

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

F

ENVIRONMENTAL HEALTH SERVICES

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

April 10, 2008

Willie Everidge  
Everidge Service Company  
1211 7<sup>th</sup> Street  
Oakland, CA 94607

Hazel Everidge  
8907 Hillside Street  
Oakland, CA 94605

Subject: Fuel Leak Case No. RO0000235 and Geotracker Global ID T0600100683,  
Everidge Service Company, 1211 7<sup>th</sup> Street, Oakland, CA 94607

Dear Mr. Everidge and Ms. Everidge:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the document entitled, "Subsurface Site Investigation," dated March 1995, which was prepared by ACC Environmental Consultants (ACC) for the subject site. The report documents the installation of six borings to investigate subsurface conditions following the removal of one 250-gallon waste oil underground storage tank (UST) and three 4,000-gallon gasoline USTs. During the UST removals on October 20, 1992, concentrations of total petroleum hydrocarbons (TPH) as gasoline (g) and benzene were detected as high as 20,000 milligrams per kilogram (mg/kg) and 18 mg/kg, respectively, in a sidewall soil sample confirming that a significant release has occurred at the site. On September 26, 1994, ACC collected soil and groundwater samples from six borings installed at the site. Concentrations of TPH-g and benzene were detected in soil as high as 7,000 mg/kg and 37 mg/kg, respectively, again confirming that a significant release has occurred at the site and the extent of contamination is unknown. To determine whether groundwater was impacted, ACC collected groundwater samples from borings. ACC detected elevated concentrations of TPH-g and benzene in groundwater samples collected from borings B-2 and B-3 and "free product" was detected in boring B4. To date, the vertical and lateral extent of contamination in soil and groundwater is undefined and continues to pose a potential risk to human health and the environment.

Several attempts in the past have been made by this Agency to gain your cooperation to continue the site assessment and cleanup activities, which are required by California Code of Regulations, Title 23, Division 3, Chapter 16, Article 11, §2720 through §2728. Our records indicate that the California UST Cleanup Fund issued you a Letter of Commitment dated November 25, 1996 to reimburse costs associated with the required site assessment/site cleanup activities at your property. However, no action was taken after the issuance of the Letter of Commitment and subsequently the Letter of Commitment expired with no work conducted at the site.

ACEH request that you address the following technical comments and send us the work plan requested below. Failure to submit the required work plan by the due date specified below may

result in an issuance of a Notice of Violation 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 work that is required will not be reimbursed. Please note that civil penalties for non-compliance are assessed from the original due date (March 23, 1996).

### **TECHNICAL COMMENTS**

1. **Contaminant Source Area Characterization** – As mentioned above, significantly elevated concentrations of TPH-g (20,000 mg/kg) and benzene (18 mg/kg) were detected in the soil at 11.5 feet below the ground surface (bgs) following the removal of the 250-gallon waste oil UST and the three 4,000-gallon gasoline USTs on October 20, 1992. Based on the analytical data the vertical and lateral extent of impacted soil (i.e. secondary source) is not known. Please propose a scope of work to address the above-mentioned concerns (i.e. delineate hydrocarbon contamination in the source areas) and submit a work plan by the due date specified below.
2. **Soil and Groundwater Characterization** – Elevated concentrations of TPH-g (7,000 mg/kg) and benzene (37 mg/kg) were detected in soil during a subsurface investigation conducted on September 26, 1994 by ACC indicating that the vertical and lateral extent of hydrocarbon contamination in soil is not characterized. Groundwater samples collected during the September 26, 1994 investigation detected elevated concentrations of TPH-g (37,000 micrograms per liter [ $\mu\text{g/L}$ ]) and benzene (7,100  $\mu\text{g/L}$ ) in groundwater samples, as well as a ¼ -inch of "free product" floating on groundwater in boring B-4. Please propose a scope of work to address the above-mentioned concerns and submit a work plan by the date specified below. It is recommended that a series of borings be installed to delineate contamination prior to installing any permanent monitoring points.
3. **MTBE and Fuel Oxygenates Analysis** - Significantly elevated concentrations of petroleum hydrocarbons are presently detected at the site. However, fuel oxygenates, such as methyl tertiary butyl ether (MtBE), ethyl tert-butyl ether (ETBE), tertamyl methyl ether (TAME), diisopropyl ether (DIPE), lead scavengers (i.e. ethylene dichloride (EDC) and ethylene dibromide (EDB)), and alcohol compounds, (i.e. tert-butyl alcohol (TBA) have not been part of the analytical suite. Please include the fuel oxygenates in the analytical suite proposed in the work plan due by the date specified below.

### **TECHNICAL REPORT REQUEST**

Please submit technical reports and work plans to Alameda County Environmental Health (Attention: Pares Khatri), according to the following schedule:

- **Monday, May 26, 2008** – Soil and Water Investigation Work Plan

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

#### ELECTRONIC SUBMITTAL OF REPORTS

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

#### PERJURY STATEMENT

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

#### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

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

Mr. Everidge and Ms. Everidge  
RO0000235  
April 10, 2008, Page 4

**UNDERGROUND STORAGE TANK CLEANUP FUND**

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

**AGENCY OVERSIGHT**

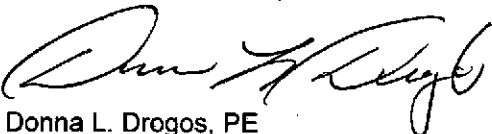
If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

If you have any questions, please call me at (510) 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



Donna L. Drogos, PE  
Supervising Hazardous Material Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: David DeMent, ACC Environmental, 7977 Capwell Drive, Suite 100, Oakland, CA 94621  
Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA  
94612-2032  
Sunil Ramdass, State Water Resources Control Board, Underground Storage Tank  
Program, 1001 I Street, 17<sup>th</sup> Floor, Sacramento, CA 95814  
Donna Drogos, ACEH  
Paresh Khatri, ACEH  
File

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

Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities.

#### REQUIREMENTS

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- Signature pages and perjury statements must be included and have either original or electronic signature.
- **Do not password protect the document**. Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:  
RO#\_Report Name\_Year-Month-Date (e.g., RO#5555\_WorkPlan\_2005-06-14)

#### Additional Recommendations

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

#### Submission Instructions

- 1) Obtain User Name and Password:
  - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
    - i) Send an e-mail to [dehloptoxic@acgov.org](mailto:dehloptoxic@acgov.org)
    - or
    - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of Alicia Lam-Finneke.
  - b) In the subject line of your request, be sure to include **"ftp PASSWORD REQUEST"** and in the body of your request, include the **Contact Information, Site Addresses, and the Case Numbers (RO# available in Geotracker) you will be posting for.**
- 2) Upload Files to the ftp Site
  - a) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
    - (i) Note: Netscape and Firefox browsers will not open the FTP site.
  - b) Click on File, then on Login As.
  - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
  - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
  - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
  - a) Send email to [dehloptoxic@acgov.org](mailto:dehloptoxic@acgov.org) notify us that you have placed a report on our ftp site.
  - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name at acgov.org. (e.g., [firstname.lastname@acgov.org](mailto:firstname.lastname@acgov.org))
  - c) The subject line of the e-mail must start with the RO# followed by **Report Upload**. (e.g., Subject: RO1234 Report Upload)