

ALAMEDA COUNTY
**HEALTH CARE SERVICES
AGENCY**

REBECCA GEBHART, Interim 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

September 19, 2017

Navistar International Corporation
2701 Navistar Drive
Lisle, IL 60532
Attn.: Environmental Affairs

Mitchell Brown
c/o Cypress Property
1120 Nye Street, #929
San Rafael, CA 94901-6102

2855 Mandela LLC
c/o: Balco Properties, Ltd., LLC
1624 Franklin Street, Suite 310
Oakland, CA 94612-2822
Attn.: Mr. Reed Westphal
(Sent via electronic mail to:
Reed.Westphal@balcoproperties.com)

Cypress Property
1120 Nye Street, #929
San Rafael, CA 94901-6102

Wareham Property Development
2855 Cypress St.
Oakland, CA 94607

MFC-OP
1120 Nye Street
San Rafael, CA 94901-6102

2855 Mandela Property LLC
c/o: Colliers International
Address Unknown

Leighton R. Taylor and Linda P. Taylor Revocable Trust
and Page SP-V, LLC
c/o: Ms. Faye Beverett
Address Unknown

Leighton R. Jr. & Linda P. Taylor Trust et al.
c/o: Page Street Properties
Address Unknown

Richard K. Robbins &
Marin Financial Corporation (& Trust)
c/o: Wareham Property Group
Address Unknown

Page Street Properties, LLC
c/o: Ms. Faye Beverett
Address Unknown

Subject: Case File Review - Fuel Leak Case No. RO0000378 and Geotracker Global ID T0600101522,
Wareham Property Development, 2855 Mandela Parkway, Oakland, CA 94607

Dear Responsible Parties:

Thank you for the recent submittals to the State Water Resources Control Board's (SWRCBs) GeoTracker website. Alameda County Department of Environmental Health (ACDEH) has performed a review of the case files and the recent document submittals. During our review, ACDEH was unable to locate several documents, including supporting documentation, on GeoTracker and/or on the ACDEH FTP sites. The information may have been submitted; therefore, ACDEH requests assistance in locating the documents and/or identifying the documents containing the information requested below. Alternatively, we request resubmittal of the documents to aid in our review of the case file. ACDEH will incorporate the additional information in our review under the SWRCBs Low Threat Underground Storage Tank Case Closure Policy (LTCP) in order to determine if or when the site can be closed under the LTCP and to document current LTCP data gaps.

TECHNICAL COMMENTS:

1. Electronic Submittal of Information –

- A. GEO_BORES** – More than 30 GEO_BORE files have been recently submitted to GeoTracker. However, ACDEH has not been able to locate the report(s) containing the logs for the soil bores TR-10 and TR-11 and requests your assistance in locating the document(s) so that we can continue our review of the case files.

Additionally, ACDEH has not been able to review the GEO_BORE files for the soil bores having the prefix 'B' and 'SB'. If not already performed, ACDEH requests submittal of the GEO_BORE files for these soil bores. Please review your files for additional boring logs not currently located on GeoTracker and submit them for our review.

ACDEH requests a listing of the additional GEO_BORE file submittals be provided via electronic mail to the attention of Keith Nowell. Please provide the file listing by the date specified below.

- B. Well Construction Diagrams** – Well construction documentation conveys information relevant to the relationship of screen interval, depth to water, and lithology. During our review of the GeoTracker submittals, ACDEH noted that the GEO_BORE files for the many of the groundwater monitoring wells do not contain their associated well construction diagram. According to the Electronic Reporting Regulations (Chapter 30, Division 3 of Title 23 & Division 3 of Title 27, CCR), if a monitor well is installed, the screen depth and interval must be reported. Therefore, ACDEH requests the submittal of the well construction diagram for each of the monitoring wells.

ACDEH requests notification, by the date specified below, with the listing of well construction diagram submittals. Please provide the submittals listing via electronic mail, Attention: Keith Nowell.

