

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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Alameda, CA 94502-6577
(510) 567-6700
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April 15, 2008

Dennis O'Keefe
Golden Gate Petroleum
501 Shell Avenue
Martinez, CA 94553-1357

Charles and Diane Campanella
Campanella CS Trust
5401 San Leandro Street
Oakland, CA 94601-5650

CP Holding Company LLC
C/o Claude Perasso
41 Peninsula Road
Belvedere, CA 94920-2325

Subject: Fuel Leak Case No. RO0000395 and Geotracker Global ID T0600102218, Bay Area Diablo Petroleum, 421 23rd Avenue, Oakland, CA 94606-5304

Dear Mr. O'Keefe, Mr. and Ms. Campanella, and Mr. Perasso:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site, including the most recent report entitled, "*Site Closure Report*," dated January 16, 2008. ACEH received a hard copy of the report on February 15, 2008. Please note that ACEH maintains electronic case files and requires submittal of reports in an electronic format that is not password-protected. The electronic version of the "*Site Closure Report*," submitted with the hard copy report is password protected. Therefore, please submit an electronic version of the "*Site Closure Report*," dated January 16, 2008 that meets the requirements for electronic submittal of reports described later in this correspondence and the enclosed ACEH Electronic Report Upload (ftp) Instructions.

The "*Site Closure Report*," dated January 16, 2008 presents the results from groundwater sampling conducted on December 21, 2007 and indicates that the site is a candidate for case closure based upon current site uses and decreasing contaminant concentrations in groundwater. Prior to considering the site for case closure, we request that you evaluate the potential for vapor intrusion for possible future land uses in order to determine whether future land use restrictions may be necessary. The evaluation of potential vapor intrusion is discussed further in technical comment 1 below. As discussed in technical comment 2, we request that you collect soil and groundwater samples to confirm that the concentrations of residual fuel hydrocarbons are decreasing.

We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

TECHNICAL COMMENTS

1. **Evaluation of Potential Vapor Intrusion.** The site contains a building described as a warehouse with the remainder of the site paved and used as a petroleum distribution facility. Based on the current use, the Site Closure Report indicates that there are no known exposure pathways and the site does not pose a threat to public health and safety. The potential for vapor intrusion to indoor air must also be considered for possible changes in future land use. Therefore, we request that you conduct a soil vapor survey to assess the potential for vapor intrusion under possible future land use scenarios. Please refer to the January 28, 2003 DTSC/RWQCB-LAR Advisory – *Active Soil Gas Investigations* and the December 15, 2004 DTSC *Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air* to help plan the soil vapor investigation. Please present your plans for soil vapor sampling in the Work Plan requested below.

2. **Confirmation Sampling.** The concentrations of fuel hydrocarbons including the oxygenate MTBE detected in groundwater samples collected from on-site monitoring wells have decreased significantly between the initial groundwater sampling event on October 8, 1999 and the most recent groundwater sampling event on December 21, 2007. The Site Closure Report indicates that dissolved oxygen levels are greater than 0.5 milligrams per liter and that further decreases in MTBE concentrations are expected over time in an oxidative environment. In order to confirm that fuel hydrocarbon and MTBE concentrations in soil and groundwater have decreased within the central and downgradient portion of the plume, we request that you advance a minimum of two soil borings in the area of previous soil borings GP-4 and GP-6. Please present your plans for collection of soil and groundwater samples in the Work Plan requested below.

1. **Geotracker EDF Submittals.** A review of the SWRCB Geotracker website indicates that no data or reports have been submitted to Geotracker for your site since 2003. Pursuant to CCR 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 LUFT program, must be transmitted electronically to the SWRCB Geotracker website via the internet. Additionally, beginning January 1, 2002, all permanent monitoring points utilized to collect groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level and latitude and longitude accurate to within 1-meter accuracy, using NAD 83, and transmitted electronically to the SWRCB Geotracker website. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). In order to remain in regulatory compliance, please upload all analytical data (collected on or after September 1, 2001) and a copy, in PDF format, of all reports prepared after July 1, 2005 by **June 30, 2008**.

TECHNICAL REPORT REQUEST

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

- **June 30, 2008** – Work Plan

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.swrcb.ca.gov/ust/cleanup/electronic_reporting).

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

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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.

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,



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

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341,
Oakland, CA 94612-2032

Cindy Dittmar, Bonkowski & Associates, Inc., 6400 Hollis Street, Suite 4,
Emeryville, CA 94608

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: December 16, 2005
	PREVIOUS REVISIONS: October 31, 2005
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

Effective **January 31, 2006**, 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

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- 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)

Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

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 dehloptoxic@acgov.org
 - or
 - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of Alicia Lam-Finneke.
 - 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 and Firefox browsers will not open the FTP site.
 - b) Click on File, then on Login As.
 - 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 dehloptoxic@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 at 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)