



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

May 31, 2012

Pat Cullen
State Water Resources Control Board
Division of Financial Assistance
1001 I Street
Sacramento, CA 95814
(Sent via E-mail to:
PCullen@waterboards.ca.gov)

Robert Trommer
State Water Resources Control Board
Division of Financial Assistance
1001 I Street
Sacramento, CA 95814
(Sent via E-mail to
RTrommer@waterboards.ca.gov)

Subject: Response to UST Cleanup Fund Five Year Review for Fuel Leak Case No. RO0000453 (Global ID #T0600101794), Celis Service Station, 4000 San Pablo Avenue, Emeryville, CA 94608

Mr. Cullen and Mr. Trommer,

ACEH has received the second 5-Year Review Summary Report dated December 5, 2011 from the Underground Storage Tank Cleanup Fund (USTCF) for the site listed below. The Summary Report represents the second five year review of this site managed by the ACEH Local Oversight Program by the Fund. The Fund correspondence requests that ACEH respond to the Fund correspondence within 45 days of the date of the letters (January 19th). We have reviewed the contents of the correspondence in the context of the appropriateness of recommendations. While we have not reviewed the entire report for accuracy of all information presented, ACEH notes significant errors in the table of soil and groundwater concentrations.

The ACEH response was provided to the UST Cleanup Fund Staff on December 15, 2011 with a request for a conference call which remains unanswered despite multiple requests and attempts over a period of nearly six months. As a consequence, this letter is intended to memorialize the ACEH response.

ACEH Case: RO0000453 (again incorrectly listed as RO0000285 in the USTCF letter)
USTCF Claim: 17922
Global ID: T0600101794
Site Name: Celis Service Station
Site Address: 4000 San Pablo Avenue, Emeryville, CA

USTCF Recommendations from December 5, 2011 Review Summary:

UPDATE November 2011, since no actions have been implemented on the part of the responsible party the recommendation from last year stands.

ACEH Response: ACEH is in complete disagreement with this recommendation. As discussed last year, this site is part of a larger, area-wide comingled groundwater contaminant plume problem that straddles the Oakland / Emeryville border. Seven known sites are involved, and additional innocent property owners are affected; however, the recent (unreported at present due to on-going work) discovery of one or two new unlisted UST sites at the eastern end of the paleochannel network (in work associated with the California Linen site; another 5-year review site; RO0000337; Claim 3000; Global ID T0600100249) appears to extend the paleochannel network to the east and increases the number of comingled sites. A series of directive letters was issued recently (November 28, 2011) requesting further work of most sites. These letters are attached to this letter, as is a copy of the paleochannel map originally mapped out by the consultant for the Oak Walk Redevelopment site, and modified in this attachment by the consultant for California Linen.

One of the commonalities is the discovery of paleochannels that appear to have allowed preferential migration of significant releases through the area. The paleochannels have been traced (and allowed significant (e.g. free phase) contaminant migration) for over 1,500 feet (not 250 feet per the often cited LLNL study). Contaminants include gasoline, benzene (BTEX), mineral spirits, diesel, and motor oil at this end of the paleochannel system. The Celis site is now situated in the middle of 40th Street, which was cut through the area in mid 1995 during redevelopment by the City of Emeryville. To the immediate north (north side of 40th) is the Oak Walk Redevelopment (RO0002733), a predominantly residential redevelopment which has undertaken significant remedial actions, but which contained no known source for a significant majority of the site (excluding a portion of the San Francisco French Bread Company [SFFBC] site at the eastern end of the redevelopment; whose USTs appear to have been in or adjacent to one of the paleochannels which appears to have predominately funneled contamination to the southwest). The Oak Walk site has implemented extensive remediation, but has not meet their CAP goals in part due to residual contamination that appears to be sourced from the Celis site. To the immediate south (south side of 40th) is the SNK Andante Development (RO0002530), another predominantly residential redevelopment which also underwent significant and extensive remedial actions due to contaminant migration via a paleochannel (from SFFBC as noted above) and from the Celis site, but which did have four USTs, but which do not appear to have impacted the site significantly. The Ennis Property, an innocent residential landowner, is directly upgradient (east) of Oak Walk. That property appears to encompass several paleochannels, with significant groundwater impacts (free phase concentrations in grab groundwater samples) within the channels beneath the residential property. The Oakland National Engravers (RO0000079; aka the Boysen Paint Site on the attached map) and Dunne Paints (RO0000073) are further upgradient of the Ennis Property and appear to have been the source of significant free phase mineral spirits, and some chlorinated solvents. With the exception of the Ennis Property, each of these properties are active sites. The California Linen site is at the eastern end of the paleochannel network, and is described in another 5-year review response.

To the specifics of the Celis site, significant soil impacts remain beneath 40th Street (the site currently appears to be between two paleochannels, with significant documented cross connectivity). The remedial excavation conducted in 1995 extended to a depth of 9.5 feet bgs. Confirmation sampling collected at that time documented significant residual contamination at and below that depth, but this was allowed to remain in place (in soil 1,000 mg/kg TPHg; 18,000 mg/kg TPHd, 15,000 mg/kg TRPH; 3.8 mg/kg benzene). Both the Oak Walk Redevelopment on the north and the SNK Andante Development on the south more recently removed portions of contamination associated with Celis; however, it appears contamination beneath the sidewalk and 40th Street remain in-place and continue to impact groundwater downgradient of the site. Of particular import to understanding the relationship between Celis and the SNK Andante site to the south and the Oak Walk site to the north, is that the SNK Andante remedial actions extended twice as far into the property (south of 40th Street from Celis) as originally estimated due to a series of old buried foundations that allowed heavily impacted groundwater and free phase to flow into the site along granular backfill associated with the foundations. The Oak Walk Redevelopment site contains elevated post-corrective action residual groundwater concentrations (see below) that do not appear to be associated with a known UST, and that appear to be associated with the Celis site. These residual concentrations, which do not meet the CAP goals for the site, are beneath "the most vulnerable housing stock" according to the Oak Walk consultant.

Errors in residual contaminants as listed in the "Petroleum Hydrocarbon Constituent Concentration" table on page 2 of the USTCF's letter are present and the table is not accurate and do not reflect remaining residual concentrations. In soil residual concentrations up to 1,000 mg/kg TPHg, 18,000 mg/kg TPHd, 15,000 mg/kg TRPH, 3.8 mg/kg benzene, and etc. remain. ACEH must also disagree with comments relative to groundwater concentrations being just below or above groundwater ESLs. Concentrations in Celis wells (LF-MW-4) as of the last sampling in March 2010 were up to 1,200 ug/l TPHg, 1,100 ug/l TPHms, 820 ug/l TPHd, and 49 ug/l MTBE; however, BTEX compounds were below appropriate ESLs. Concentrations in Oak Walk wells which appear to be associated with Celis (MW-16A), as of the September 2010 were up to 49,000 ug/l TPHg, 3,400 ug/l TPHms, 1,800 ug/l TPHd, 14,000 benzene, 800 ug/l MTBE, and etc.

Remaining concerns at the site include contaminant use of utility conduit preferential pathways (located and identified to be fully within the groundwater zone, but not further evaluated), evaluation of migration of contaminants along documented paleochannels southwest of the site, further corrective actions associated with residual contamination beneath Oak Walk, and appropriate remedial actions to mitigate continued input to groundwater from residual soil contamination.

As a consequence of these differences of opinion ACEH offers the following language for the Summary Report recommendations:

Mr. Cullen & Mr. Trommer
RO0000453
May 31, 2012, Page 3

- The UST Fund staff concurs with recent LOP letters, and recommends that the identified data gaps be investigated and appropriate remedial actions be assessed and implemented.

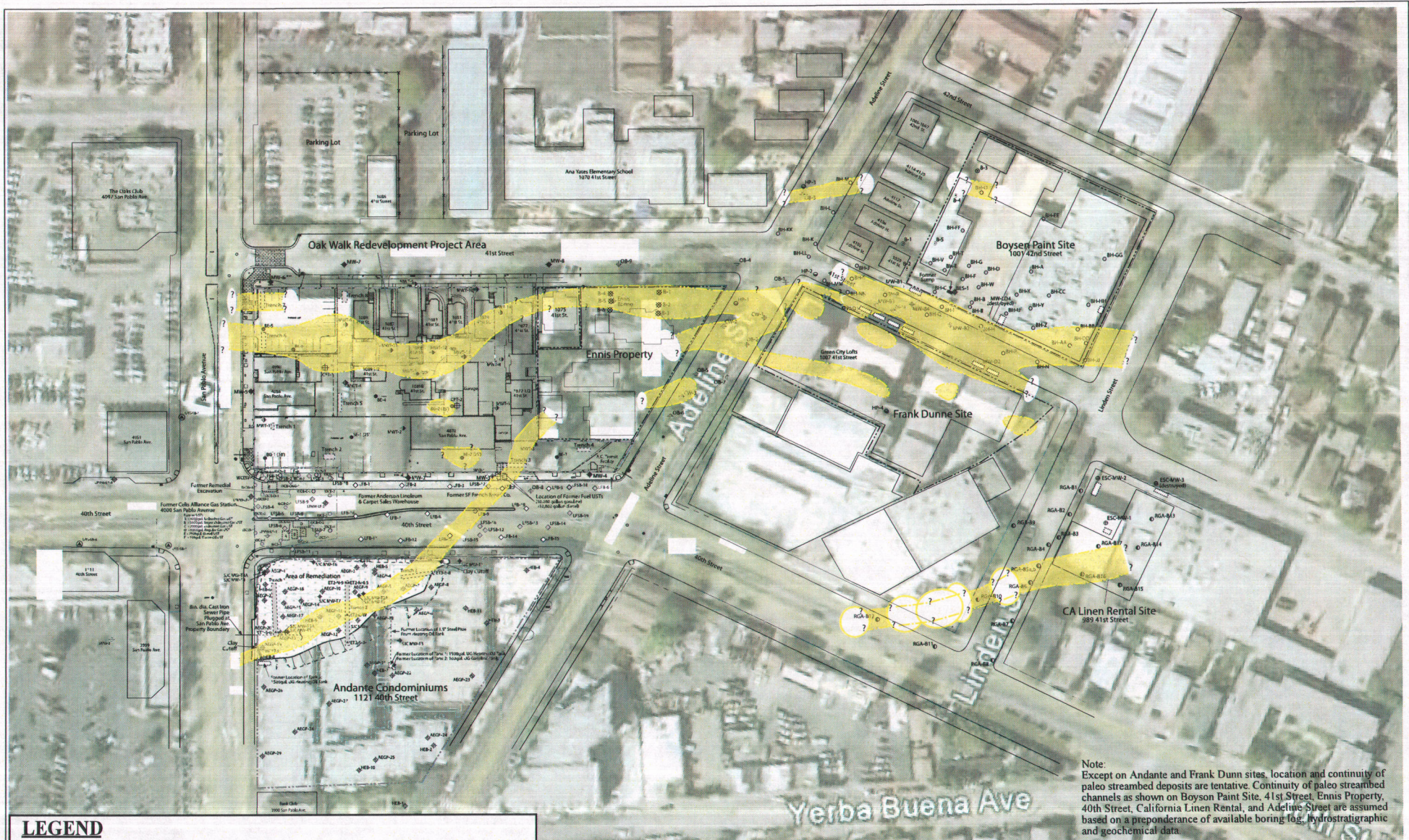
Because of the complexity of the site within the larger context of the regional co-mingled plume, ACEH requests a conference call with USTCF staff about this site. ACEH preference is for a call in early January due to the coming holidays.

