questions are asked about former contamination with the passage of time.

There are standard procedures that need to be met in order to obtain closure, and well destruction is one of them. Please contact me for assistance during this process. The requirements are well understood and are not time consuming.

Additionally, in order to close this case, ACEH is required by the state to verify that all landowners have been informed of the potential case closure in order that these property owners are not surprised by these actions. To that end, ACEH has also attached a *List of Landowners Form* that needs to be filled out by the property owner.

So that you understand that there are legal and financial implications, please be aware that under Chapter 6.7 of the California Health and Safety Code, civil penalties up to \$10,000 for each UST for each day of violation may be imposed. **ACEH would prefer your monies be used for site closure rather than payment of penalty fees.** Please note that civil penalties for non-compliance are assessed from the original due date for a well destruction report (June 4, 2009).

### **TECHNICAL REPORT REQUEST**

Please upload technical reports to the ACEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with the specified file naming convention below, according to the following schedule:

- **November 29, 2013** – Landowner Form submittal  
File to be named: RO36\_LNDOWNR\_F\_yyyy-mm-dd
- **December 30, 2013** – Monitoring Well Decommissioning Report  
File to be named: RO36\_WELL\_DCM\_R\_yyyy-mm-dd

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 Detterman, PG, CEG  
Senior Hazardous Materials Specialist

Enclosures: January 3, 2013 ACEH Correspondence

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

*List of Landowners Form*

cc: James Yoo, Alameda County Public Works Agency, (sent via electronic mail to [jamesy@acpwa.org](mailto:jamesy@acpwa.org))

Dilan Roe (sent via electronic mail to [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Mark Detterman (sent via electronic mail to [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org))  
Geotracker, Electronic Files

# LIST OF LANDOWNERS FORM

County of Alameda  
Environmental Health Services  
Environmental Protection  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

## CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR:

Site Name: Walt's Auto Tec, , Castro Valley, CA 94546  
Address: 2896 Castro Valley Boulevard  
City, State, Zip: Castro Valley, CA 94546  
Record ID #: RO00000158

Please fill out item 1 if there are multiple site landowners (attach an extra sheet if necessary). If you are the sole site landowner, skip item 1 and fill out item 2.

1. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I, \_\_\_\_\_ (name of primary responsible party), certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

2. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I \_\_\_\_\_, certify that I am the sole landowner for the above site.

Sincerely,

\_\_\_\_\_  
Signature of Primary Responsible Party      Printed Name      Date      E-mail Address



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

### NOTICE OF VIOLATION

January 3, 2013

Mr. Robert M Frost  
c/o Frost & Wright  
20980 Redwood Road, #260  
Castro Valley, CA 94546

California Central Trust Bank TR  
P.O. Box 31051  
Laguna Hills, CA 92654-1051

California Central Trust Bank TR ETAL  
c/o Diversified Loan SVC  
267 E. Campbell Avenue  
Campbell, CA 95008-2057

Lincoln Trust Co., TR ETAL  
P.O. Box 5831  
Denver, CO 80217

Mr. James Jiang & Ms. Hilda Wong  
P.O. Box 2945  
Castro Valley, CA 94546

Subject: Notice to Violation for Monitoring Well Decommissioning and GeoTracker Compliance; Fuel Leak Case No. RO0000158 and Geotracker Global ID T0600100903, Walt's Auto Tec, 2896 Castro Valley Boulevard, Castro Valley, CA 94546

Dear Responsible Parties:

On July 3, 2008 Alameda County Environmental Health (ACEH) staff issued a letter requesting that the site be claimed in the State Water Resource Control Board's (SWRCBs) Geotracker database. The first Notice of Violation was issued by ACEH on July 24, 2009, a second Notice of Violation was issued on February 25, 2011, and on March 28, 2012 a third Notice of Violation was issued by ACEH. Each was issued because the site had not been claimed in the SWRCBs Geotracker database. Each letter contained deadlines that have not been met.

Additionally, on March 6, 2009 ACEH requested that existing monitoring wells be decommissioned (destroyed). This request was again contained in the March 28, 2012 directive letter.

