



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

January 21, 2010

Ms. Ann Marie Holland Tiers
Estate of Jack Holland
1498 Hamrick Lane
Hayward, CA 94544

Ms. Barbara Holland
P.O. Box 5
Kentfield, CA 94914

Mr. Lawrence Lepore (*Sent via E-mail to: lepl@haywardrec.org*)
Hayward Area Recreation and Park District
1099 E Street
Hayward, CA 94541

Subject: Fuel Leak Case No. RO0000212 and Geotracker Global ID T0600100709, Holland Oil, 16301 East 14th Street, San Leandro, CA 94580

Dear Ms. Tiers, Ms. Holland, and Mr. Lepore:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the subject site including the recently submitted documents entitled, "*Corrective Action Plan Implementation and Closure Report, HARD-RDA Holland Park Property, 16301 East 14th Street, San Leandro, California,*" dated December 28, 2009 (Corrective Action Report) and "*3rd Quarter 2009 Final Groundwater Monitoring Report, HARD-Former Holland Oil Property, 16301 East 14th Street, San Leandro, California,*" dated January 6, 2010 (Groundwater Monitoring Report). The Corrective Action Report presents results from excavation and backfilling conducted in September 2009. The Groundwater Monitoring Report presents results from groundwater sampling conducted on September 23 through 24, 2009.

As discussed in previous correspondence, a Soil Management Plan is required in order to manage residual soil contamination that remains at the site and prevent potential exposure for future users of the site. Case closure will be considered upon completion of the following:

- A site-specific Soil Management Plan (SMP) approved by ACEH. Please see technical comment 2 below regarding the required contents of the SMP.
- Verification that the requirements in the SMP for construction of the proposed park are implemented.
- Deed Restriction.

We request that you address the technical comments below, perform the proposed work, and submit the documents requested below.

TECHNICAL COMMENTS

1. **Area C Excavation and Stockpile Sampling Results.** During the excavation of Area C to a depth of one foot bgs, an oil asphalt material was observed over a large portion of Area C. Stockpile soil sampling results detected polychlorinated biphenyls at concentrations up to 9,100 micrograms per kilogram and total petroleum hydrocarbons as diesel (TPHd) at concentrations up to 1,000 milligrams per kilogram. As discussed in previous correspondence, a site-specific Soil Management Plan (SMP)

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is required for the site to address residual contamination remaining at the site. Please see technical comment 2 below regarding the required contents of a SMP.

2. **Soil Management Plan and Deed Restriction.** In order to prevent future site users and workers from potential exposure to residual contamination, a site-specific Soil Management Plan (SMP) is required. The SMP must describe the steps to be taken during construction of the proposed park that will prevent exposure to shallow residual contamination and long-term management of the site to prevent exposure during future activities that may disturb the protective surface cover. As part of park construction, the soils that were exposed during excavation must be covered by a continuous hard surface such as concrete or asphalt or a minimum of one foot of clean fill or landscaped materials. Please include this requirement in the SMP requested below. Verification of the surface cover emplaced during backfilling and construction activities is required prior to consideration of case closure.
3. **Groundwater Monitoring.** Total petroleum hydrocarbons as diesel (TPHd) and total petroleum hydrocarbons as gasoline (TPHg) were detected in groundwater at concentrations up to 3,800 and 910 micrograms per liter, respectively. As discussed in the Groundwater Monitoring Report, the concentrations of fuel hydrocarbons are expected to decrease over time due to natural attenuation processes following the completed source removal. No further groundwater monitoring is requested at this time.

TECHNICAL REPORT REQUEST

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

- **March 23, 2010** – Soil Management Plan

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

ELECTRONIC SUBMITTAL OF REPORTS

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

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(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/cleanup/electronic_reporting).

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

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.

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If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 2032 (*Sent via E-mail to: lgriffin@oaklandnet.com*)

Markus Niebanck, Amicus, 580 Second Street, Suite 260, Oakland, CA 94607 (*Sent via E-mail to: markus@amicusenv.com*)

Kris Larson, Ninyo & Moore, 1956 Webster Street, Suite 400, Oakland, CA 94612 (*Sent via E-mail to: klarson@ninyoandmoore.com*)

Judy Reid, State Water Resources Control Board, Division of Financial Assistance, P.O. Box 944212 Sacramento, CA 94244-2120 (*Sent via E-mail to: JREID@waterboards.ca.gov*)

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

Geotracker, File

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|---|--|
| Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) | ISSUE DATE: July 5, 2005 |
| | REVISION DATE: March 27, 2009 |
| | PREVIOUS REVISIONS: December 16, 2005, October 31, 2005 |
| SECTION: Miscellaneous Administrative Topics & Procedures | SUBJECT: Electronic Report Upload (ftp) Instructions |

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities.

REQUIREMENTS

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- Signature pages and perjury statements **must** be included and have either original or electronic signature.
- **Do not password protect the document**. Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:
RO#_Report Name_Year-Month-Date (e.g., RO#5555_WorkPlan_2005-06-14)

Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

Submission Instructions

- 1) Obtain User Name and Password:
 - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
 - i) Send an e-mail to dehloptoxic@acgov.org
 - Or
 - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of My Le Huynh.
 - b) In the subject line of your request, be sure to include "**ftp PASSWORD REQUEST**" and in the body of your request, include the **Contact Information, Site Addresses**, and the **Case Numbers (RO# available in Geotracker) you will be posting for**.

- 2) Upload Files to the ftp Site
 - a) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
 - (i) Note: Netscape and Firefox browsers will not open the FTP site.
 - b) Click on File, then on Login As.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
 - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.

- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
 - a) Send email to dehloptoxic@acgov.org 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.