Thank you for the opportunity to respond. Should you have any questions, do not hesitate to call me at (510) 567-6876, or to send me an e-mail at mark.detterman@acgov.org.

Sincerely,

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

cc: Donna Drogos (sent via electronic mail to donna.drogos@acgov.org)
Mark Detterman (sent via electronic mail to mark.detterman@acgov.org)
Electronic File, GeoTracker



Note:
 Except on Andante and Frank Dunn sites, location and continuity of paleo streambed deposits are tentative. Continuity of paleo streambed channels as shown on Boysen Paint Site, 41st Street, Ennis Property, 40th Street, California Linen Rental, and Adeline Street are assumed based on a preponderance of available boring log, hydrostratigraphic and geochemical data.

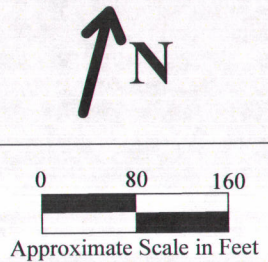
Figure 3
 Site Vicinity Aerial Photograph
 California Linen Rental Company
 989 41st Street
 Oakland, California

LEGEND

- | | | |
|--|---|---|
| <ul style="list-style-type: none"> ● MW-1 SJC Monitoring Well (Oak Walk) ● MW-1 SJC Temporary Monitoring Well (Oak Walk) ● BE-1 SJC Environmental Boring (Oak Walk) ● BE-1 SJC Geotech Boring (Oak Walk) ● CPT-1 Cone Penetrometer Test Location (Oak Walk) □ Exploratory Trench □ Underground Storage Tank (removed) □ WCEW-1 Woodward-Clyde Extraction Well □ Clayton Monitoring Well (CW) & Temporary Monitoring Well (CB) □ OB-6 | <ul style="list-style-type: none"> □ EB-2 Clayton Boring □ EB-2 ERM Boring (6/06) □ MW-81 Kocal Property Monitoring Well □ MW-81 URS Geoprobe Soil Boring □ RGA-817 RGA Environmental boring □ WCEW-1 Woodward-Clyde Soil Sample □ LPW-14 Levine - Fricke Soil Boring □ LPW-1 Levine - Fricke Soil Boring □ WCEW-1 Levine - Fricke Monitoring Well □ HEB-2 Hazra Exploratory Boring | <ul style="list-style-type: none"> □ SMW-1 SECOR Monitoring Well □ AEP-6 APEX Enviotech, Inc. Boring □ SJC MW-T1 SJC Temporary Monitoring Well (SNK Andante) □ Trench Soil Sample Location □ DW-01 Dune Paints Monitoring Well □ SP-2 ASE Boring □ SP-5 ASE Temporary Well □ ESC-MW-1 Environmental Strategies Corp Monitoring Well |
|--|---|---|

Base Map From:
 The San Joaquin Company, Inc., January 27, 2007
 and Google Earth, October 2009

P&D Environmental, Inc.
 55 Santa Clara Avenue, Suite 240
 Oakland, CA 94610





ENVIRONMENTAL HEALTH DEPARTMENT
ENVIRONMENTAL PROTECTION
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November 28, 2011

Constantino Celis
Celis Alliance
2200 Powell St, 12th Floor
Emeryville, CA 94608

Markus Niebanck
City of Emeryville
1333 Park Avenue
Emeryville, CA 94608
(sent via electronic mail to mniebanck@ci.emeryville.ca.us)

Subject: Request for Work Plan; Fuel Leak Case No. RO0000453; (Global ID # T0600101794);
Celis Service Station, 4000 San Pablo Avenue, Emeryville, CA 94608

Dear Messrs. Celis and Niebanck:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the *Monitoring Well Installation at Former Celis Alliance Service Station*, dated August 29, 2007, and the *First Quarter 2010 Groundwater Monitoring*, dated May 26, 2010. Both were prepared and submitted on your behalf by the URS Corporation. For this letter ACEH has also reviewed reports for neighboring sites including the Oak Walk Redevelopment (RO0002733), the SNK Andante Redevelopment (RO0002430), and the San Francisco French Bread Company (SFFBC; RO0000171). ACEH is also familiar with upgradient sites (Oakland National Engravers, RO0000079; and Dunne Quality Paints, RO0000073) that have been demonstrated to have impacted and comingled with contaminants at each of these downgradient sites via preferential pathways including paleochannels.

Progress in site and vicinity understanding and remediation has occurred since submittal of the referenced 2007 report; however, several data gaps are apparent that warrant additional investigation. As a consequence ACEH requests the submittal of a Work Plan to address data gaps identified by this agency, as well as others that may be found by your consultant. Based on ACEH staff review of the case files, we request that you address the following technical comments and send us the reports described below.

TECHNICAL COMMENTS

- 1. Electronic Report and Data Upload Compliance** – A review of the case file and the State's Geotracker database indicates that the site is not in compliance with previous directive letters. 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 (as well as older) reports, older EDF submittals, GEO_WELL data, well survey data to Geotracker standards, and all bore logs. Compliance is required by the State and is tied to reimbursement funding by the UST Cleanup Fund. Please upload all submittals to GeoTracker as well as to ACEH's ftp server by the date specified below. Please also provide written notification and a copy of the upload list. Electronic reporting is additionally described below in Attachment 1.

2. **Request for Updated Conduit Survey** – A conduit survey has been previously initiated and the results presented in the *Additional Investigation at Former Celis Alliance Service Station*, dated May 31, 2006. Two utility conduits of potential interest were located in San Pablo Avenue, a sewer main and storm drain; both were described as potential preferential pathways in the report, while shallower electrical (street lighting and traffic signal controls) were not. A utility map of San Pablo Avenue was included as Appendix D of the referenced report. Conversely a utility survey of 40th Street does not appear to have been undertaken as a discussion of utilities, or a map of utilities, in 40th Street has not been found. Additionally, utilities in both streets have not been further investigated to determine if they are acting as preferential pathways, and if they may be allowing the migration of contaminated groundwater to areas not understood or not under observation. This is a standing request from the October 12, 2006 directive letter.

These observations can be important. Previously submitted figures (see for example Figure 3 in the referenced report, and Figures 4 and 7 in the previously cited August 2007 report) appear to suggest conduits in both streets may allow preferential migration of contaminants away from the site vicinity. The detection of gasoline-related contaminants in downgradient well LF-MW-4 at higher concentrations than currently detected upgradient closer to the site can arguably additionally suggest the influence and presence of a utility preferential pathway along 40th Street. As a consequence ACEH requests, by the date identified below, an updated conduit survey to better understand the potential for preferential pathways beneath both streets in the site vicinity.

The purpose of the preferential pathway study is to locate potential migration pathways and conduits and determine the probability of a groundwater plume encountering preferential pathways and conduits that could spread contamination. We request that you perform a preferential pathway study that details the potential migration pathways and potential conduits (utilities, utility laterals, pipelines, foundational, and etc.) for vertical and lateral migration that may be present in the vicinity of the site.

Discuss your analysis and interpretation of the results of the preferential pathway study (including the well survey and utility survey requested below) and report your results in the report requested below. The results of your study shall contain all information required by California Code of Regulations, Title 23, Division 3, Chapter 16, §2654(b).

- a. **Utility Survey** - An evaluation of all utility lines, utility laterals, and trenches (including sewers, storm drains, pipelines, trench backfill, foundation backfill, etc.) within and near the site and plume area(s) is required as part of your study. Please reduce, and synthesize available information and maps, and generate appropriate (vicinity and / or site specific) maps and cross-sections illustrating the location and depth of all utility lines and trenches within and near the site and plume areas(s) as part of your study.
 - b. **Well Survey** - The preferential pathway study is requested to include a well survey of all wells (monitoring and production wells: active, inactive, standby, decommissioned (sealed with concrete), abandoned (improperly decommissioned or lost); and dewatering, drainage, and cathodic protection wells) within a ¼ mile radius of the subject site.
3. **Request for Work Plan for Lateral Definition of the Groundwater Plume** – At present the majority of wells being monitored at the site and vicinity are west of the identified potential conduits in San Pablo Avenue. Well WCEW-1 (redesignation of EW-1 by The San Joaquin Company) located at the northeast corner of San Pablo Avenue and 40th Street, appears to be the only well monitoring groundwater near the former site (well MW-5 monitors an area upgradient of the Celis site, in vicinity of an identified paleochannel). All other wells are located west of potential utility conduits which may in part be responsible for lower concentrations west of the utilities. Groundwater concentrations of gasoline related contaminants in WCEW-1 appear to be undergoing notable decreases that in part may be related to redevelopment activities at the Oak Walk Redevelopment (*Groundwater Quality Monitoring Report, September 2010*, The San Joaquin Company, November 11, 2010); however, significant gasoline related contamination appears to remain beneath that redevelopment (see Figures 20 and 21 of the referenced report). Because the plumes depicted in these figures are in part upgradient of the Celis site, they may be partially related to the SFFBC USTs; however, the lack of southerly lateral definition of contaminants illustrated on these figures can be inferred to be

associated with the Celis site. This may leave the SNK Andante Redevelopment at risk to migration of contaminants in groundwater related to residual soil concentrations beneath the Celis (in 40th Street, or in groundwater from the SFFBC) site. Additionally, the unresolved utility preferential pathway conduit data gap may also in part allow migration of undocumented contaminants from these plumes to migrate further offsite in unknown ways.

ACEH also observes that a partial transect has been provided by the installation of wells MW-3 and MW-4 to the southwest, but notes that a distance of approximately 130 feet exists between these wells, and that former well MW-2 from the East Baybridge Redevelopment was previously located between the two wells and at one time contained significant concentrations. While it is anticipated that concentrations may have reduced since the last sampling event at that well (December 1995), the position of the well can suggest preferential pathways such as the continuation of the identified paleochannels. As a consequence ACEH requests, by the date identified below, a work plan to investigate the lateral and downgradient extent of fuel hydrocarbon releases associated with the Celis site, inclusive of the effect of utility conduits on plume migration. This is a standing request from a previous letter. The use of conductivity survey profiles may in part be appropriate; they have been useful in identifying paleochannel conduits beneath the California Linen site (RO0000337) at 989 41st Street, Oakland.