A recent review of the case file and the State's GeoTracker database indicate that the wells have not been decommissioned and the site still has not been claimed. Your site is out of compliance with multiple directives from this agency. **Because this agency is tasked by the State to manage these tasks, you are also out of compliance with State requirements.** Again, this letter is an additional attempt to preclude further enforcement actions. Pursuant to State of California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3893, 3894, and 3895, you are required to claim your site and subsequently transmit electronic reports and other site data.

In order to regain compliance with local and State requirements, and to move the site towards site closure, please claim the site and submit the documents to both GeoTracker and to ACEH's FTP site by the dates specified below. Failure to submit the documents may additionally result in referral and possible enforcement action by the District Attorney.

Pursuant to Chapter 6.7, California Health and Safety Code, civil penalties up to \$10,000 for each UST for each day of violation may be imposed. Please note that civil penalties for non-compliance are assessed from the original due date (August 15, 2008). ACEH would prefer these funds be used for site closure rather than enforcement.

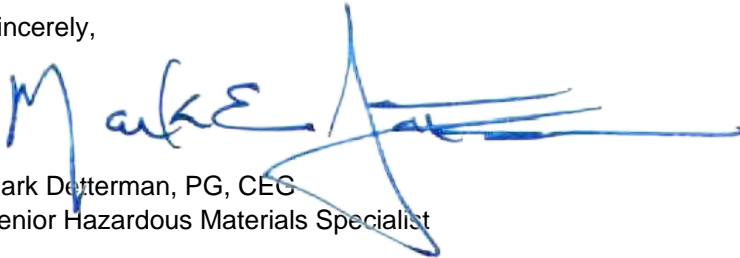
### **TECHNICAL REPORT REQUEST**

Please upload technical reports to the ACEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with the specified file naming convention below, according to the following schedule:

- **February 3, 2013** – GeoTracker Compliance Notification and Request for Information Uploads  
File to be named: RO158\_CORRES\_\_L\_LNDOWNR\_F\_YYYY-mm-dd
- **March 3, 2013** – Monitoring Well Decommissioning Report  
File to be named: RO158\_WELL\_DCM\_R\_YYYY-mm-dd

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 Detterman, PG, CEG  
Senior Hazardous Materials Specialist

Enclosures: July 3, 2008 ACEH Correspondence  
July 24, 2009 ACEH Correspondence  
February 25, 2011 ACEH Correspondence  
March 28, 2012 ACEH Correspondence  
Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations  
Electronic Report Upload (ftp) Instructions

cc: James Yoo, Alameda County Public Works Agency, (sent via electronic mail to [jamesy@acpwa.org](mailto:jamesy@acpwa.org))

Donna Drogos, ACEH, (sent via electronic mail to [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))  
Mark Detterman (sent via electronic mail to [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org))  
Geotracker, Electronic Files



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

July 3, 2008

C/O DIVERSIFIED LOAN SERVICES  
257 E CAMPBELL AVE STE #3  
CAMPBELL, CA 95008

JAMES & HILDA JIANG & WONG  
PO BOX 2945  
CASTRO VALLEY, CA 94546

ROBERT M FROST  
C/O FROST & WRIGHT  
20980 REDWOOD ROAD, #260  
CASTRO VALLEY, CA 94546

LINCOLN TRUST CO ETAL  
PO BOX 5831  
DENVER, CO 80217

SUBJECT: GEOTRACKER STATUS FOR THE LEAKING UNDERGROUND STORAGE TANK  
(UST) CASE FOR FUEL LEAK CASE #: RO0000158; Geotracker Global ID # T0600100903;  
WALT'S AUTO TEC, 2896 CASTRO VALLEY BLVD, CASTRO VALLEY, CA; 94546

Dear Ladies and Gentlemen:

A review of the case file and the State Water Resources Control Board's (SWRCB) GeoTracker website indicate that the site has not been claimed in the database; therefore electronic copies of analytical and survey data have not been uploaded to the SWRCB GeoTracker database, thus rendering the site to non-compliance status. 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 LUST program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. Additionally, all permanent monitoring points utilized to collect groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level relative to NGVD88 and latitude and longitude to sub-meter accuracy relative to NAD 83. A California licensed surveyor may be required to perform this work. Lastly, pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3893, 3894, and 3895, beginning July 1, 2005, the successful submittal of electronic information (i.e. report in PDF format) shall replace the requirement for the submittal of a paper copy.

