



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

NOTICE TO COMPLY

July 19, 2012

Mr. Paul Harper
United Parcel Service
55 Glenlake Parkway, NE
Atlanta, GA 30328-3474
(Sent via E-mail to: pharper@ups.com)

Mr. Douglas Hermann
Port of Oakland
530 Water St.
Oakland, CA 94607
(Sent via E-mail to: dherman@portoakland.com)

Subject: Fuel Leak Case No. RO0000315 and Geotracker Global ID T0600100939, United Parcel Service, 8400 Pardee Dr., Oakland, CA 94621

Dear Mr. Harper and Mr. Herman:

Alameda County Environmental Health has received the document entitled *Pilot Test Injection Work Plan* dated May 15, 2012 which was prepared by Arcadis for the subject site. Alameda County Environmental Health (ACEH) staff has reviewed the case file including the above-mentioned report. The work plan proposes injecting magnesium sulfate into six wells to determine the effectiveness of enhanced anaerobic bio-oxidation on dissolved phase petroleum hydrocarbons.

We are unable to approve the work plan at this time as Arcadis has not responded to all of the comments in ACEH's directive letter dated March 28, 2012, which requested clarifications of the remedial option. In addition, new wells were installed without ACEH concurrence and no baseline sampling has been performed on these wells. ACEH requests that you address the following technical comments and send us the reports requested below.

TECHNICAL COMMENTS

1. **Injection and New Monitoring Well Installation** – Arcadis installed six injection wells (IW-1 through IW-6) and three new monitoring wells (MW-12 through MW-14) without ACEH's concurrence. Information obtained from Alameda County Public Works indicates that Arcadis installed the wells from January 25 through January 27, 2012. The work plan dated December 30, 2012 was submitted to ACEH after the wells had been installed. Multiple wells were installed in locations based on an assumed radius of influence of 12.5 feet (12/2011 work plan) which in the current work plan (5/2012) has changed to 15 feet. ACEH recommends that the UST Cleanup Fund does not reimburse for this work plan or for any improperly located wells.

ACEH has concerns that the radius of influence used is not appropriate since hydraulic testing was not performed to determine this radius. As it stands, Arcadis installed 6 injection wells and 3 monitoring wells that may not be in the correct locations. ACEH did not approve installation of this many injection wells for a pilot test and the monitoring points do not appear

to be sufficient to determine if radial flow is occurring as suggested by the figures presented in the CAP and pilot test work plan. ACEH recommends installing monitoring points to the north of the injection points to determine if radial flow is occurring per Arcadis' assumptions. If this is not the case, additional injection points may be needed if magnesium sulfate injection is selected as the remedial option. Please present a proposal to install monitoring points to confirm radial flow in the baseline groundwater monitoring report requested below.

Additionally, Arcadis has not yet submitted a soil and water investigation report with the well installation details nor has a site conceptual model (SCM) that was requested in ACEH's March 10, 2009 letter (and is late), been submitted. Please submit a soil and water investigation report with SCM by the due date requested below.

2. **Baseline Analysis** – ACEH's March 28, 2012 letter requested baseline sampling and an evaluation of the sample data to demonstrate that the proposed method was applicable to this site and would not impede groundwater quality. Some of the requested analysis has been performed yet analysis for total dissolved solids has not been performed and new monitoring wells and injection wells were installed but no baseline sampling has been performed on these wells. Please complete the baseline sampling on the new wells and collect samples and analyze groundwater for the analytes listed in your groundwater sampling matrix table as follows: Sample all new injection and monitoring wells for the following: TPH-g, and TPHd, Methane, sulfide, sulfate, nitrate as nitrogen, total dissolved iron, magnesium (Please note that your table says total dissolved Manganeses[sic]), total dissolved solids (TDS) (not specific conductivity), pH and temperature. Sample existing wells for methane, sulfide, sulfate, nitrate as nitrogen, total dissolved iron TDS, temperature and pH. Please update the groundwater sampling matrix to reflect magnesium and TDS analysis and include the EPA Method numbers for TPHg and TPHd. Present this data with an evaluation by the due date requested below.
3. **Reduction of Separate Phase Hydrocarbons Using Magnesium Sulfate** – Please provide an evaluation of the effectiveness of using magnesium sulfate in reducing free product concentrations in the baseline monitoring report requested below.
4. **Waste Discharge Requirements** – Arcadis has not provided information discussing if a General Waiver of Waste Discharge Requirements is required from the Regional Water Quality Control Board for injection of magnesium sulfate to groundwater as requested in our March 28, 2012 letter. Please provide the requested information in the baseline monitoring report requested below.

TECHNICAL REPORT REQUEST

Please submit technical reports to ACEH (Attention: Barbara Jakub), according to the following schedule:

- **August 20, 2012** – Soil and Water Investigation Report w/ SCM

Mr. Harper
RO0000315
July 19, 2012, Page 3

- **September 19, 2012** – Baseline Groundwater Monitoring Report

If 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: Hugh Devery, Arcadis, 975 Cobb Place Blvd. NW, Suite 311, Kennesaw GA, 30144 (*Sent via E-mail to: Hugh.Devery@arcadis-us.com*)
Sunil Ramdas, State Water Quality Control Board, (*Sent via E-mail to: sunil.ramdass@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*)
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.