- 4. Request for Coordinated Groundwater Contaminant Plume Monitoring and Sampling** – The last groundwater monitoring event occurred in March 2010, with the recommendation to await developments associated with the work at the Oak Walk site. Remedial actions at that site were finished in early 2009. In order to understand current and future conditions, to determine the effect remedial work at that site may have had at the Celis site, and to determine if contaminant rebound, if any, may be present, ACEH requests the resumption of groundwater monitoring at the subject site using the identified analytical suite, on an initial quarterly basis. After one year of monitoring, ACEH requests that the interval be reevaluated.

Because the paleochannels have allowed the comingling of many sites, ACEH is requiring that groundwater monitoring and sampling for this site be coordinated on the same day with groundwater monitoring, sampling, and reporting for vicinity sites (Oak Walk Redevelopment Site [RO0002733], San Francisco French Bread Company [RO0000171], SNK Andante [RO0002533], Dunne Quality Paints [RO0000073], and Oakland National Engravers [RO0000079]). By copy of this letter this requirement is provided to all the referenced sites. ACEH is requiring that groundwater monitoring, sampling, and reporting continue at these sites in accordance with the schedule below. Please submit groundwater monitoring reports by the dates identified below.

- 5. Request for Email Addresses** – If your email address is not listed on the first page of this letter, or in the list of cc's below, ACEH is requesting your email address to help expedite communications and to help lower overall costs. Please provide that information in your next submittal.

TECHNICAL REPORT REQUEST

Please submit the following deliverable to ACEH (Attention: Mark Detterman), according to the following schedule:

- **December 2, 2011** – Geotracker & ACEH ftp Website Submittal Compliance and notification of such
- **January 30, 2012** – Work Plan and Conduit Survey
- **February 10, 2012** – Fourth Quarter 2011 Semi-Annual Groundwater Monitoring Report
- **May 4, 2012** – First Quarter 2012 Groundwater Monitoring Report
- **August 3, 2012** – Second Quarter 2012 Groundwater Monitoring Report
- **November 9, 2012** – Third Quarter 2012 Groundwater Monitoring Report, with sampling interval reevaluation

Messrs. Celis and Niebanck
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November 28, 2011, Page 4

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.

Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,



Digitally signed by Mark E. Detterman
DN: cn=Mark E. Detterman, o, ou,
email, c=US
Date: 2011.11.28 16:53:12 -08'00'

Mark E. Detterman, P.G., C.E.G.
Senior Hazardous Materials Specialist

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

cc: Dunne Quality Paints; (RO0000073):

Terry Turner, Dunne Quality Paints, 707 Glenside Circle, Lafayette, CA 94549
Chad McNamee, 6820 Thornhill Drive, Oakland, CA 94611
Martin Samuels, Green City Lofts, 3076 Delmont Avenue, Oakland, CA 94605
Martin Samuels, Green City Lofts, 4601 W. Walnut Street, Soquel, CA 95073
Martin Samuels, Green City Lofts, 2715 Porter Street, Suite 207, Soquel, CA 95073
Green City Lofts Home Owner Association; 1007 41st Street, Oakland, CA 94608
Timothy Bodkin, Bureau Veritas, 2430 Camino Ramon, Suite 122, San Ramon, CA 94583
(sent via electronic mail to timothy.bodkin@us.beuraveritas.com)

Oakland National Engravers; (RO0000079):

Terry McGrath, McGrath Properties, 130 Webster Street, Suite 200, Oakland, CA 94607
(sent via electronic mail to terry@mcgrathproperties.com)
Deborah Castles, McGrath Properties, 130 Webster Street, Suite 200, Oakland, CA 94607
(sent via electronic mail to deborah@mcgrathproperties.com)
Syed Rehan, AMEC Geomatrix, Inc., 2101 Webster Street, 12th Floor, Oakland, CA 94612
(sent via electronic mail to syed.rehan@amec.com)

San Francisco French Bread Company; (RO0000171):

Peter Sher, San Francisco French Bread Company, 7801 Edgewater Drive, Oakland, CA 94621
John Tibbetts, Oak's Club Room, 4097 San Pablo Avenue, Emeryville, CA 94608

Celis Service Station; (RO0000453):

Jacob Henry, URS Corporation, 1333 Broadway, Suite 800, Oakland, CA 94612
(sent via electronic mail to Jacob_Henry@URSCorp.com)

SNK Andante Project (RO0002530):

Mr. Don Peterson, SNK Captec Andante LLC, 1103 40th Street, Emeryville, CA 94608
Dai Watkins, The San Joaquin Co., 1120 Hollywood Avenue, Suite 3, Oakland, CA 94602
(sent via electronic mail to daiw@sanjoco.com)

Oak Walk Redevelopment; (RO0002733):

Marilyn Ponte, Bay Rock Residential LLC, 1300 Clay Street, Suite 620, Oakland, CA 94612

Messrs. Celis and Niebanck
RO0000453
November 28, 2011, Page 5

(sent via electronic mail to marilyn@bay-rock.com)

John Tibbetts, Oak's Club Room, 4097 San Pablo Avenue, Emeryville, CA 94608

Dai Watkins, The San Joaquin Co., 1120 Hollywood Avenue, Suite 3, Oakland, CA 94602

(sent via electronic mail to daiw@sanjoco.com)

Magnolia Terrace Residential (RO0003004):

Darin Lounds, Executive Director, Housing Consortium of the East Bay, 1440 Broadway, Suite 700, Oakland, CA 94612; (sent via electronic mail to dlounds@hceb.org)

Brianne Steinhauser, Housing Consortium of the East Bay, 1440 Broadway, Suite 700, Oakland, CA 94612 (sent via electronic mail to: bsteinhauser@hceb.org)

Linda Gardener, Alameda County Housing and Community Development Department, 224 W. Winton Avenue, Room 108, Hayward, CA 94544; (sent via electronic mail to: Linda.Gardner@acgov.org)

Concerned Property Owners:

David Ennis, PO Box 10985, South Lake Tahoe, CA 96158-3985

Regulatory Contacts:

Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Suite 3341, Oakland, CA 94612-2032 (sent via electronic mail to lgriffin@oaklandnet.com)

Donna Drogos, ACEH, (sent via electronic mail to donna.drogos@acgov.org)

Mark Detterman, ACEH, (sent via electronic mail to mark.detterman@acgov.org)

Geotracker, Electronic File

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.

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
ALEX BRISCOE, Director



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

November 28, 2011

Ms. Marilyn Pointe
Bay Rock Residential LLC
1300 Clay Street, Suite 620
Oakland, CA 94612
(sent via electronic mail to:
marilyn@bay-rock.com)

Mr. John Tibbetts
Oak's Club Room
4097 San Pablo Avenue
Emeryville, CA 94608

Mr. Peter Sher
San Francisco French Bread Company
7801 Edgewater Drive
Oakland, CA 94621

Subject: Request for FS/CAP, Geotracker Compliance, and Groundwater Monitoring, for Spills, Leaks, Investigations and Cleanup (SLIC) case file #RO0002733 (Global ID # T06019705080), Oak Walk Redevelopment Site, 4090 San Pablo Avenue, Emeryville CA 94608

Dear Ms. Pointe & Messrs. Tibbetts and Sher:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the *Results of Preliminary Subsurface Investigation*, dated April 29, 2004, the *Environmental Site Characterization*, dated April 2005, the *Corrective Action Plan*, dated July 17, 2006, the *Addendum to Corrective Action Plan*, dated November 2006, the *Remediation Report*, dated August 31, 2009, and the *Groundwater Quality Monitoring Reported, September 2010*, dated November 11, 2010. These reports were prepared and submitted on your behalf by The San Joaquin Company, Inc. (SJC). These are the principal documents associated with the site; however, additional not unsubstantial documents within the file were also reviewed. Thank you for submitting the reports.

The site was assembled from a number of parcels and occupies portions of two former parcels that were the location of two known environmental release sites within the Local Oversight Program (LOP) overseen by ACEH (Celis Service Station; LOP Case No. RO0000453; and the San Francisco French Bread Company; LOP Case No. RO0000171). The site has also been contaminated by substantial concentrations of mineral spirits which appear to have been released at several sites in an upgradient direction (Dunne Quality Paints; LOP Case No. RO0000073; and Oakland National Engravers [ONE]; LOP Case No. RO0000079), and which appear to have largely flowed through paleochannel conduits that have been mapped in some detail in most of the referenced reports (ACEH does make note that significant granular soil layers are present outside the mapped locations of the paleochannels such that the channels appear to be well interconnected by the granular soil layers starting at the approximate depth of 10 feet below grade surface [bgs]; thus ACEH does not anticipate that contaminant migration has been confined exclusively to the paleochannels). The migration of mineral spirits through the paleochannel network appears to have additionally and substantially impacted groundwater beneath several residential homes along 41st Street immediately east of the subject site, as well as the SNK Andante Project site to the south of the subject site, across 40th Street (RO0002530).

Based on ACEH staff review of the case file, we request that you address the following technical comments and send us the reports described below.

TECHNICAL COMMENTS

1. **Electronic Report and Data Upload Compliance** – A review of the case file and the State's Geotracker database indicates that the site is not in compliance with previous directive letters. Compliance is also a State requirement. 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

submission of information for all groundwater cleanup programs, including SLIC programs. Beginning July 1, 2005, electronic submission 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, older reports, older EDF submissions (including soil gas data), GEO_MAPS, GEO_WELL data, survey data to Geotracker standards, and all bore logs. Please see Attachment 1 for limited additional details, and the state GeoTracker website for full details. Please upload all submissions to GeoTracker as well as to ACEH's ftp website, provide written notification and a copy of the upload list by the date specified below.

- 2. Request for Feasibility Study / Corrective Action Plan (FS/CAP)** – ACEH has been generally in agreement with the approach used at the site given the uncertainty of achieving contaminant reductions after onsite remediation at a site that is extensively affected by upgradient sources which are not within the control of project proponents. However, onsite sources (the San Francisco French Bread Company site [RO0000171], nominally the Celis Service Station site [RO0000453], and perhaps an unknown onsite source in the vicinity of well cluster MW-16) of gasoline hydrocarbon contamination have not been as amenable to reductions as previously anticipated.