In order to remain in compliance and maintain eligibility to receive reimbursement for investigation costs from the UST Clean-up Fund, please claim your site, upload all analytical data (EDF), beginning from September 1, 2001 to current, including monitoring well survey data (GEO\_XY and GEO\_Z), and PDF reports from July 1, 2005 to current to the SWRCB's GeoTracker database website in accordance with the above-cited regulations. Survey the monitoring well(s) (if applicable), perform the electronic submittals, and submit verification to this Agency by **AUGUST 15, 2008**. Failure to comply with this requirement will result in an issuance of a Notice of Violation and possible forfeiture of reimbursement monies.

Additional information regarding the SWRCB's GeoTracker website may be obtained online at [http://www.swrcb.ca.gov/ust/electronic\\_submittal/report\\_rqmts.shtml](http://www.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml) or by contacting the GeoTracker Help Desk at [geotracker@waterboards.ca.gov](mailto:geotracker@waterboards.ca.gov) or (866) 480-1028.

Thank you for your cooperation. I can be reached at 510-777-2478 to answer any questions you may have regarding this letter.

Sincerely,

Paresh C. Khatri  
Hazardous Materials Specialist

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY  
DAVID J. KEARS, Agency Director



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

July 24, 2009

JAMES JIANG & HILDA WONG  
NA  
UNK  
UNK UN 00000

ROBERT M FROST  
C/O FROST & WRIGHT  
20980 REDWOOD ROAD, #260  
CASTRO VALLEY CA 94546

FIRST0293 LAST0293  
LINCOLN TRUST CO ETAL  
PO BOX 5831  
DENVER CO 80217

C/O DIVERSIFIED LOAN SERVICES  
CALIF CENTRAL TRUST BANK TR ETAL  
UNK  
UNK UN 00000

Subject: Fuel Leak Case No. RO0000158 and Geotracker Global ID T0600100903, WALT'S AUTO TEC, 2896  
CASTRO VALLEY BLVD, CASTRO VALLEY CA 94546 – Groundwater Monitoring Requirements

Dear Responsible Party(ies):

The purpose of this correspondence is to inform you of changes to groundwater monitoring requirements for all fuel leak cases in California. The California State Water Resources Control Board (State Water Board) has approved Resolution No. 2009-0042 (*Actions to Improve Administration of the UST Cleanup Fund and UST Cleanup Program*). Resolution No. 2009-0042 states that, "Regional Water Board and LOP agencies shall reduce quarterly groundwater monitoring requirements to semiannual or less frequent monitoring at all site unless site-specific needs warrant otherwise and shall notify all responsible parties of the new requirements no later than August 1, 2009. If more than semiannual monitoring is required for a case, the responsible party and State Water board shall be notified of the rationale and the notice shall be posted on Geotracker."

This site is in the process of case closure. Since the monitoring at the site must be property destroyed prior to case closure, the new groundwater monitoring requirements in State Water Board Resolution No. 2009-0042 do not affect you at this time. These new groundwater monitoring requirements potentially may apply if monitoring wells are installed at your site in the future.

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,

A handwritten signature in black ink, appearing to read "Paresh C. Khatri".

Paresh C. Khatri  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

Responsible Party(ies)  
RO0000158,  
July 24, 2009, Page 2

cc: Kay Pannell, PIERS Environmental Services, Inc., 1330 S Bascom Ave., Suite F, San Jose, CA  
95128

Donna Drogos, ACEH (*Sent via E-mail to: [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org)*)

Paresh Khatri, ACEH (*Sent via E-mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org)*)

Geotracker, File



**RESPONSIBLE PARTY OF RECORD AS OF 07/22/2009**

**RO0000158, WALT'S AUTO TEC, 2896 CASTRO VALLEY BLVD , CASTRO VALLEY, CA, 94546**

Alameda County Environmental Health (ACEH) has the following information on record regarding the Responsible Party(ies) for the above referenced site. Please update the following information for our records. Should you have contact information regarding additional Responsible Parties, please correct the information accordingly. Also, please check the "e-mail preferred" box to receive all future correspondences and notifications by e-mail.

