



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

Shahram Shahnazi
Delta Gas
300 West S Street
Woodland, CA 95695

John Rutherford
Desert Petroleum
P.O. Box 1601
Oxnard, CA 93030

Tejindar and Rajinder Singh
6400 Dublin Boulevard
Dublin, CA 94568
(Sent via E-mail to: tsingh@pques.com)

Mohammed Mushhoon
9 Commodore, #217
Emeryville, CA 94608

Subject: Work Plan Review for Fuel Leak Case No. Fuel Leak Case No. RO0000276 and GeoTracker Global ID T0600100090, Desert Petroleum #796, 2844 Mountain Blvd., Oakland, CA 94601

Dear Mr. Shahnazi, Mr. Rutherford, Mr. and Ms. Singh, and Mr. Mushhoon:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the most recent documents entitled, "*Workplan for Further Soil and Groundwater Investigation at 2844 Mountain Boulevard, Oakland*," dated October 28, 2011 (Work Plan) and "*Summary Report of Underground Storage Tank and Fuel Piping Removal*," dated September 14, 2011 (Tank Removal Report). Both reports were prepared on behalf of Tejindar P. Singh by SOMA Environmental Engineering, Inc. The Work Plan proposes CPT and MIP borings at four locations to delineate the horizontal and vertical extent of contamination.

The proposed scope of work in the Work Plan is generally acceptable and may be implemented as proposed. However, please see technical comments 1 and 2 below regarding the need for additional actions and source removal at this site. We request that you address the technical comments below, perform the proposed work, and send us the reports requested below.

TECHNICAL COMMENTS

1. **Source Removal.** Soil samples collected during the tank removal indicate that contaminated soils are present beneath the former tank pit. The Tank Removal Report also indicates that contaminated soils were returned to the excavation following tank removal and no overexcavation was conducted. In addition, free product has previously been encountered in the area south of the former tank pit and piping. A remedial action will be necessary to address the significant source of contamination that remains at this site. We request that you present plans and a schedule to implement source removal at this site no later than March 29, 2012.

2. **Groundwater Migration and Preferential Pathways Evaluation.** The distribution of groundwater contamination and the apparent hydraulic gradients previously measured at the site indicate that groundwater flows towards Highway 13. A retaining wall is present at base of the slope that separates Mountain Boulevard from Highway 13. Groundwater is encountered at the site at an elevation above the retaining wall. Previous reports (Aqua Science Engineers May 24, 2000) have suggested that the retaining wall may act as a barrier to groundwater flow. However, previous reports have also indicated that the storm water line that extends below Mountain Boulevard and continues beneath Highway 13 may act as a preferential pathway. In order to help understand potential groundwater flow paths from the site, we request that the Site Investigation Report below include at least one cross section that shows the CPT locations, tank pit, site hydrogeology, groundwater elevations, analytical data, utilities beneath Mountain Boulevard including the stormwater line, and retaining wall. We also request that you review previous data and reports regarding preferential pathways and present an updated evaluation of the potential for contaminant migration along preferential pathways. If the retaining wall appears to act as a barrier to groundwater flow, sampling of discharges from the drain holes at the base of the retaining wall may be necessary. Please include appropriate recommendations in the Site Investigation Report requested below.

3. **Correction to Tank Removal Report.** ACEH did not provide an authorization to return soils to the tank pit following tank removal as stated in the Tank Removal Report dated September 14, 2011.

TECHNICAL REPORT REQUEST

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

- **March 29, 2012** – Site Investigation Report
- **March 29, 2012** – Plans and Schedule for Source Removal

Should you have any questions, please contact me at (510) 567--6791 or send me an electronic mail message at jerry.wickham@acgov.org. Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>. If your email address does not appear on the cover page of this notification ACEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

Sincerely,

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

Attachment: Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

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cc: Judy Reid, Underground Storage Tank Cleanup Fund, SWRCB, PO Box 944212, Sacramento, CA 94244-2120, (sent via electronic mail to jreid@waterboards.ca.gov)

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

Mansour Sepehr, SOMA Environmental Engineering, 6620 Owens Drive, Suite A, Pleasanton, CA 94588 (Sent via E-mail to: msepehr@somaenv.com)

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

Jerry Wickham, ACEH (Sent via E-mail to: jerry.wickham@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 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.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, 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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	REVISION DATE: July 20, 2010
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
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

- **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
 - 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 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.