

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**  
AGENCY

COLLEEN CHAWLA, Director



DEPARTMENT OF ENVIRONMENTAL HEALTH  
LOCAL OVERSIGHT PROGRAM (LOP)  
For Hazardous Materials Releases  
1131 HARBOR BAY PARKWAY  
ALAMEDA, CA 94502  
(510) 567-6700  
FAX (510) 337-9335

July 2, 2018

Mr. David E. Murray  
PCC Flow Technologies Holdings, Inc.  
4600 SE Harney Drive  
Portland, OR 97206-0898  
(Sent via electronic mail to:  
[DMurray@precastcorp.com](mailto:DMurray@precastcorp.com))

Mr. Harold Mark Vignoles  
9201 San Leandro LLC  
9201 San Leandro Street  
Oakland, CA 94603  
(Sent via electronic mail to:  
[mark@servicewest.com](mailto:mark@servicewest.com))

Mr. Dallas Nelson  
GP Holdings LLC  
Address Unknown

Mr. Peter Serrurier  
PCC Precision Castparts Corp.  
4650 SW Macadam Avenue, #400  
Portland, OR 97239  
(Sent via electronic mail to:  
[pserrurier@precasetcorp.com](mailto:pserrurier@precasetcorp.com))

Richard Padovani  
& White Family Properties LLC  
845 92<sup>nd</sup> Avenue  
Oakland, CA 94603

Richard Padovani  
& Marcia Chan, Trustees  
& White et al  
4000 Forest Hill Avenue  
Oakland, CA 94602

Subject: Conditional Work Plan Approval; Fuel Leak Case No. RO0000320 and Geotracker Global ID T0600101592, PACO Pumps Inc, 9201 San Leandro Street, Oakland, CA 94603

Dear Ladies and Gentlemen:

Alameda County Department of Environmental Health (ACDEH) has reviewed the case file, including the brief work plan outline contained in the *Former Paco Pumps Site*, dated November 6, 2017, and the *Work Plan Addendum*, dated March 13, 2018, and received on May 21, 2018. The reports were prepared and submitted on your behalf by APEX / The Source Group (APEX). Thank you for submitting the documents.

The referenced work plan and work plan addendum provided an outline overview of proposed tasks associated with each of the five Areas of Interest, and in general ACDEH is in agreement with the generalized scope of work.

Based on ACDEH staff review of the work plan and the addendum the proposed scope of work is conditionally approved for implementation provided that the technical comments below are incorporated during the proposed field investigation. Submittal of a revised work plan or a work plan addendum is not required unless an alternate scope of work outside that described in the work plan or technical comments below is proposed. We request that you address the following technical comments, perform the proposed work, and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to: [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org)) prior to the start of field activities.

### **TECHNICAL COMMENTS**

- 1. Conditional Work Plan Approval** – The referenced work plan and addendum proposes a series of actions with which ACDEH is in general agreement of undertaking. Please ensure field staff are aware of the changes to the work plan that have been requested, and briefly incorporated, into subsequent correspondence. Please submit an investigation report by the date specified below.
- 2. Groundwater Monitoring – LATE** – A review of Geotracker indicates that the site is not in compliance with previous directives for semi-annual groundwater monitoring. ACDEH requests continuation of semi-annual groundwater monitoring at the site. Plume stability has not been demonstrated at the site. All wells are required to be sampled and a report submitted by the dates identified below.
- 3. Electronic Report and Data Upload Compliance - LATE** – A review of the case file and the State's Geotracker database indicates that the site remains out of compliance with previous directive letters.

The most recent request for uploads was contained in the January 18, 2018 directive letter. **Compliance is also a State requirement for closure.** Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the UST or LUST program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs, including SLIC programs. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites was required in GeoTracker.

At present missing data and documents include, but may not be limited to, recent reports, GEO WELL data (the most recent is from 2014), associated EDF submittals (the most recent is from 2014), and GEO MAPS (the most recent is from 2013). The upload of current as well as historic site data and reports is a State requirement, and will eventually delay case closure. Compliance is also tied to reimbursement funding by the UST Cleanup Fund. ACDEH will respond to the work plan once it is uploaded and accepted on Geotracker.

Please see Attachment 1 for limited additional details, and the state GeoTracker website for full details. ACEH requests notification of, and a list of, the documents uploaded to Geotracker. Please upload all submittals to GeoTracker as well as to ACEH's ftp website by the date specified below.

#### **SUBMITTAL ACKNOWLEDGEMENT STATEMENT**

Please note that ACDEH has updated Attachment 1 with regard to report submittals. ACDEH will now be requiring a Submittal Acknowledgement Statement, replacing the Perjury Statement, as a cover letter signed by the Responsible Party (RP). The language for the Submittal Acknowledgement Statement is as follows:

*"I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to the State Water Board's GeoTracker website.*

Please make this change to your submittals to ACDEH.

#### **TECHNICAL REPORT REQUEST**

Please submit the following technical reports and deliverables to the State Water Board's Geotracker website and notify your case worker by electronic mail ([mark.detterman@acgov.org](mailto:mark.detterman@acgov.org)), in accordance with the following specified file naming convention and schedule, as provided below, and in the Responsible Party(ies) Legal Requirements/Obligations which is included as Attachment 1. Please note ACDEH no longer accepts reports on the ftp site.

- **June 1, 2018 July 20, 2018** – First 2018 Semi-Annual Groundwater Monitoring Report  
File to be named: RO320\_GWM\_R\_YYYY-mm-dd
- **February 19, 2018 July 20, 2018** – Geotracker Upload Compliance Notification  
Please notify your case worker
- **August 30, 2018** – Soil and Groundwater Investigation  
File to be named: RO320\_SWI\_R\_YYYY-mm-dd
- **December 14, 2018** – Second 2018 Semi-Annual Groundwater Monitoring Report  
File to be named: RO320\_GWM\_R\_YYYY-mm-dd

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

Ladies and Gentlemen  
RO0000320  
July 2, 2018, Page 3

in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

If your email address does not appear above, ACDEH request that you forward a copy in order to keep communications efficient.