E-mail Preferred

Hardcopy Preferred

ACEH is requesting your e-mail address so that we can correspond with you quickly and efficiently regarding your case. Please note that ACEH respects your privacy. Your e-mail address will remain confidential and will not be provided to any third party.

Current Information

JAMES JIANG & HILDA WONG  
NA  
UNK  
UNK UN 00000

ROBERT M FROST  
C/O FROST & WRIGHT  
20980 REDWOOD ROAD, #260  
CASTRO VALLEY CA 94546

FIRST0293 LAST0293  
LINCOLN TRUST CO ETAL  
PO BOX 5831  
DENVER CO 80217

C/O DIVERSIFIED LOAN SERVICES  
CALIF CENTRAL TRUST BANK TR ETAL  
UNK  
UNK UN 00000

4083791274

Corrections or Additions

Name: \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
E-mail: \_\_\_\_\_  
Home Phone: (\_\_\_\_) \_\_\_\_\_  
Office Phone: (\_\_\_\_) \_\_\_\_\_  
Cell Phone: (\_\_\_\_) \_\_\_\_\_

Name: \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
E-mail: \_\_\_\_\_  
Home Phone: (\_\_\_\_) \_\_\_\_\_  
Office Phone: (\_\_\_\_) \_\_\_\_\_  
Cell Phone: (\_\_\_\_) \_\_\_\_\_

Name: \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
E-mail: \_\_\_\_\_  
Home Phone: (\_\_\_\_) \_\_\_\_\_  
Office Phone: (\_\_\_\_) \_\_\_\_\_  
Cell Phone: (\_\_\_\_) \_\_\_\_\_

Name: \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
E-mail: \_\_\_\_\_  
Home Phone: (\_\_\_\_) \_\_\_\_\_  
Office Phone: (\_\_\_\_) \_\_\_\_\_  
Cell Phone: (\_\_\_\_) \_\_\_\_\_

**RO0000158, 2896 CASTRO VALLEY BLVD , CASTRO VALLEY**



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

### NOTICE OF VIOLATION

February 25, 2011

Mr. Robert M Frost  
c/o Frost & Wright.  
20980 Redwood Road, #260  
Castro Valley, CA 94546

California Central Trust Bank TR ETAL  
c/o Diversified Loan SVC  
267 E Campbell Ave.  
Campbell, CA 95008-2057

California Central Trust Bank TR  
P.O. Box 31051  
Laguna Hills, CA 92654-1051

Lincoln Trust Co., TR ETAL  
P.O. Box 5831  
Denver, CO 80217

Mr. James Jiang & Ms. Hilda Wong  
P.O. Box 2945  
Castro Valley, CA 94546

Subject: Pending Recommendation to Remove From Future USTCF Eligibility; Fuel Leak Case No. R00000158 and GeoTracker Global ID T0600100903, Walt's Auto Tec, 2896 Castro Valley Boulevard, Castro Valley, CA 94546

Dear Responsible Parties:

On July 3, 2008 Alameda County Environmental Health (ACEH) staff issued a letter requesting that the site be claimed in the State Water Resource Control Board's (SWRCBs) Geotracker database. On July 24, 2009, a Notice of Violation was issued by ACEH because the site had not been claimed in the SWRCBs Geotracker database. Each letter contained deadlines that have not been met.

A recent review of the case file and the State's GeoTracker database indicate that the site still has not been claimed. Your site is out of compliance with directives from this agency. This letter is an additional attempt to preclude further enforcement actions. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3893, 3894, and 3895, you are required to claim your site and subsequently transmit electronic reports and other site data.

Based on the documented inaction, ACEH will recommend on February 28, 2011 that the Underground Storage Tank Cleanup Fund (Fund) remove the subject site from the Fund, and thus eligibility for all investigation and cleanup cost reimbursement. Once removed the costs associated with all current or future subsurface investigations and / or cleanup work that may be required at your site will not be reimbursed.