While a number of the CAP goals were achieved, the presence of a groundwater TPHg plume with elevated concentrations beneath the subject site indicates not all CAP goals were achieved and that additional focused corrective actions are warranted at the site. Review of Figures 20 and 21 of the most recent groundwater monitoring report (*Quality Monitoring Reported, September 2010, November 2010*) depicts groundwater TPHg and benzene plumes which appear to be sourced downgradient of the San Francisco French Bread Company site, and upgradient of the Celis Service Station site. Recent concentrations of up to 64,000 µg/l TPHg (significantly in excess of other TPHg detections at the site which may be related to a lighter fraction of mineral spirits) and 18,000 µg/l benzene have been reported to underlie some of the more vulnerable housing stock identified in several reports. ACEH also notes that the lateral extent of gasoline related contaminants (TPHg and BTEX) are laterally undefined beneath 40th Street, which may leave housing stock at SNK Andante less protected relative to these volatile compounds, or may allow these contaminants to flow through unknown conduits in or beneath 40th Street. Thus it appears appropriate to undertake and focus additional work on apparent remaining residual sources at the site.

At this time 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, cleanup, and mitigation alternatives 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 site derived 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 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.

ACEH requests the submission of a FS/CAP, inclusive of the lateral definition of fuel hydrocarbon contaminants, by the date identified below to undertake pilot testing of potential remedial options at the site.

3. **Request for Preferential Pathway Survey** – A preferential pathway survey (a utility and well survey) does not appear to have been conducted for this site, and is appropriate in consideration of the undefined lateral extent of gasoline contamination beneath 40th Street as noted above. In addition to the previously mentioned paleochannel conduits, utilities or foundational conduits can also provide preferential pathways for the migration of contamination and based on reporting appear to have done so at the SNK Andante site. Thus utility or foundation conduits may also play a role in the location of the groundwater fuel hydrocarbon plume that appears located beneath the Oak Walk Redevelopment and beneath 40th Street. As a consequence, ACEH requests the submittal of a preferential pathway study by the date identified below. A similar request is included in a co-issued ACEH letter to Responsible Parties associated with the Celis Service Station (RO0000453) and SFFBC (RO0000171) sites; communication and cooperation with those parties would likely be beneficial to all parties. Please conduct the survey as a part of the requested FS/CAP.

The purpose of the preferential pathway study is to locate potential migration pathways and conduits and determine the probability of a groundwater plume encountering preferential pathways and conduits that could spread contamination. We request that you perform a preferential pathway study that details the potential migration pathways and potential conduits (utilities, utility laterals, pipelines, foundational, and etc.) for vertical and lateral migration that may be present in the vicinity of the site.

Discuss your analysis and interpretation of the results of the preferential pathway study (including the detailed well survey and utility survey requested below) and report your results in the report requested below. The results of your study shall contain all information required by California Code of Regulations, Title 23, Division 3, Chapter 16, §2654(b).

- a. **Utility Survey** - An evaluation of all utility lines, utility laterals, and trenches (including sewers, storm drains, pipelines, trench backfill, foundation backfill, etc.) within and near the site and plume area(s) is required as part of your study. Please assimilate, reduce, and synthesize available information and maps, and generate appropriate (vicinity and / or site specific) maps and cross-sections illustrating the location and depth of all utility lines and trenches within and near the site and plume areas(s) as part of your study.
 - b. **Well Survey** - The preferential pathway study shall include a detailed well survey of all wells (monitoring and production wells: active, inactive, standby, decommissioned (sealed with concrete), abandoned (improperly decommissioned or lost); and dewatering, drainage, and cathodic protection wells) within a ¼ mile radius of the subject site. As part of your detailed well survey, please perform a background study of the historical land uses of the site and properties in the vicinity of the site. Use the results of your background study to determine the existence of unrecorded/unknown (abandoned) wells, which can act as contaminant migration pathways at or from your site. Please review and submit copies of historical maps, such as Sanborn maps, aerial photographs, etc., when conducting the background study.
4. **Coordinated Groundwater Contaminant Plume Monitoring and Sampling** – The most recent groundwater monitoring event occurred in September 2010. In order to understand current and future conditions, and to determine if contaminant rebound, if any, may be present, ACEH requests the resumption of groundwater monitoring at the site using the identified analytical suite, on an initial quarterly basis. After one year of monitoring, ACEH requests that the interval be reevaluated.

Because the paleochannels have allowed the comingling of many sites, ACEH is requiring that groundwater monitoring and sampling for this site be coordinated on the same day with groundwater monitoring, sampling, and reporting for vicinity sites (Celis Service Station [RO0000453], San Francisco French Bread Company [RO0000171], SNK Andante [RO0002533], Dunne Quality Paints [RO0000073], and Oakland National Engravers [RO0000079]). By copy of this letter this requirement is provided to all of the referenced sites. ACEH is requiring that groundwater monitoring, sampling, and reporting continue at these sites in accordance with the schedule below. Please submit groundwater monitoring reports by the dates identified below.

5. **Request for Email Addresses** – If your email address is not listed on the first page of this letter, or in the list of cc's listed below, ACEH is requesting your email address to help expedite communications and to help lower overall costs. Please provide that information in your next submittal.

TECHNICAL REPORT REQUEST

Please submit the following deliverable to ACEH (Attention: Mark Detterman), according to the following schedule:

- **December 2, 2011** – Geotracker & ACEH ftp Website Submittal Compliance and notification of such
- **January 30, 2012** – FS/CAP Report with Preferential Pathway Survey
- **February 10, 2012** – Fourth Quarter 2011 Semi-Annual Groundwater Monitoring Report
- **May 4, 2012** – First Quarter 2012 Groundwater Monitoring Report
- **August 3, 2012** – Second Quarter 2012 Groundwater Monitoring Report
- **November 9, 2012** – Third Quarter 2012 Groundwater Monitoring Report, with sampling interval reevaluation

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.

Should you have any questions, please contact me at (510) 567-6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,



Mark E. Detterman, P.G., C.E.G.
Senior Hazardous Materials Specialist

Digitally signed by Mark E. Detterman
DN: cn=Mark E. Detterman, o, ou,
email, c=US
Date: 2011.11.28 17:00:43 -08'00'

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

cc: Dunne Quality Paints; (RO0000073):
Terry Turner, Dunne Quality Paints, 707 Glenside Circle, Lafayette, CA 94549
Chad McNamee, 6820 Thornhill Drive, Oakland, CA 94611
Martin Samuels, Green City Lofts, 3076 Delmont Avenue, Oakland, CA 94605
Martin Samuels, Green City Lofts, 4601 W. Walnut Street, Soquel, CA 95073
Martin Samuels, Green City Lofts, 2715 Porter Street, Suite 207, Soquel, CA 95073
Green City Lofts Home Owner Association; 1007 41st Street, Oakland, CA 94608
Timothy Bodkin, Bureau Veritas, 2430 Camino Ramon, Suite 122, San Ramon, CA 94583
(sent via electronic mail to timothy.bodkin@us.beuraveritas.com)

Oakland National Engravers; (RO0000079):
Terry McGrath, McGrath Properties, 130 Webster Street, Suite 200, Oakland, CA 94607
(sent via electronic mail to terry@mcgrathproperties.com)
Deborah Castles, McGrath Properties, 130 Webster Street, Suite 200, Oakland, CA 94607
(sent via electronic mail to deborah@mcgrathproperties.com)
Syed Rehan, AMEC Geomatrix, Inc., 2101 Webster Street, 12th Floor, Oakland, CA 94612
(sent via electronic mail to syed.rehan@amec.com)

San Francisco French Bread Company: (RO0000171):

Peter Sher, San Francisco French Bread Company, 7801 Edgewater Drive, Oakland, CA 94621
John Tibbetts, Oak's Club Room, 4097 San Pablo Avenue, Emeryville, CA 94608
Dai Watkins, The San Joaquin Co., 1120 Hollywood Avenue, Suite 3, Oakland, CA 94602
(sent via electronic mail to daiw@sanjoco.com)

Celis Service Station: (RO0000453):

Markus Niebanck, City of Emeryville, Economic Development & Housing Department, 1333 Park Avenue, Emeryville, CA 94608 (sent via electronic mail to mniebanck@ci.emeryville.ca.us)
Constantino Celis, Celis Alliance, 2200 Powell St, 12th Floor, Emeryville, CA 94608
Jacob Henry, URS Corporation, 1333 Broadway, Suite 800, Oakland, CA 94612
(sent via electronic mail to Jacob_Henry@URSCorp.com)

SNK Andante Project (RO0002530):

Mr. Don Peterson, SNK Captec Andante LLC, 1103 40th Street, Emeryville, CA 94608
Dai Watkins, The San Joaquin Co., 1120 Hollywood Avenue, Suite 3, Oakland, CA 94602
(sent via electronic mail to daiw@sanjoco.com)

Oak Walk Redevelopment: (RO0002733):

Dai Watkins, The San Joaquin Co., 1120 Hollywood Avenue, Suite 3, Oakland, CA 94602
(sent via electronic mail to daiw@sanjoco.com)

Magnolia Terrace Residential (RO0003004)

Darin Lounds, Executive Director, Housing Consortium of the East Bay, 1440 Broadway, Suite 700, Oakland, CA 94612; (sent via electronic mail to dlounds@hceb.org)
Brienne Steinhauser, Housing Consortium of the East Bay, 1440 Broadway, Suite 700, Oakland, CA 94612 (sent via electronic mail to: bsteinhauser@hceb.org)
Linda Gardener, Alameda County Housing and Community Development Department, 224 W. Winton Avenue, Room 108, Hayward, CA 94544; (sent via electronic mail to: Linda.Gardner@acgov.org)

Concerned Property Owners:

David Ennis, PO Box 10985, South Lake Tahoe, CA 96158-3985

Regulatory Contacts:

Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Suite 3341, Oakland, CA 94612-2032 (sent via electronic mail to lgriffin@oaklandnet.com)

Donna Drogos, ACEH, (sent via electronic mail to donna.drogos@acgov.org)

Mark Detterman, ACEH, (sent via electronic mail to mark.detterman@acgov.org)

Geotracker, Electronic File

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.**
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 - 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.)
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 - 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.