If you have any questions, please call me at (510) 567-6876 or send me an electronic mail message at [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org).

Sincerely,



Mark E. Detterman, PG, CEG  
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations  
Electronic Report Upload (ftp) Instructions

cc: Jake Wilcox, Apex Companies, LLC, 3478 Buskirk Avenue, Pleasant Hill, CA 94523  
(Sent via electronic mail to: [Jacob.Wilcox@apexcos.com](mailto:Jacob.Wilcox@apexcos.com))

Rob Bilotti, Service West, Inc; 9201 San Leandro Street, Oakland, CA 94603  
(Sent via electronic mail to: [Rob@servicewest.com](mailto:Rob@servicewest.com))

Marc Zeppetello, Barg Coffin Lewis & Trapp, LLP, 350 California Street, 22<sup>nd</sup> Floor, San Francisco, CA 94104-1435; (Sent via electronic mail to: [MAZ@bcltlaw.com](mailto:MAZ@bcltlaw.com))

Scott Kaplan, Stoel Rives, LLP, 900 S.W. Fifth Avenue, Suite 2600, Portland, OR, 97204  
(Sent via electronic mail to: [SJKaplan@stoel.com](mailto:SJKaplan@stoel.com))

Dilan Roe, ACDEH; (Sent via electronic mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Paresh Khatri, ACDEH; (Sent via electronic mail to: [pareskh.khatri@acgov.org](mailto:pareskh.khatri@acgov.org))  
Mark Detterman, ACDEH; (Sent via electronic mail to: [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org))  
Electronic File, GeoTracker

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> December 14, 2017
	<b>ISSUE DATE:</b> July 25, 2012
	<b>PREVIOUS REVISIONS:</b> September 17, 2013, May 15, 2014, December 12, 2016
<b>SECTION:</b> ACDEH Procedures	<b>SUBJECT:</b> Responsible Party(ies) Legal Requirements / Obligations

**REPORT & DELIVERABLE REQUESTS**

Alameda County Department of Environmental Health (ACDEH) Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) require submission of all reports in electronic form to the State Water Board's (SWB) GeoTracker website in accordance with California Code of Regulations, Chapter 30, Division 3, Title 23 and Division 3, Title 27.

Leaking Underground Fuel Tank (LUFT) Cases

Reports and deliverable requests are 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 (RP) in conjunction with an unauthorized release from a petroleum underground storage tank (UST) system.

Site Cleanup Program (SCP) Cases

For non-petroleum UST cases, reports and deliverables requests are pursuant to California Health and Safety Code Section 101480.

ELECTRONIC SUBMITTAL OF REPORTS

A complete report submittal includes the PDF report and all associated electronic data files, including but not limited to GEO\_MAP, GEO\_XY, GEO\_Z, GEO\_BORE, GEO\_WELL, and laboratory analytical data in Electronic Deliverable Format™ (EDF). Additional information on these requirements is available on the State Water Board's website ([http://www.waterboards.ca.gov/water\\_issues/programs/ust/electronic\\_submittal/](http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/))

- Do not upload draft reports to GeoTracker
- Rotate each page in the PDF document in the direction that will make it easiest to read on a computer monitor.

GEOTRACKER UPLOAD CERTIFICATION

Each report submittal is to include a GeoTracker Upload Summary Table with GeoTracker valid values<sup>1</sup> as illustrated in the example below to facilitate ACDEH review and verify compliance with GeoTracker requirements.

**GeoTracker Upload Table Example**

Report Title	Sample Period	PDF Report	GEO_MAPS	Sample ID	Matrix	GEO_Z	GEO_XY	GEO_BORE	GEO_WELL	EDF
<b>2016 Subsurface Investigation Report</b>	2016 S1	✓	✓	Effluent	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
<b>2012 Site Assessment Work Plan</b>	2012	✓	✓			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>2010 GW Investigation Report</b>	2008 Q4	✓	✓	SB-10	W	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				SB-10-6	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				MW-1	WG	✓	✓	✓	✓	✓
				SW-1	W	✓	✓	✓	✓	✓

<sup>1</sup> GeoTracker Survey XYZ, Well Data, and Site Map Guidelines & Restrictions, CA State Water Resources Control Board, April 2005

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> NA
	<b>ISSUE DATE:</b> December 14, 2017
	<b>PREVIOUS REVISIONS:</b> September 17, 2013, May 15, 2014, December 12, 2016
<b>SECTION:</b> ACDEH Procedures	<b>SUBJECT:</b> Responsible Party(ies) Legal Requirements / Obligations

**ACKNOWLEDGEMENT STATEMENT**

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to the State Water Board's GeoTracker website." This letter must be signed by the Responsible Party, or legally authorized representative of the Responsible Party.

**PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS**

The California Business and Professions Code (Sections 6731, 6735, and 7835) 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 licensed or certified professional and include the professional registration stamp, signature, and statement of professional certification. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

**UNDERGROUND STORAGE TANK CLEANUP FUND**

For LUFT cases, RP's non-compliance with these regulations may result in ineligibility to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse the cost of cleanup. Additional information is available on the internet at: [https://www.waterboards.ca.gov/water\\_issues/programs/ustcf/](https://www.waterboards.ca.gov/water_issues/programs/ustcf/)

**AGENCY OVERSIGHT**

Significant delays in conducting site assessment/cleanup or report submittals may result in referral of the case to the Regional Water 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.