In order to regain compliance, please claim the site and submit the documents to GeoTracker and ACEH's FTP server by the dates specified below. Failure to submit the documents may additionally result in referral and possible enforcement action by the District Attorney.

Pursuant to Chapter 6.7, California Health and Safety Code, civil penalties up to \$10,000 for each UST for each day of violation may be imposed. Please note that civil penalties for non-compliance are assessed from the original due date (August 15, 2008).

### **TECHNICAL REPORT REQUEST**

Please claim the site in GeoTracker and submit appropriate documents to GeoTracker and ACEH (Attention: Paresh Khatri), according to the following schedule:

- **March 28, 2011** – GeoTracker Compliance and Request for Information Uploads

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

Sincerely,



Digitally signed by Paresh Khatri  
DN: cn=Paresh Khatri, o=Alameda  
County Environmental Health,  
ou=Local Oversight Program,  
email=Paresh.Khatri@acgov.org,  
c=US  
Date: 2011.02.25 09:27:38 -0800

Paresh C. Khatri  
Sr. Hazardous Materials Specialist

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

cc: Sunil Ramdass, Underground Storage Tank Cleanup Fund, SWRCB, PO Box 944212,  
Sacramento, CA 94244-2120, (sent via electronic mail to [sramdass@waterboards.ca.gov](mailto:sramdass@waterboards.ca.gov))  
Donna Drogos, ACEH, (sent via electronic mail to [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))  
Paresh Khatri, ACEH, (sent via electronic mail to [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org))  
Geotracker, e-File

## **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.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.

<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 [dehloptoxic@acgov.org](mailto:dehloptoxic@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 [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 @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.



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

### NOTICE OF VIOLATION

March 28, 2012

Mr. Robert M Frost  
c/o Frost & Wright  
20980 Redwood Road, #260  
Castro Valley, CA 94546

Lincoln  
California Central Trust Bank TR ETAL  
c/o Diversified Loan SVC  
267 E. Campbell Avenue  
Campbell, CA 95008-2057  
P.O.  
Ca

California Central Trust Bank TR  
P.O. Box 31051  
Laguna Hills, CA 92654-1051

Trust Co., TR ETAL  
P.O. Box 5831  
Denver, CO 80217

Mr. James Jiang & Ms. Hilda Wong  
Box 2945  
Castro Valley, CA 94546

Subject: Notice to Violation for Monitoring Well Decommissioning and GeoTracker Compliance; Fuel Leak Case No. RO0000158 and Geotracker Global ID T0600100903, Walt's Auto Tec, 2896 Castro Valley Boulevard, Castro Valley, CA 94546

Dear Responsible Parties:

On July 3, 2008 Alameda County Environmental Health (ACEH) staff issued a letter requesting that the site be claimed in the State Water Resource Control Board's (SWRCBs) Geotracker database. On February 25, 2011, a second Notice of Violation was issued by ACEH because the site had not been claimed in the SWRCBs Geotracker database. The first Notice of Violation was issued by ACEH on July 24, 2009. Each letter contained deadlines that have not been met.

A recent review of the case file and the State's GeoTracker database indicate that the wells have not been decommissioned and the site still has not been claimed. Your site is out of compliance with directives from this agency. This letter is an additional attempt to preclude further enforcement actions. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3893, 3894, and 3895, you are required to claim your site and subsequently transmit electronic reports and other site data.

In order to regain compliance, please claim the site and submit the documents to GeoTracker and ACEH's FTP server by the dates specified below. Failure to submit the documents may additionally result in referral and possible enforcement action by the District Attorney.

Pursuant to Chapter 6.7, California Health and Safety Code, civil penalties up to \$10,000 for each UST for each day of violation may be imposed. Please note that civil penalties for non-compliance are assessed from the original due date.