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
ALEX BRISCOE, Director



November 28, 2011

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

Mr. Peter Sher
San Francisco French Bread Co.
7801 Edgewater Drive
Oakland, CA 94621

Mr. John Tibbetts
Oak's Club Room
4097 San Pablo Avenue
Emeryville, CA 94608

Ms. Marilyn Pointe
Bay Rock Residential LLC
1300 Clay Street, Suite 620
Oakland, CA 94612
(sent via electronic mail to
marilyn@bay-rock.com)

Ms. Darin Lounds, Executive Director
Housing Consortium of the East Bay
1440 Broadway, Suite 700
Oakland, CA 94612
(sent via electronic mail to
dlounds@hceb.org)

Mr. Markus Niebanck
City of Emeryville Redevelopment Agency
1333 Park Avenue
Emeryville, CA 94608
(sent via electronic mail to
mniebanck@ci.emeryville.ca.us)

Subject: Request for Work Plan; Fuel Leak Case No. RO0000171; (Global ID # T0600101186);
San Francisco French Bread Company, 4070 San Pablo Avenue, Emeryville, CA 94608

Dear Messrs. Sher, Tibbetts, Lounds, Niebanck, and Ms. Pointe:

Alameda County Environmental Health (ACEH) staff has reviewed the case file, inclusive of reports generated by The San Joaquin Company (SJC) for the Oak Walk Redevelopment site (RO0002733), which now occupies a substantial portion of the former San Francisco French Bread (SFFBC) property, as well as those generated by the SJC for the SNK Andante Redevelopment (RO0002530). Included in this review were the *Results of Preliminary Subsurface Investigation*, dated April 29, 2004, the *Environmental Site Characterization*, dated April 2005, the *Corrective Action Plan*, dated July 17, 2006, the *Addendum to Corrective Action Plan*, dated November 2006, the *Remediation Report*, dated August 31, 2009, and the *Groundwater Quality Monitoring Reported, September 2010*, dated November 11, 2010. Each of these reports were prepared and submitted by the SJC for Oak Walk site proponents.

As has been discussed briefly in previous letters from ACEH, and more extensively in reports from the SJC, in addition to site-derived contaminants, the SFFBC site appears to have been contaminated by substantial concentrations of mineral spirits which appear to have been released at several sites in an upgradient direction (Dunne Quality Paints; LOP Case No. RO0000073; and Oakland National Engravers; LOP Case No. RO0000079). These contaminants appear to have largely flowed through paleochannel conduits (buried course-grained former streambeds) that have been mapped in some detail in most of the referenced reports. The migration of mineral spirits through the paleochannel network appears to have additionally and substantially impacted groundwater beneath several residential homes along 41st Street immediately north of the subject site, as well as the SNK Andante Project site to the south of the subject site, across 40th Street (RO0002530).

Progress in site and vicinity understanding and remediation has occurred since submittal of early reports for the subject site; however, several data gaps are apparent that warrant additional investigation. As a consequence ACEH requests the submittal of a Work Plan to address identified data gaps, as well as others that may be found by your consultant. Based on ACEH staff review of the case files, we request that you address the following technical comments and send us the reports described below.

TECHNICAL COMMENTS

- 1. Electronic Report and Data Upload Compliance** – A review of the case file and the State's Geotracker database indicates that the site is not in compliance with previous directive letters. 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 (as well as older) reports, a substantial portion of EDF submittals, GEO_WELL data, and all bore logs. Compliance is required by the State and is tied to reimbursement funding by the UST Cleanup Fund. Electronic reporting is additionally described below in Attachment 1. Please upload all submittals to GeoTracker as well as to ACEH's ftp website, provide written notification and a copy of the upload list by the date specified below.
- 2. Request for Feasibility Study / Corrective Action Plan (FS/CAP)** – ACEH has been generally in agreement with the approach used at the Oak Walk Redevelopment of a portion of this site given the uncertainty of achieving contaminant reductions after onsite remediation at a site that is extensively affected by upgradient sources which are not within the control of project proponents. However, remaining onsite gasoline hydrocarbon contamination potentially related to the San Francisco French Bread Company site [RO0000171], to the Celis Service Station site [RO0000453], or perhaps an unknown onsite source in the vicinity of well cluster MW-16, have not been as amenable to reductions as previously anticipated.

While a number of the Oak Walk Redevelopment CAP goals were achieved, the presence of a groundwater TPHg plume with elevated concentrations beneath the subject site indicates not all CAP goals were achieved and that additional focused corrective actions are warranted at the site. A review of Figures 20 and 21 of the most recent groundwater monitoring report (*Quality Monitoring Reported, September 2010, November 2010*, for the Oak Walk site) depicts groundwater TPHg and benzene plumes which appear to be downgradient (west) of the SFFBC site. Gradient changes appear to have occurred beneath vicinity sites after the removal and backfilling of the paleochannel beneath the SNK Andante Redevelopment site, and the subsequent and redundant installation of two clay plugs in that paleochannel (apparently changing flow from a southwest to westerly direction). Recent concentrations of up to 64,000 µg/l TPHg (significantly in excess of other TPHg detections at the site which may be related to the lighter fraction of mineral spirits) and 18,000 µg/l benzene have been reported to underlie some of the more vulnerable housing stock identified in several reports for the Oak Walk site. ACEH also notes that the lateral extent of gasoline related contaminants (TPHg and BTEX) are laterally undefined beneath 40th Street, which may leave housing stock at SNK Andante less protected relative to these volatile compounds, or may allow these contaminants to flow through unknown conduits in or beneath 40th Street. Thus it appears appropriate to undertake and focus additional work on apparent remaining residual contamination associated in part with the SFFBC site. (Please note that ACEH is aware that the mapped groundwater plumes may additionally be associated with the Celis Service Station site; however, do appear to be somewhat upgradient of the Celis site. As a consequence, this request is not currently requested of the Celis site).

At this time 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, cleanup, and mitigation alternatives 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 site derived 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 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.

A similar request for a FS/CAP is included in a co-issued ACEH letter to Responsible Parties associated with the Oak Walk Redevelopment site; communication and cooperation with those parties would likely be beneficial to both parties. Please submit the FS/CAP survey by the date identified below.

3. **Request for Conduit Survey – Request for Preferential Pathway Survey** – A preferential pathway survey (a utility and well survey) does not appear to have been conducted for this site, and is appropriate in consideration of the undefined lateral extent of gasoline contamination beneath 40th Street as noted above. In addition to the previously mentioned paleochannel conduits, utilities or foundational conduits can also provide preferential pathways for the migration of contamination and based on reporting appear to have done so at the SNK Andante site. Thus utility or foundation conduits may also play a role in the location of the groundwater fuel hydrocarbon plume that appears located beneath the Oak Walk Redevelopment and beneath 40th Street. As a consequence, ACEH requests the submittal of a preferential pathway study by the date identified below. A similar request is included in a co-issued ACEH letter to Responsible Parties associated with the Celis Service Station (RO0000453) and the Oak Walk Redevelopment (RO0002733) sites; communication and cooperation with those parties would likely be beneficial to all parties. Please conduct the survey as a part of the requested FS/CAP.

The purpose of the preferential pathway study is to locate potential migration pathways and conduits and determine the probability of a groundwater plume encountering preferential pathways and conduits that could spread contamination. We request that you perform a preferential pathway study that details the potential migration pathways and potential conduits (utilities, utility laterals, pipelines, foundational, and etc.) for vertical and lateral migration that may be present in the vicinity of the site.

Discuss your analysis and interpretation of the results of the preferential pathway study (including the detailed well survey and utility survey requested below) and report your results in the report requested below. The results of your study shall contain all information required by California Code of Regulations, Title 23, Division 3, Chapter 16, §2654(b).

- a. **Utility Survey** - An evaluation of all utility lines, utility laterals, and trenches (including sewers, storm drains, pipelines, trench backfill, foundation backfill, etc.) within and near the site and plume area(s) is required as part of your study. Please assimilate, reduce, and synthesize available information and maps, and generate appropriate (vicinity and / or site specific) maps and cross-sections illustrating the location and depth of all utility lines and trenches within and near the site and plume areas(s) as part of your study.
 - b. **Well Survey** - The preferential pathway study shall include a well survey of all wells (monitoring and production wells: active, inactive, standby, decommissioned (sealed with concrete), abandoned (improperly decommissioned or lost); and dewatering, drainage, and cathodic protection wells) within a ¼ mile radius of the subject site.
4. **Coordinated Groundwater Contaminant Plume Monitoring and Sampling** – The most recent groundwater monitoring event occurred in September 2010. In order to understand current and future conditions, and to determine if contaminant rebound, if any, may be present, ACEH requests the

resumption of groundwater monitoring at the site using the identified analytical suite, on an initial quarterly basis. After one year of monitoring, ACEH requests that the interval be reevaluated.

Because the paleochannels have allowed the comingling of many sites, ACEH is requiring that groundwater monitoring and sampling for this site be coordinated on the same day with groundwater monitoring, sampling, and reporting for vicinity sites (Celis Service Station [RO0000453], Oak Walk Redevelopment Site [RO0002733], SNK Andante [RO0002533], Dunne Quality Paints [RO0000073], and Oakland National Engravers [RO0000079]). By copy of this letter this requirement is provided to all of the referenced sites. ACEH is requiring that groundwater monitoring, sampling, and reporting continue at these sites in accordance with the schedule below. Please submit groundwater monitoring reports by the dates identified below.

5. **Request for Email Addresses** – If your email address is not listed on the first page of this letter, or in the list of cc's below, ACEH is requesting your email address to help expedite communications and to help lower overall costs. Please provide that information in your next submittal.

TECHNICAL REPORT REQUEST

Please submit the following deliverable to ACEH (Attention: Mark Detterman), according to the following schedule:

- **December 2, 2011** – Geotracker & ACEH ftp Website Submittal Compliance and notification of such
- **January 30, 2012** – FS/CAP Report with Preferential Pathway Survey
- **February 10, 2012** – Fourth Quarter 2011 Semi-Annual Groundwater Monitoring Report
- **May 4, 2012** – First Quarter 2012 Groundwater Monitoring Report
- **August 3, 2012** – Second Quarter 2012 Groundwater Monitoring Report
- **November 9, 2012** – Third Quarter 2012 Groundwater Monitoring Report, with sampling interval reevaluation

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.

Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,



Digitally signed by Mark E. Detterman
DN: cn=Mark E. Detterman, o, ou,
email, c=US
Date: 2011.11.28 16:52:20 -08'00'

Mark E. Detterman, P.G., C.E.G.
Senior Hazardous Materials Specialist

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

cc: Dunne Quality Paints; (RO0000073):

Terry Turner, Dunne Quality Paints, 707 Glenside Circle, Lafayette, CA 94549
Chad McNamee, 6820 Thornhill Drive, Oakland, CA 94611
Martin Samuels, Green City Lofts, 3076 Delmont Avenue, Oakland, CA 94605
Martin Samuels, Green City Lofts, 4601 W. Walnut Street, Soquel, CA 95073
Martin Samuels, Green City Lofts, 2715 Porter Street, Suite 207, Soquel, CA 95073
Green City Lofts Home Owner Association; 1007 41st Street, Oakland, CA 94608
Timothy Bodkin, Bureau Veritas, 2430 Camino Ramon, Suite 122, San Ramon, CA 94583
(sent via electronic mail to timothy.bodkin@us.beuraveritas.com)

Oakland National Engravers; (RO0000079):

Terry McGrath, McGrath Properties, 130 Webster Street, Suite 200, Oakland, CA 94607
(sent via electronic mail to terry@mcgrathproperties.com)
Deborah Castles, McGrath Properties, 130 Webster Street, Suite 200, Oakland, CA 94607
(sent via electronic mail to deborah@mcgrathproperties.com)
Syed Rehan, AMEC Geomatrix, Inc., 2101 Webster Street, 12th Floor, Oakland, CA 94612
(sent via electronic mail to syed.rehan@amec.com)

San Francisco French Bread Company; (RO0000171):

Dai Watkins, The San Joaquin Co., 1120 Hollywood Avenue, Suite 3, Oakland, CA 94602
(sent via electronic mail to daiw@sanjoco.com)

Celis Service Station; (RO0000453):

Markus Niebanck, City of Emeryville, Economic Development & Housing Department, 1333 Park Avenue, Emeryville, CA 94608 (sent via electronic mail to mniebanck@ci.emeryville.ca.us)
Constantino Celis, Celis Alliance, 2200 Powell St, 12th Floor, Emeryville, CA 94608
Jacob Henry, URS Corporation, 1333 Broadway, Suite 800, Oakland, CA 94612
(sent via electronic mail to Jacob_Henry@URSCorp.com)

SNK Andante Project; (RO00002530):

Mr. Don Peterson, SNK Captec Andante LLC, 1103 40th Street, Emeryville, CA 94608
Dai Watkins, The San Joaquin Co., 1120 Hollywood Avenue, Suite 3, Oakland, CA 94602
(sent via electronic mail to daiw@sanjoco.com)

Oak Walk Redevelopment; (RO0002733):

Dai Watkins, The San Joaquin Co., 1120 Hollywood Avenue, Suite 3, Oakland, CA 94602
(sent via electronic mail to daiw@sanjoco.com)

Magnolia Terrace Residential; (RO0003004):

Darin Lounds, Executive Director, Housing Consortium of the East Bay, 1440 Broadway, Suite 700, Oakland, CA 94612; (sent via electronic mail to dlounds@hceb.org)
Brienne Steinhauser, Housing Consortium of the East Bay, 1440 Broadway, Suite 700, Oakland, CA 94612 (sent via electronic mail to: bsteinhauser@hceb.org)
Linda Gardener, Alameda County Housing and Community Development Department, 224 W. Winton Avenue, Room 108, Hayward, CA 94544; (sent via electronic mail to: Linda.Gardner@acgov.org)

Concerned Property Owners:

David Ennis, PO Box 10985, South Lake Tahoe, CA 96158-3985

Messrs. Sher, Tibbetts, Lounds, Niebanck, and Ms. Pointe
RO0000171
November 28, 2011, Page 6

Regulatory Contacts:

Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Suite 3341, Oakland, CA
94612-2032 (sent via electronic mail to lgriffin@oaklandnet.com)

Donna Drogos, ACEH, (sent via electronic mail to donna.drogos@acgov.org)

Mark Detterman, ACEH, (sent via electronic mail to mark.detterman@acgov.org)

Geotracker, Electronic File

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.



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

November 28, 2011

Mr. Don Peterson
SNK Captec Andante LLC
1103 40th Street
Emeryville, CA 94608

Markus Niebanck
City of Emeryville
1333 Park Avenue
Emeryville, CA 94608
(sent via electronic mail to:
mniebanck@ci.emeryville.ca.us)

Condo Owners Assoc.
1121 40th St.
Emeryville, CA 94608

Subject: Request for Geotracker Compliance, Spills, Leaks, Investigations and Cleanup (SLIC) case file #RO0002530 (Global ID # T06019738255), SNK Andante Project, 3992 San Pablo Avenue, Emeryville CA

Dear Responsible Parties:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the *Corrective Action Report*, dated August 2003, and the *Environmental Closure Report – Andante Project*, dated March 25, 2007. These reports were prepared and submitted on your behalf by The San Joaquin Company, Inc. (SJC). For this letter ACEH has also reviewed reports for neighboring sites including the Oak Walk Redevelopment (RO0002733), the Celis Service Station (RO0000453), and the San Francisco French Bread Company (SFFBC; RO0000171). ACEH is also familiar with upgradient sites (Oakland National Engravers, RO0000079; and Dunne Quality Paints, RO0000073) that have been demonstrated to have impacted and comingled with contaminants at each of these downgradient sites via preferential pathways including paleochannels. Thank you for submitting the reports. Based on ACEH staff review of the case file, we request that you address the following technical comments and send us the reports described below.

TECHNICAL COMMENTS

- 1. Electronic Report and Data Upload Compliance** – A review of the case file and the State's Geotracker database indicates that the site is not in compliance with previous directive letters. Compliance is also a State requirement. 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, older reports, all EDF submittals, site specific GEO_MAPS, GEO_WELL data, survey data to Geotracker standards, and all bore logs. Electronic reporting is additionally described below in Attachment 1. Please upload all submittals to GeoTracker as well as to ACEH's ftp website, provide written notification and a copy of the upload list by the date specified below.
- 2. Status of Well MW-8 and Coordinated Groundwater Monitoring and Sampling** – Well MW-8 was last sampled in September 2005. ACEH requests a status update report for the well and that the well be redeveloped and resampled to gauge for the potential of rebound in groundwater concentrations since that time; initial on a quarterly basis. After one year of monitoring, ACEH requests that the interval be reevaluated.

Because the paleochannels have allowed the comingling of many sites, ACEH is requiring that groundwater monitoring and sampling for this site be coordinated on the same day with groundwater monitoring, sampling, and reporting for adjacent sites (Celis Service Station [RO0000453], San Francisco French Bread Company [RO0000171], Oak Walk Redevelopment Site [RO0002733], Dunne Quality Paints [RO0000073], and Oakland National Engravers [RO0000079]). By copy of this letter this requirement is provided to adjacent sites. ACEH is requiring that groundwater monitoring, sampling, and reporting continue at these sites in accordance with the schedule below. Please submit a report on the results of this request, including tables, maps, and other appropriate data, by the dates identified below.

- 3. Deed Restriction** – As a precursor to future site closure, ACEH will require that a deed restriction based on the ACEH County Model Deed Restriction be filed with the County Assessor's Office. A copy of the ACEH Model Deed Restriction is attached for your review. SNK Andante filed a deed restriction on December 21, 2004; unfortunately it does not follow the County Model Deed Restriction, does not provide ACEH with control of any subsequent revocation, and thus is not an acceptable notice to the deed for the intended purpose of informing future owners or occupants.

Because the Model Deed Restriction contains standardized language the language is not alterable, except in selected and indicated sections. As a consequence, ACEH requests your review of the Model Deed Restriction, generation of proposed language and inserts for the indicated sections, and submittal of the proposed language by the date identified below.

- 4. Request for Email Addresses** – If your email address is not listed on the first page of this letter, or in the list of cc's below, ACEH is requesting your email address to help expedite communications and to help lower overall costs. Please provide that information in your next submittal.

TECHNICAL REPORT REQUEST

Please submit the following deliverable to ACEH (Attention: Mark Detterman), according to the following schedule:

- **December 2, 2011** – Geotracker & ACEH ftp Website Submittal Compliance and notification of such
- **February 10, 2012** – Fourth Quarter 2011 Semi-Annual Groundwater Monitoring Report
- **May 4, 2012** – First Quarter 2012 Groundwater Monitoring Report
- **June 29, 2012** – Correspondence - Proposed Model Deed Restriction Language
- **August 3, 2012** – Second Quarter 2012 Groundwater Monitoring Report
- **November 9, 2012** – Third Quarter 2012 Groundwater Monitoring Report, with sampling interval reevaluation

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.

Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,



Digitally signed by Mark E. Detterman
DN: cn=Mark E. Detterman, o, ou, email,
c=US
Date: 2011.11.28 16:54:06 -08'00'

Mark E. Detterman, P.G., C.E.G.
Senior Hazardous Materials Specialist

Responsible Parties
RO0002530
November 28, 2011, Page 3

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

cc: Dunne Quality Paints; (RO0000073):

Terry Turner, Dunne Quality Paints, 707 Glenside Circle, Lafayette, CA 94549
Chad McNamee, 6820 Thornhill Drive, Oakland, CA 94611
Martin Samuels, Green City Lofts, 3076 Delmont Avenue, Oakland, CA 94605
Martin Samuels, Green City Lofts, 4601 W. Walnut Street, Soquel, CA 95073
Martin Samuels, Green City Lofts, 2715 Porter Street, Suite 207, Soquel, CA 95073
Green City Lofts Home Owner Association; 1007 41st Street, Oakland, CA 94608
Timothy Bodkin, Bureau Veritas, 2430 Camino Ramon, Suite 122, San Ramon, CA 94583
(sent via electronic mail to timothy.bodkin@us.beuraveritas.com)

Oakland National Engravers; (RO0000079):

Terry McGrath, McGrath Properties, 130 Webster Street, Suite 200, Oakland, CA 94607
(sent via electronic mail to terry@mcgrathproperties.com)
Deborah Castles, McGrath Properties, 130 Webster Street, Suite 200, Oakland, CA 94607
(sent via electronic mail to deborah@mcgrathproperties.com)
Syed Rehan, AMEC Geomatrix, Inc., 2101 Webster Street, 12th Floor, Oakland, CA 94612
(sent via electronic mail to syed.rehan@amec.com)

San Francisco French Bread Company; (RO0000171)

Peter Sher, San Francisco French Bread Company, 7801 Edgewater Drive, Oakland, CA 94621
John Tibbetts, Oak's Club Room, 4097 San Pablo Avenue, Emeryville, CA 94608
Dai Watkins, The San Joaquin Co., 1120 Hollywood Avenue, Suite 3, Oakland, CA 94602
(sent via electronic mail to daiw@sanjoco.com)

Celis Service Station; (RO0000453):

Markus Niebanck, City of Emeryville, Economic Development & Housing Department, 1333 Park Avenue, Emeryville, CA 94608 (sent via electronic mail to mniebanck@ci.emeryville.ca.us)
Constantino Celis, Celis Alliance, 2200 Powell St, 12th Floor, Emeryville, CA 94608
Jacob Henry, URS Corporation, 1333 Broadway, Suite 800, Oakland, CA 94612
(sent via electronic mail to Jacob_Henry@URSCorp.com)

SNK Andante Project (RO0002530)

Dai Watkins, The San Joaquin Co., 1120 Hollywood Avenue, Suite 3, Oakland, CA 94602
(sent via electronic mail to daiw@sanjoco.com)

Oak Walk Redevelopment; (RO0002733):