- C. Groundwater Monitoring** – One GEO_WELL file has been submitted for the case. The submittal contains the most recent and historic depth to water and depth to product information. However, field data sheets have not been located to provide ACDEH with the ability to verify accuracy of the data presented in the submittal. Therefore, ACDEH requests that you identify the respective reports presenting the field monitoring data in order for our agency to continue its review.

Alternatively, please (re)submit the reports containing the field data sheets to both the ACDEH FTP and GeoTracker sites and provide notification of the report submittals via electronic mail, Attention: Keith Nowell, listing the files submitted.

- D. Reports** – ACDEH was unable to locate the report entitled *Environmental Activities First and Second Quarters 2008* on either the ACDEH FTP or on GeoTracker sites. The report was prepared by Treadwell and Rollo for the subject case. ACDEH requests that you identify the report, if present in the case files, to aid in our review. Alternatively, we request the report be (re)submitted to both the ACDEH FTP and GeoTracker sites. ACDEH will incorporate the data contained in the report in our evaluation of the case under the LTCP.

Please review your files for additional reports not currently located on GeoTracker or the ACDEH FTP sites. ACDEH requests that you submit the missing documentation and provide notification, by the date specified below, of the report submittals. Please provide a listing the files submitted via electronic mail: Attention: Keith Nowell.

- E. Unauthorized Release Report** – A review of the case file indicates an *Underground Storage Tank (UST) Site- Unauthorized Release / Contamination Report (URF)* form has not been submitted for the subject fuel

leak case. ACDEH requests submittal of a completed URF by the date specified below. A copy of the URF may be found at the following SWRCB website:

http://www.swrcb.ca.gov/ust/forms/docs/unauth_release.pdf.

Please complete the URF and provide to ACDEH as an electronic mail attachment to the attention of Keith Nowell by the date specified below.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACDEH FTP site (Attention: Keith Nowell), and to the SWRCB's GeoTracker website, in accordance with the following specified file naming convention and schedule:

- **October 3, 2017** – Electronic Submittal of Information (including GEO_MAP(s), GEO_BORES, GEO_WELL(s), GEO_REPORT(s))
- **October 3, 2017** – List of Files submitted to GeoTracker (provided to ACDEH via electronic mail, Attention: Keith Nowell)
- **October 3, 2017** – *Unauthorized Release / Contamination Report* (provided to ACDEH as an attachment to an electronic mail, Attention: Keith Nowell). File to be named URF_R_yyyy-mm-dd.

Thank you in advance for your cooperation and we look forward to meeting with you to expeditiously advance this case towards case closure. Should you have any questions regarding this correspondence or your case, please call me at (510) 567-6764 or send an electronic mail message at keith.nowell@acgov.org.

If your email address does not appear on the cover page of this notification ACDEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

Sincerely,

Keith Nowell, P.G., C.HG
Hazardous Materials Specialist

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

cc: Matthew Jones, Trihydro Corporation, 6227 Hamilton Avenue, Ferndale, WA 98248
(Sent via electronic mail to: mjones@trihydro.com)

Dilan Roe, ACDEH, (Sent via electronic mail to: dilan.roe@acgov.org)
Paresh Khatri, ACDEH, (Sent via electronic mail to: paresh.khatri@acgov.org)
Keith Nowell, ACDEH (Sent via electronic mail to: keith.nowell@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

Alameda County Department of Environmental Health's (ACDEH) Environmental Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) 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 File Transfer Protocol (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 SCP 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 (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/) for more information on these requirements.

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 ACDEH's FTP server and the SWRCB's GeoTracker website." 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 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. 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 case meet this requirement. 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

Please note that delays in investigation, late 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 SCP)	REVISION DATE: December 1, 2016
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010; May 15, 2014, November 29, 2016
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (LOP and SCP) 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 acknowledgement 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) Open File Explorer using the Windows  key + E keyboard shortcut.
 - i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) On the address bar, type in ftp://alcoftp1.acgov.org.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive)
 - d) Click Log On.
 - e) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - f) 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.