**TECHNICAL REPORT REQUEST**

Please claim the site in GeoTracker and submit appropriate documents to GeoTracker and ACEH (Attention: Paresh Khatri), according to the following schedule:

- **April 28, 2012** – GeoTracker Compliance and Request for Information Uploads
- **May 29, 2012** – Monitoring Well Decommissioning Report

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

Sincerely,



Digitally signed by Paresh C. Khatri  
DN: cn=Paresh C. Khatri, o=Alameda  
County Environmental Health  
Department, ou,  
email=paresh.khatri@acgov.org, c=US  
Date: 2012.03.29 10:49:49 -0700'

Paresh C. Khatri  
Senior Hazardous Materials Specialist

Enclosures: July 3, 2008 ACEH Correspondence  
July 24, 2009 ACEH Correspondence  
February 25, 2011 ACEH Correspondence  
Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations  
Electronic Report Upload (ftp) Instructions

cc: Sunil Ramdass, Underground Storage Tank Cleanup Fund, SWRCB, PO Box 94 4212,  
Sacramento, CA 94244-2120, (sent via electronic mail to [sramdass@waterboards.ca.gov](mailto:sramdass@waterboards.ca.gov))

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

Geotracker, e-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 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 web site 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.



<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.



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

July 3, 2008

C/O DIVERSIFIED LOAN SERVICES  
257 E CAMPBELL AVE STE #3  
CAMPBELL, CA 95008

JAMES & HILDA JIANG & WONG  
PO BOX 2945  
CASTRO VALLEY, CA 94546

ROBERT M FROST  
C/O FROST & WRIGHT  
20980 REDWOOD ROAD, #260  
CASTRO VALLEY, CA 94546

LINCOLN TRUST CO ETAL  
PO BOX 5831  
DENVER, CO 80217

SUBJECT: GEOTRACKER STATUS FOR THE LEAKING UNDERGROUND STORAGE TANK  
(UST) CASE FOR FUEL LEAK CASE #: RO0000158; Geotracker Global ID # T0600100903;  
WALT'S AUTO TEC, 2896 CASTRO VALLEY BLVD, CASTRO VALLEY, CA; 94546

Dear Ladies and Gentlemen:

A review of the case file and the State Water Resources Control Board's (SWRCB) GeoTracker website indicate that the site has not been claimed in the database; therefore electronic copies of analytical and survey data have not been uploaded to the SWRCB GeoTracker database, thus rendering the site to non-compliance status. 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 LUST program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. Additionally, all permanent monitoring points utilized to collect groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level relative to NGVD88 and latitude and longitude to sub-meter accuracy relative to NAD 83. A California licensed surveyor may be required to perform this work. Lastly, pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3893, 3894, and 3895, beginning July 1, 2005, the successful submittal of electronic information (i.e. report in PDF format) shall replace the requirement for the submittal of a paper copy.

In order to remain in compliance and maintain eligibility to receive reimbursement for investigation costs from the UST Clean-up Fund, please claim your site, upload all analytical data (EDF), beginning from September 1, 2001 to current, including monitoring well survey data (GEO\_XY and GEO\_Z), and PDF reports from July 1, 2005 to current to the SWRCB's GeoTracker database website in accordance with the above-cited regulations. Survey the monitoring well(s) (if applicable), perform the electronic submittals, and submit verification to this Agency by **AUGUST 15, 2008**. Failure to comply with this requirement will result in an issuance of a Notice of Violation and possible forfeiture of reimbursement monies.

Additional information regarding the SWRCB's GeoTracker website may be obtained online at [http://www.swrcb.ca.gov/ust/electronic\\_submittal/report\\_rqmts.shtml](http://www.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml) or by contacting the GeoTracker Help Desk at [geotracker@waterboards.ca.gov](mailto:geotracker@waterboards.ca.gov) or (866) 480-1028.

Thank you for your cooperation. I can be reached at 510-777-2478 to answer any questions you may have regarding this letter.