Marilyn Ponte, Bay Rock Residential LLC, 1300 Clay Street, Suite 620, Oakland, CA 94612
(sent via electronic mail to marilyn@bay-rock.com)
John Tibbetts, Oak's Club Room, 4097 San Pablo Avenue, Emeryville, CA 94608
Dai Watkins, The San Joaquin Co., 1120 Hollywood Avenue, Suite 3, Oakland, CA 94602
(sent via electronic mail to daiw@sanjoco.com)

Magnolia Terrace Residential (RO0003004)

Darin Lounds, Executive Director, Housing Consortium of the East Bay, 1440 Broadway, Suite 700, Oakland, CA 94612; (sent via electronic mail to dlounds@hceb.org)
Brienne Steinhauser, Housing Consortium of the East Bay, 1440 Broadway, Suite 700, Oakland, CA 94612 (sent via electronic mail to: bsteinhauser@hceb.org)

Responsible Parties

RO0002530

November 28, 2011, Page 4

Linda Gardener, Alameda County Housing and Community Development Department, 224 W. Winton Avenue, Room 108, Hayward, CA 94544; (sent via electronic mail to: Linda.Gardner@acgov.org)

Concerned Property Owners:

David Ennis, PO Box 10985, South Lake Tahoe, CA 96158-3985

Regulatory Contacts:

Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Suite 3341, Oakland, CA 94612-2032 (sent via electronic mail to lgriffin@oaklandnet.com)

Donna Drogos, ACEH, (sent via electronic mail to donna.drogos@acgov.org)

Mark Detterman, ACEH, (sent via electronic mail to mark.detterman@acgov.org)

Geotracker, Electronic File

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.



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

November 28, 2011

Mr. Terry Turner
Dunne Quality Paints
707 Glenside Circle
Lafayette, CA 94549

Mr. Chad McNamee
6820 Thornhill Drive
Oakland, CA 94611

Mr. Martin Samuels
Green City Lofts
3676 Delmont Avenue
Oakland, CA 94605

Mr. Martin Samuels
Green City Lofts
4601 W. Walnut Street
Soquel, CA 95073

Mr. Martin Samuels
Green City Lofts
2715 Porter St. Suite 207
Soquel, CA 95073

Subject: Request for Information and Site Status Update; Fuel Leak Case No. RO0000073 and Geotracker Global ID T0600101693, Dunne Quality Paints, 1007 41st Street, Oakland, CA 94608

Dear Messrs. Samuels, Turner, and McNamee:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the referenced site including the *Workplan for Offsite Groundwater Investigation*, dated January 17, 2007, and the *Workplan Addendum*, dated April 19, 2007. These appear to be the last relevant reports submitted for the case. The work plan proposed the installation of three groundwater wells and three vapor points on the Ennis property, and the work plan addendum, in response to a March 29, 2007 directive letter, proposed two additional vapor points on the Ennis property. An ACEH directive letter dated April 30, 2007 approved the proposed work with minor modifications. Based on the review of the case file and the referenced reports, ACEH requests that you address the following technical comments and send us the documents requested below.

TECHNICAL COMMENTS

- 1. Request for Geotracker Compliance** – A review of the case file and the State's GeoTracker database indicates that the site remains unclaimed. Your site is out of compliance with directives from this agency. Compliance is also a state requirement. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3893, 3894, and 3895, you are required to claim your site and subsequently transmit electronic reports and other site data. In order to regain compliance, please claim the site in Geotracker and upload all required reports and documents to both the GeoTracker website and to ACEH's ftp website. These include reports, analytical EDFs, GEO_WELL data, GEO_MAPs, and all GEO_BOREs. **Compliance is required by the State and is tied to reimbursement funding by the UST Cleanup Fund.** Please see Attachment 1 for limited additional details, and the state GeoTracker website for full details. Please claim the site and initiate upload by the date specified below.
- 2. Request for Site Status Update** – The April 30, 2007 directive letter approved work proposed to be conducted on the Ennis property as noted above. To date a report has not been submitted to ACEH. ACEH requests information on the status of this work or that a copy of the resulting report be uploaded to the ACEH ftp website and to Geotracker, by the date specified below.

- 3. Request for Coordinated Groundwater Contaminant Plume Monitoring and Sampling** – The last groundwater monitoring event occurred in September 2004. In order to understand current and future conditions, to determine the effect remedial work at that site may have had at the site, and to determine if contaminant rebound, if any, may be present, ACEH requests the resumption of groundwater monitoring at the subject site using the identified analytical suite, on an initial quarterly basis. After one year of monitoring, ACEH requests that the interval be reevaluated.

Because the paleochannels have allowed the comingling of many sites, ACEH is requiring that groundwater monitoring and sampling for this site be coordinated on the same day with groundwater monitoring, sampling, and reporting for vicinity sites (Oak Walk Redevelopment Site [RO0002733], Celis Service Station [RO0000453], San Francisco French Bread Company [RO0000171], SNK Andante [RO0002533], and Oakland National Engravers [RO0000079]). By copy of this letter this requirement is provided to all the referenced sites. ACEH is requiring that groundwater monitoring, sampling, and reporting continue at these sites in accordance with the schedule below. Please submit groundwater monitoring reports by the dates identified below.

- 4. Request for Information** – A number of reports referenced in various documents do not appear to have been submitted to ACEH or to Geotracker. It appears that these documents would assist in the understanding of the site, would help inform future decisions, including the appropriateness of the offsite investigation noted above, and any necessary future actions. As a consequence, ACEH requests these documents be uploaded to the ACEH ftp website and to Geotracker. These include a Remedial Action Report, a Risk Management Plan, the final *Engineering Evaluation and Cost Analysis (EE/AA)* report, and a *Dewatering Treatment System* report apparently submitted to the SFRWQCB that documents total extracted groundwater volume.

Additional reports or other documents may also be missing. Consequently, ACEH additionally requests that the case file be reviewed for completeness. The case file for the subject site contains only the electronic files listed on the website at <http://www.acgov.org/aceh/lop/ust.htm>. ACEH requests that you submit copies of all missing subsequent reports, correspondence, data, and etc. related to environmental investigations for this site by the date identified below.

- 5. Request for Email Addresses** – If your email address is not listed on the first page of this letter, or the list of cc's below, ACEH is requesting your email address to help expedite communications and to help lower overall costs. Please provide that information in your next submittal.

TECHNICAL REPORT REQUEST

Please claim the site in GeoTracker and submit appropriate documents to GeoTracker and ACEH (Attention: Mark Detterman), according to the following schedule:

- **December 16, 2011** – Claim Site in Geotracker
- **January 6, 2012** – Geotracker and ACEH ftp Website Submittal Compliance and notification of such
- **January 16, 2011** – Status Update Response
- **February 10, 2012** – Fourth Quarter 2011 Semi-Annual Groundwater Monitoring Report
- **May 4, 2012** – First Quarter 2012 Groundwater Monitoring Report
- **August 3, 2012** – Second Quarter 2012 Groundwater Monitoring Report
- **November 9, 2012** – Third Quarter 2012 Groundwater Monitoring Report, with sampling interval reevaluation

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.

Messrs. Samuels, Turner, and McNamee
RO0000073
November 28, 2011, Page 3

Should you have any questions, please contact me at (510) 567-6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,



Digitally signed by Mark E. Detterman
DN: cn=Mark E. Detterman, o, ou,
email, c=US
Date: 2011.11.28 16:55:08 -08'00'

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

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

cc: Dunne Quality Paints: RO0000073:
Green City Lofts Home Owner Association; 1007 41st Street, Oakland, CA 94608
Timothy Bodkin, Bureau Veritas, 2430 Camino Ramon, Suite 122, San Ramon, CA 94583
(sent via electronic mail to timothy.bodkin@us.beuraveritas.com)

Oakland National Engravers: (RO0000079):
Terry McGrath, McGrath Properties, 130 Webster Street, Suite 200, Oakland, CA 94607
(sent via electronic mail to terry@mcgrathproperties.com)
Deborah Castles, McGrath Properties, 130 Webster Street, Suite 200, Oakland, CA 94607
(sent via electronic mail to deborah@mcgrathproperties.com)
Syed Rehan, AMEC Geomatrix, Inc., 2101 Webster Street, 12th Floor, Oakland, CA 94612
(sent via electronic mail to syed.rehan@amec.com)

San Francisco French Bread Company: (RO000171)
Peter Sher, San Francisco French Bread Company, 7801 Edgewater Drive, Oakland, CA 94621
John Tibbetts, Oak's Club Room, 4097 San Pablo Avenue, Emeryville, CA 94608

Celis Service Station: (RO0000453):
Markus Niebanck, City of Emeryville, Economic Development & Housing Department, 1333 Park Avenue, Emeryville, CA 94608 (sent via electronic mail to mniebanck@ci.emeryville.ca.us)
Constantino Celis, Celis Alliance, 2200 Powell St, 12th Floor, Emeryville, CA 94608
Jacob Henry, URS Corporation, 1333 Broadway, Suite 800, Oakland, CA 94612
(sent via electronic mail to Jacob.Henry@URSCorp.com)

SNK Andante Project (RO0002530)
Mr. Don Peterson, SNK Captec Andante LLC, 1103 40th Street, Emeryville, CA 94608

Oak Walk Redevelopment: (RO0002733):
Marilyn Ponte, Bay Rock Residential LLC, 1300 Clay Street, Suite 620, Oakland, CA 94612
(sent via electronic mail to marilyn@bay-rock.com)
John Tibbetts, Oak's Club Room, 4097 San Pablo Avenue, Emeryville, CA 94608
Dai Watkins, The San Joaquin Co., 1120 Hollywood Avenue, Suite 3, Oakland, CA 94602
(sent via electronic mail to daiw@sanjoco.com)

Magnolia Terrace Residential (RO0003004)
Darin Lounds, Executive Director, Housing Consortium of the East Bay, 1440 Broadway, Suite 700, Oakland, CA 94612; (sent via electronic mail to dlounds@hceb.org)

Messrs. Samuels, Turner, and McNamee
RO0000073
November 28, 2011, Page 4

Brianne Steinhauser, Housing Consortium of the East Bay, 1440 Broadway, Suite 700, Oakland, CA 94612 (sent via electronic mail to: bsteinhauser@hceb.org)

Linda Gardener, Alameda County Housing and Community Development Department, 224 W. Winton Avenue, Room 108, Hayward, CA 94544; (sent via electronic mail to: Linda.Gardner@acgov.org)

Concerned Property Owners:

David Ennis, PO Box 10985, South Lake Tahoe, CA 96158-3985

Regulatory Contacts:

Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Suite 3341, Oakland, CA 94612-2032 (sent via electronic mail to lgriffin@oaklandnet.com)

