



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

November 28, 2011

Mr. Bob Webster  
David D Bohannon Organization  
60 31<sup>st</sup> Avenue  
San Mateo, CA 94403

Subject: Request for Status Update; Fuel Leak Case No. RO0000167 and GeoTracker Global ID T0600102098; Bohannon Development Property, 575 Paseo Grande, San Lorenzo, CA 94580

Dear Mr. Webster:

Alameda County Environmental Health (ACEH) has undertaken a review of the case file, including the report entitled *Groundwater Monitoring and Remediation Progress Report*, prepared and submitted on your behalf by SECOR International Inc, and dated April 23, 2007. ACEH understands that a series of nitrate and hydrogen peroxide solutions were injected at the site into four separate wells each (Nitrate: NIW-A1, NIW-A2, NIW-B1, and NIW-B2; and peroxide: NOBS-B1, POBS-A1, POBS-B1, and POBS-B2). Three phases of injection are reported to have ended in October 2004. In April 2005 a DPE pilot test was conducted, and in June 2005 14 soil bores (R-1 to R-14) were installed to further characterize the subsurface at the site for appropriate DPE well installation. Wells DP-1 to DP-7 are reported to have been installed in September 2005; however, the system was reported to be non-operational as of April 2007. The DPE system is reported to have been initiated in early 2009, but no details have been submitted. In order to evaluate your site and progress to eventual closure, additional information and soil and groundwater investigation is needed.

Based on the review of the case file, ACEH requests that you address the following technical comments and send us the documents requested below.

### **TECHNICAL COMMENTS**

- 1. Request for Geotracker Compliance** – Thank you for recently claiming the site in the state's Geotracker database and uploading a report; it is appreciated. To bring the site into full compliance with state regulations and ACEH directives, ACEH requests that all required submittals be uploaded to the database. Please note that the request that the Geotracker upload requirement be waived due to voluntary cleanup actions cannot be granted by ACEH; it is a state requirement ACEH is tasked with managing. Compliance is required by the State.

Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the UST or LUST program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs, including SLIC programs. Also, beginning January 1, 2002, 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 and latitude and longitude to sub-meter accuracy using NAD 83. A California licensed surveyor may be required to

perform this work. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites was required in GeoTracker. At present missing data and documents include, but may not be limited to, all but one report, all EDF submittals, all GEO\_MAPS, all GEO\_WELL data, and all bore and well logs. Site wells have also not been surveyed to Geotracker standards; another state requirement. Please see Attachment 1 for limited additional details, and the state GeoTracker website for full details. Please upload all submittals to GeoTracker, as well as to ACEH's ftp website by the date specified below.

2. **Request for Information** – ACEH's case file for the subject site contains only the electronic files listed on our website at <http://www.acgov.org/aceh/lop/ust.htm>. ACEH requests that you electronically submit copies of all subsequent reports, correspondence, data, and etc. related to environmental investigations for this site (including Phase 1 reports, if available) by the date identified below.
3. **Request for a Remediation Progress Report** – ACEH additionally requests submittal of a Remedial Progress Report for actions to date at the site. The referenced September 25, 2009 letter indicated that DPE operations had been initiated in early 2009, were on-going, but were anticipated to be complete in what was then described as the near future. Because it has been over two years since this communication, ACEH is requesting the written report, rather than only a verbal report (a verbal report can be a part of the process however). It is important for ACEH to understand progress at the site, and for it to be documented, as it appears that initial cleanup time frame expectations have not been met and it is taking longer to meet cleanup goals. Please submit the Remedial Progress Report, including tables, figures, trend graphs, analytical results, and other useful information by the date below.
4. **Request for Residential Well Decommissioning Update** – The report entitled *Semi-Annual (Second Half 2003) Groundwater Monitoring Report*, dated June 21, 2004, prepared and submitted on your behalf by SECOR International Inc, (SECOR) reported that two residential "backyard" irrigation wells were located immediately downgradient of the site and that assistance for well decommissioning had been requested from the Bohannon Organization by both property owners. ACEH requests an update as to the status of this activity by the date identified below.
5. **Request for Semi-Annual Groundwater Monitoring Reports** – The last report to include groundwater sampling appears to be the April 23, 2007 report entitled *Groundwater Monitoring and Remediation Progress Report*. Semi-annual groundwater monitoring and sampling is requested to occur in the second and fourth quarters of the year, based on previous results. ACEH requests that previously prepared reports be submitted by the date referenced below for Technical Comment No. 2, and that future semi-annual groundwater monitoring reports on the schedule identified below.
6. **Request for Email Addresses** – If your email address is not listed on the first page of this letter, or on the list of cc's below, ACEH requests your email address to help expedite communications and to help lower overall costs. Please provide that information in your next submittal.

#### **TECHNICAL REPORT REQUEST**

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

- **January 9, 2012** – Additional Required Geotracker Uploads, Electronic Submittals, and Residential Well Decommissioning Status
- **January 30, 2012** – Remedial Progress Report
- **February 10, 2011** – Fourth Quarter 2011 Semi-Annual Groundwater Report
- **August 17, 2012** – Second Quarter 2012 Semi-Annual Groundwater Report

Mr. Bob Webster  
RO0000167  
November 28, 2011, Page 3

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.

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

Sincerely,

Mark E. Detterman  
Senior Hazardous Materials Specialist

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

cc: Chris Maxwell, Stantec Consulting Corporation, 57 Lafayette Circle, 2<sup>nd</sup> Floor, Lafayette, CA 94549; (sent via electronic mail to [Chris.Maxwell@stantec.com](mailto:Chris.Maxwell@stantec.com))

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

## Attachment 1

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

#### REPORT REQUESTS

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

#### ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of reports in electronic form. The electronic copy replaces paper copies and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program FTP site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) GeoTracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the GeoTracker database over the Internet. Beginning July 1, 2005, these same reporting requirements were added to Spills, Leaks, Investigations, and Cleanup (SLIC) sites. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites is required in GeoTracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.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.