Sincerely,

Paresh C. Khatri  
Hazardous Materials Specialist

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



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

**NOTICE OF VIOLATION**

July 24, 2009

JAMES JIANG & HILDA WONG  
NA  
UNK  
UNK UN 00000

ROBERT M FROST  
C/O FROST & WRIGHT  
20980 REDWOOD ROAD, #260  
CASTRO VALLEY CA 94546

FIRST0293 LAST0293  
LINCOLN TRUST CO ETAL  
PO BOX 5831  
DENVER CO 80217

C/O DIVERSIFIED LOAN SERVICES  
CALIF CENTRAL TRUST BANK TR  
ETAL  
UNK  
UNK UN 00000

Subject: Fuel Leak Case No. RO0000158 and Geotracker Global ID T0600100903, WALT'S AUTO TEC,  
2896 CASTRO VALLEY BLVD, CASTRO VALLEY CA 94546

Dear Responsible Party(ies):


On July 3, 2008, Alameda County Environmental Health (ACEH) sent a correspondence to you identifying that your site, WALT'S AUTO TEC, located at 2896 CASTRO VALLEY BLVD, CASTRO VALLEY CA 94546 has not been claimed in the State Water Resources Control Board's (SWRCB) GeoTracker database. It was further stated that the site must be claimed by August 15, 2008 in order to remain in compliance. A review of the case file and the State's GeoTracker database indicate that the site still has not been "claimed," and your site is out of compliance with directives from this agency. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3893, 3894, and 3895, you are required to claim your site and subsequently electronically transmit reports and other site data, as required.

In order to regain compliance, please claim the site ([www.geotracker.waterboards.ca.gov](http://www.geotracker.waterboards.ca.gov)) and submit verification to ACEH by **August 10, 2009**. Failure to claim the site by the due date specified above may result in referral and possible enforcement action by the District Attorney and/or ineligibility for reimbursement of corrective action costs incurred at the site from the Underground Storage Tank Clean-up Fund. Pursuant to Chapter 6.7, California Health and Safety code, civil penalties up to \$10,000 for each UST for each day of violation may be imposed. Once removed from the Clean-up Fund, the costs associated with the subsurface investigation and/or cleanup work that may be required at your site will not be reimbursed. Please note that civil penalties for non-compliance are assessed from the original due date (August 15, 2008).

Responsible Party(ies)  
RO0000158,  
July 24, 2009, Page 2

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

cc: Kay Pannell, PIERS Environmental Services, Inc., 1330 S Bascom Ave., Suite F, San Jose, CA  
95128

Donna Drogos, ACEH (*Sent via E-mail to: [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org)*)

Paresh Khatri, ACEH (*Sent via E-mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org)*)

Geotracker, File



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

### NOTICE OF VIOLATION

February 25, 2011

Mr. Robert M Frost  
c/o Frost & Wright.  
20980 Redwood Road, #260  
Castro Valley, CA 94546

California Central Trust Bank TR ETAL  
c/o Diversified Loan SVC  
267 E Campbell Ave.  
Campbell, CA 95008-2057

California Central Trust Bank TR  
P.O. Box 31051  
Laguna Hills, CA 92654-1051

Lincoln Trust Co., TR ETAL  
P.O. Box 5831  
Denver, CO 80217

Mr. James Jiang & Ms. Hilda Wong  
P.O. Box 2945  
Castro Valley, CA 94546

Subject: Pending Recommendation to Remove From Future USTCF Eligibility; Fuel Leak Case No. R00000158 and GeoTracker Global ID T0600100903, Walt's Auto Tec, 2896 Castro Valley Boulevard, Castro Valley, CA 94546

Dear Responsible Parties:

On July 3, 2008 Alameda County Environmental Health (ACEH) staff issued a letter requesting that the site be claimed in the State Water Resource Control Board's (SWRCBs) Geotracker database. On July 24, 2009, a Notice of Violation was issued by ACEH because the site had not been claimed in the SWRCBs Geotracker database. Each letter contained deadlines that have not been met.

A recent review of the case file and the State's GeoTracker database indicate that the site still has not been claimed. Your site is out of compliance with directives from this agency. This letter is an additional attempt to preclude further enforcement actions. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3893, 3894, and 3895, you are required to claim your site and subsequently transmit electronic reports and other site data.

Based on the documented inaction, ACEH will recommend on February 28, 2011 that the Underground Storage Tank Cleanup Fund (Fund) remove the subject site from the Fund, and thus eligibility for all investigation and cleanup cost reimbursement. Once removed the costs associated with all current or future subsurface investigations and / or cleanup work that may be required at your site will not be reimbursed.