Donna Drogos, ACEH, (sent via electronic mail to donna.drogos@acgov.org)

Mark Detterman, ACEH, (sent via electronic mail to mark.detterman@acgov.org)

Geotracker, Electronic File

Attachment 1

Responsible Party(ies) Legal Requirements / Obligations

REPORT REQUESTS

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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

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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

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- 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.**
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 - 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.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

ALEX BRISCOE, Director



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

November 28, 2011

NOTICE TO COMPLY

Mr. Edward Kozel
Oakland National Engravers
Edward & Elizabeth Kozel Trust
20 Oak Knoll Drive
Healdsburg, CA 95448-3108

Mr. Robert Kovalak
ICI Paints
16654 W. Sprague Rd.
Strongsville, OH 44136

Ms. Deborah Castles
McGrath Properties
130 Webster Street, Suite 200
Oakland, CA 94607

(sent via electronic mail to
deborah@mcgrathproperties.com)

Subject: Notice to Comply - Overdue Reports and Request for Coordinated Groundwater Monitoring; Fuel Leak Case No. RO0000079 (Geotracker Global ID #T0600101659), Oakland National Engravers (ONE), 1001 42nd Street, Oakland, CA

Dear Messrs. Kozel and Kovalak, and Ms. Castle:

Alameda County Environmental Health (ACEH) staff has reviewed the case file and the *Groundwater Monitoring Report*, dated June 3, 2011; prepared and submitted on your behalf by AMEC Geomatrix (AMEC). Thank you for the report; however, this letter must also communicate that other reports are now overdue. This renders the site out of compliance with ACEH directives. A pilot test study report, with an original September 3, 2010 submittal deadline was twice extended to a June 17, 2011 deadline, and has not yet been received. A Data Gap Work Plan is also overdue and had an original submittal deadline of July 23, 2010, but also received two extensions. Both are now significantly overdue and no communication has been provided as to the submittal status of those reports. The purpose of ACEH's December 16, 2010 letter was also to request submittal of these documents.

The referenced groundwater monitoring report indicates that Light Non-Aqueous Phase Liquid (LNAPL) was encountered in three wells, one onsite near the downgradient property line, and two downgradient of the downgradient property line. These wells are the most closely associated with the site (BES-1, MW-B1, and MW-B2). The onsite well BES-1 contained the thickest presence of LNAPL, up to 0.53 feet. Conversely offsite wells MW-B1 and MW-B2 contained between 0.05 and 0.1 feet, and are approximately 75 feet apart. While MW-B4 contained 470 µg/l TPHms, is located between these two wells, the presence of LNAPL can be characterized as wide spread. Groundwater collected in wells located in the general downgradient direction (MW-B3, C-1, C-2, and C-3), appear to yield non-detectable concentrations of the site. However, of likely significance, these wells are located downgradient of several utility conduits (in 40th and in Adeline Streets) that have been identified as probable preferential conduits capable transporting contamination (LNAPL or elevated groundwater concentrations), and remain unevaluated for this potential (See the report labeled COND_WELL_R_2004-05-18 in the electronic case file for Dunne Quality Paints [RO0000073]).

Based on ACEH staff review, we have the following technical comments and request that the following items be sent to us as described below.

TECHNICAL COMMENTS

1. **Overdue Pilot Study Report** – This submittal has received at least two extensions and remains overdue. ACEH requires submittal of the pilot test by the date identified below. Please note this letter is not an extension; this report is still considered late.
2. **Overdue Data Gap Work Plan** – This submittal has received at least two extensions and remains overdue. ACEH requires submittal of the pilot test by the date identified below. Please note this letter is not an extension; this report is still considered late.
3. **Electronic Report and Data Upload Compliance** – A review of the case file and the State's Geotracker database indicates that the site is not in compliance with previous directive letters. Compliance is also a State requirement. 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, older reports, older EDF submittals, GEO_MAPS, GEO_WELL data, and all bore logs. **Compliance is required by the State and is tied to reimbursement funding by the UST Cleanup Fund.** Please see Attachment 1 for limited additional details, and the state GeoTracker website for full details. Please upload all submittals to GeoTracker as well as to ACEH's ftp website, provide written notification and a copy of the upload list by the date specified below.
4. **Coordinated Groundwater Contaminant Plume Monitoring and Sampling** – The most recent groundwater monitoring event occurred in September 2010. In order to understand current and future conditions, ACEH requests the resumption of groundwater monitoring at the site using the identified analytical suite, on an initial quarterly basis. After one year of monitoring, ACEH requests that the interval be reevaluated.

Because the paleochannels have allowed the comingling of many sites, ACEH is requiring that groundwater monitoring and sampling for this site be coordinated with groundwater monitoring, sampling, and reporting for adjacent sites (Celis Service Station [RO0000453], San Francisco French Bread Company [RO0000171], Oak Walk Redevelopment Site [RO0002733], SNK Andante [RO0002533], and Dunne Quality Paints [RO0000073]). By copy of this letter this requirement is provided to adjacent sites. ACEH is requiring that groundwater monitoring, sampling, and reporting continue at these sites in accordance with the schedule below. Please submit groundwater monitoring reports by the dates identified below.

5. **Request for Email Addresses** – If your email address is not listed on the first page of this letter, or on the list of cc's below, ACEH is requesting your email address to help expedite communications and to help lower overall costs. Please provide that information in your next submittal.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Mr. Mark Determan), according to the following schedule:

- **December 12, 2011** – Geotracker & ACEH ftp Website Submittal Compliance and notification of such
- **January 9, 2012** - Pilot Study Report

Messrs. Kozel and Kovalak, and Ms. Castle

RO0000079

November 28, 2011, Page 3

- **January 9, 2012** – Data Gap Work Plan (Additional on- and off-site investigation [utility mains and laterals, additional sources, and offsite investigations])
- **February 10, 2012** – Fourth Quarter 2011 Semi-Annual Groundwater Monitoring Report
- **90 Days After Data Gap Work Plan Approval** – Submittal of Soil and Groundwater (Data Gap) Investigation
- **May 4, 2012** – First Quarter 2012 Groundwater Monitoring Report
- **August 3, 2012** – Second Quarter 2012 Groundwater Monitoring Report
- **November 9, 2012** – Third Quarter 2012 Groundwater Monitoring Report, with sampling interval reevaluation

Reports are 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.

Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,



Digitally signed by Mark E. Detterman
DN: cn=Mark E. Detterman, o, ou,
email, c=US
Date: 2011.11.28 16:56:09 -08'00'

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

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

cc: Dunne Quality Paints; (RO0000073):

Terry Turner, Dunn Quality Paints, 707 Glenside Circle, Lafayette, CA 94549
Chad McNamee, 6820 Thornhill Drive, Oakland, CA 94611
Green City Lofts Home Owner Association; 1007 41st Street, Oakland, CA 94608
Martin Samuels, Green City Lofts, 3675 Delmont Avenue, Oakland, CA 94605
Martin Samuels, Green City Lofts, 4601 W. Walnut Street, Soquel, CA 95073
Martin Samuels, Green City Lofts, 2715 Porter Street, Suite 207, Soquel, CA 95073
Timothy Bodkin, Bureau Veritas, 2430 Camino Ramon, Suite 122, San Ramon, CA 94583
(sent via electronic mail to timothy.bodkin@us.beuraveritas.com)

Oakland National Engravers; (RO0000079):

Terry McGrath, McGrath Properties, 130 Webster Street, Suite 200, Oakland, CA 94607
(sent via electronic mail to terry@mcgrathproperties.com)
Syed Rehan, AMEC Geomatrix, Inc., 2101 Webster Street, 12th Floor, Oakland, CA 94612
(sent via electronic mail to syed.rehan@amec.com)

San Francisco French Bread Company; (RO0000171):

Peter Sher, San Francisco French Bread Company, 7801 Edgewater Drive, Oakland, CA 94621
John Tibbetts, Oak's Club Room, 4097 San Pablo Avenue, Emeryville, CA 94608

Dai Watkins, The San Joaquin Co., 1120 Hollywood Avenue, Suite 3, Oakland, CA 94602
(sent via electronic mail to daiw@sanjoco.com)

Celis Service Station: (RO0000453):

Markus Niebanck, City of Emeryville, Economic Development & Housing Department, 1333 Park Avenue, Emeryville, CA 94608 (sent via electronic mail to mniebanck@ci.emeryville.ca.us)
Constantino Celis, Celis Alliance, 2200 Powell St, 12th Floor, Emeryville, CA 94608
Jacob Henry, URS Corporation, 1333 Broadway, Suite 800, Oakland, CA 94612
(sent via electronic mail to Jacob_Henry@URSCorp.com)

Oak Walk Redevelopment: (RO0002733):

Mr. Dai Watkins, The San Joaquin Co., 1120 Hollywood Avenue, Suite 3, Oakland, CA 94602
(sent via electronic mail to daiw@sanjoco.com)
Marilyn Ponte, Bay Rock Residential LLC, 1300 Clay Street, Suite 620, Oakland, CA 94612
(sent via electronic mail to marilyn@bay-rock.com)
John Tibbetts, Oak's Club Room, 4097 San Pablo Avenue, Emeryville, CA 94608

SNK Andante Project: (RO0002530):

Mr. Don Peterson, SNK Captec Andante LLC, 1103 40th Street, Emeryville, CA 94608

Magnolia Terrace Residential: (RO0003004):

Darin Lounds, Executive Director, Housing Consortium of the East Bay, 1440 Broadway, Suite 700, Oakland, CA 94612; (sent via electronic mail to dlounds@hceb.org)
Brienne Steinhauser, Housing Consortium of the East Bay, 1440 Broadway, Suite 700, Oakland, CA 94612 (sent via electronic mail to: bsteinhauser@hceb.org)
Linda Gardener, Alameda County Housing and Community Development Department, 224 W. Winton Avenue, Room 108, Hayward, CA 94544; (sent via electronic mail to: Linda.Gardner@acgov.org)

Concerned Property Owner:

Dave Ennis, PO Box 10985, South Lake Tahoe, CA 96158-3985

Regulatory Contacts:

Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Suite 3341, Oakland, CA 94612-2032 (sent via electronic mail to lgriffin@oaklandnet.com)

Sunil Ramdass, State Water Resource Control Board, Underground Storage Tank Cleanup Fund, P.O. Box 944212, Sacramento, CA 94244-2120,
(sent via electronic mail to sramdass@waterboards.ca.gov)

Donna Drogos, (sent via electronic mail to donna.drogos@acgov.org)

Mark Detterman (sent via electronic mail to mark.detterman@acgov.org)

GeoTracker, Electronic Case 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.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml).

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 dehloptoxic@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 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 @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.