



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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September 27, 2012

Ms. Wannetta Hall and Louis Badertscher
Scooter Wilson's Auto Repair
4414 Fleming Avenue
Oakland, CA 94619

Subject: Fuel Leak Case No. RO0000280 and GeoTracker Global ID T0600102113, Scooter Wilson, 3600 MacArthur Boulevard, Oakland, CA 94619

Dear Ms. Hall and Mr. Badertscher:

Thank you for the recently submitted document entitled, *Subsurface Investigation Report*, dated March 30, 2012, which was prepared by Kodiak Consulting, LLC (Kodiak) for the subject site. Alameda County Environmental Health (ACEH) staff has reviewed the case file including the above-mentioned report. The report details investigation work performed on March 28 and 29, 2006 to determine the lateral extent of hydrocarbons at the site, evaluate if nearby conduits are acting as preferential pathways for contaminant migration from the site, and recommends remediation, soil and water removal and monitoring activities for the site.

ACEH concurs with Kodiak and requests that you address the additional technical comments and send us the technical reports requested below.

TECHNICAL COMMENTS

1. **Geotracker Compliance** – Thank you for claiming the site in Geotracker and uploading the most recent reports. However, your site remains out of compliance with well survey requirements. To date the well survey has not been submitted to Geotracker and the survey datum referenced is NAD29. Please re-survey the wells to vertical datum NAD83 and upload this information to Geotracker so the wells are plotted correctly on the Geotracker map by the due date requested below.
2. **Groundwater Monitoring** – The wells have not been sampled since 2008. Please implement semi-annual groundwater monitoring. Please submit groundwater monitoring reports by the due dates below.
3. **Product Piping** – No documentation demonstrating that the product piping has been removed or grouted-in-place has been submitted for this site. Although Kodiak states in the March 30, 2012 report, that the product piping was grouted in place there is no report documenting the work only references to future proposed work. HK2, Inc./SEMCO states in the December 1998 *Site Characterization Report* that “No product lines were removed during this investigation. This work will be performed in January 1999. Approximately 60 feet of

unused piping remains onsite." Please present documentation that the piping was grouted in place or submit a work plan to remove this piping in the report/work plan requested below.

4. **Off-Site Contamination** – A boring advanced during an off-site investigation for Chevron site RO0000405 and reported in the September 15, 2012 *Additional Site Investigation Report and Case Closure Request*, detected elevated hydrocarbon concentrations in groundwater. Up to 40,000 micrograms per liter ($\mu\text{g/L}$) total petroleum hydrocarbons as diesel, 17,000 $\mu\text{g/L}$ TPH as gasoline (TPHg), and 34 $\mu\text{g/L}$ benzene were detected in boring B-15 which is directly downgradient of the Scooter Wilson site. Since Chevron has never operated diesel USTs, Chevron has suggested that the source of the contamination is the Scooter Wilson site. Please evaluate if the lateral extent of contamination at your site has been determined based on these new results, present your evaluation in the report/work plan requested below.

5. **Report/Work Plan** – ACEH concurs with Kodiak's recommendation that remediation should be performed at the site. However, before submitting a Feasibility Study/Corrective Action Plan (FS/CAP) we recommend that any remaining data gaps such as the two identified in the comments #3 and #4 above, be identified and addressed in a report. If data gaps are identified, please prepare and submit a work plan to assess the remaining data gaps by the due date requested below.

6. **Corrective Action Plan** – Sixty days after the submittal of the report requested above, a Feasibility Study/Corrective Action Plan (FS/CAP) prepared in accordance with Title 23, California Code of Regulations, Section 2725 appears warranted. The FS/CAP must include a concise background of soil and groundwater investigations performed in connection with this case and an assessment of the residual impacts of the chemicals of concern (COCs) for the site and the surrounding area where the unauthorized release has migrated or may migrate. The FS/CAP should also include, but is not limited to, a detailed description of site lithology, including soil permeability, and most importantly, contamination cleanup levels and cleanup goals, in accordance with the San Francisco Regional Water Quality Control Board (SFRWQCB) Basin Plan and appropriate ESL guidance for all COCs and for the appropriate groundwater designation. Please note that soil cleanup levels should ultimately (within a reasonable timeframe) achieve water quality objectives (cleanup goals) for groundwater in accordance with the SFRWQCB Basin Plan. Please specify appropriate cleanup levels and cleanup goals and the timeframe to reach them, in accordance with 23 CCR Section 2725, 2726, and 2727 in the FS/CAP.

The FS/CAP must evaluate at least three viable alternatives for remedying or mitigating the actual or potential adverse effects of the unauthorized release(s) besides the 'no action' and 'monitored natural attenuation' remedial alternatives. Each alternative shall be evaluated not only for cost-effectiveness but also its timeframe to reach cleanup levels and cleanup goals, and ultimately the Responsible Party must propose the most cost-effective corrective action.

TECHNICAL REPORT REQUEST

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

- **October 29, 2012** – Geotracker Compliance
- **November 30, 2012** – Semi-Annual Groundwater Monitoring Report (Second Half 2012)
File to be named: GWM_R_YYYY-mm-dd
- **November 30, 2012** – Additional Information Report w/ Work Plan
File to be named: Add_R_WP_YYYY-mm-dd
- **60 days after Report Submittal** – Corrective Action Plan
File to be named: CAP_R_YYYY-mm-dd
- **May 20, 2013** – Semi-Annual Groundwater Monitoring Report (1st Half 2013)
File to be named: GWM_R_YYYY-mm-dd

Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, please call me at (510) 639-1287 or send me an electronic mail message at barbara.jakub@acgov.org.

Sincerely,

Barbara J. Jakub, P.G.
Hazardous Materials Specialist

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

cc: Ailsa Le May, Kodiak Consulting, LLC, 660 4th St. #288, San Francisco, CA 94107 (Sent via e-mail: alemay@kodiak-consulting.com)
Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (Sent via E-mail to: lgriffin@oaklandnet.com)
Donna Drogos, ACEH (Sent via E-mail to: donna.drogos@acgov.org)
Barbara Jakub, ACEH (Sent via E-mail to: barbara.jakub@acgov.org)
GeoTracker
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.