In order to regain compliance, please claim the site and submit the documents to GeoTracker and ACEH's FTP server by the dates specified below. Failure to submit the documents may additionally result in referral and possible enforcement action by the District Attorney.

Pursuant to Chapter 6.7, California Health and Safety Code, civil penalties up to \$10,000 for each UST for each day of violation may be imposed. Please note that civil penalties for non-compliance are assessed from the original due date (August 15, 2008).

### **TECHNICAL REPORT REQUEST**

Please claim the site in GeoTracker and submit appropriate documents to GeoTracker and ACEH (Attention: Paresh Khatri), according to the following schedule:

- **March 28, 2011** – GeoTracker Compliance and Request for Information Uploads

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

Sincerely,



Digitally signed by Paresh Khatri  
DN: cn=Paresh Khatri, o=Alameda  
County Environmental Health,  
ou=Local Oversight Program,  
email=Paresh.Khatri@acgov.org,  
c=US  
Date: 2011.02.25 09:27:38 -0800

Paresh C. Khatri  
Sr. Hazardous Materials Specialist

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

cc: Sunil Ramdass, Underground Storage Tank Cleanup Fund, SWRCB, PO Box 944212,  
Sacramento, CA 94244-2120, (sent via electronic mail to [sramdass@waterboards.ca.gov](mailto:sramdass@waterboards.ca.gov))  
Donna Drogos, ACEH, (sent via electronic mail to [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))  
Paresh Khatri, ACEH, (sent via electronic mail to [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org))  
Geotracker, e-File

## **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.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.

<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

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## REQUIREMENTS

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- **Signature pages and perjury statements must be included and have either original or electronic signature.**
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- 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 [dehloptoxic@acgov.org](mailto:dehloptoxic@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.**
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- 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 @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.



## **Responsible Party(ies) Legal Requirements/Obligations**

### **REPORT/DATA REQUESTS**

These reports/data are being requested pursuant to Division 7 of the California Water Code (Water Quality), Chapter 6.7 of Division 20 of the California Health and Safety Code (Underground Storage of Hazardous Substances), and Chapter 16 of Division 3 of Title 23 of the California Code of Regulations (Underground Storage Tank Regulations).

### **ELECTRONIC SUBMITTAL OF REPORTS**

ACEH's Environmental Cleanup Oversight Programs (Local Oversight Program [LOP] for unauthorized releases from petroleum Underground Storage Tanks [USTs], and Site Cleanup Program [SCP] for unauthorized releases of non-petroleum hazardous substances) require submission of reports in electronic format pursuant to Chapter 3 of Division 7, Sections 13195 and 13197.5 of the California Water Code, and Chapter 30, Articles 1 and 2, Sections 3890 to 3895 of Division 3 of Title 23 of the California Code of Regulations (23 CCR). Instructions for submission of electronic documents to the ACEH FTP site are provided on the attached "Electronic Report Upload Instructions."

Submission of reports to the ACEH FTP site is in addition to requirements for electronic submittal of information (ESI) to the State Water Resources Control Board's (SWRCB) Geotracker website. In April 2001, the SWRCB adopted 23 CCR, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1 (Electronic Submission of Laboratory Data for UST Reports). Article 12 required electronic submittal of analytical laboratory data submitted in a report to a regulatory agency (effective September 1, 2001), and surveyed locations (latitude, longitude and elevation) of groundwater monitoring wells (effective January 1, 2002) in Electronic Deliverable Format (EDF) to Geotracker. Article 12 was subsequently repealed in 2004 and replaced with Article 30 (Electronic Submittal of Information) which expanded the ESI requirements to include electronic submittal of any report or data required by a regulatory agency from a cleanup site. The expanded ESI submittal requirements for petroleum UST sites subject to the requirements of 23 CCR, Division, 3, Chapter 16, Article 11, became effective December 16, 2004. All other electronic submittals required pursuant to Chapter 30 became effective January 1, 2005. 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, 7835, 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, 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.

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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 SCP)</b>	<b>REVISION DATE:</b> July 25, 2012
	<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 (petroleum UST 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.**
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- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
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- **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
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