



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

June 17, 2011

Mr. Doug Durein  
Ken Betts, Inc.  
770 Wesley Way  
Oakland, CA 94610-2312

Kenneth & Carla Betts  
Kenneth R & Carla L Betts Trust  
175 Indian Rd  
Piedmont, CA 94619

Subject: Modified Work Plan Approval; Fuel Leak Case No. RO0000502 and GeoTracker Global ID T0600102249; Chevron #9-2142, 4150 Redwood Rd, Oakland, CA 94619

Dear Mr. Durein, and Mr. and Mrs. Betts:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the *Proposed Work Plan to Evaluate Subsurface Conditions*, dated October 27, 2008, revised on August 10, 2009, and submitted on August 20, 2009. The report was prepared and submitted on your behalf by ENGEO, Inc. (ENGEO). Thank you for submitting the work plan.

Based on the review ACEH staff generally concurs with the approach outlined in the work plan, provided that the technical comments below are incorporated during the proposed field investigation. Submittal of a revised figure is requested for ACEH concurrence prior to initiation of the work. Additionally, please provide advance written notification to this office by e-mail ([mark.detterman@acgov.org](mailto:mark.detterman@acgov.org)) 72 hours prior to the start of field activities.

### **TECHNICAL COMMENTS**

- Request for Fourth Soil Bore** - The referenced work plan indicates that three direct push (Geoprobe) soil bores will be installed at the site, one in the upgradient direction to determine background soil and groundwater quality, one in a former UST location, and one in a location presumed to be downgradient of the former UST location. In general these locations appear appropriate; however, because the direction of groundwater is not fully understood it also appears appropriate to install an additional bore in closer proximity to the test pits that documented up to 3,800 mg/kg TPHg, <5 mg/kg benzene, 28 mg/kg toluene, 18 mg/kg ethylbenzene, and 130 mg/kg total xylenes. As a consequence, ACEH requests that a revised figure with the requested additional bore location be submitted by the date identified below.
- Proposed Analytical Suite** – The proposed analytical suite for soil and groundwater samples includes TPHg, BTEX, and MTBE. Please additionally include analysis for all fuel oxygenates and lead scavengers by appropriate analytical methodology.
- Collection and Analysis of Soil & Groundwater** – The work plan assumes the collection of one soil and one grab groundwater sample in each soil bore. ACEH requests that soil samples be collected and submitted for laboratory analysis in all soil bores at any interval where staining, odor, or elevated PID readings occur and at sufficient depth below the deepest indication of

contamination in order to define the vertical extent in soil. If no staining, odor, or elevated PID readings are observed, a soil sample is to be collected from each boring in the capillary fringe, immediately above the depth groundwater is first encountered at.

4. **GeoTracker Compliance** – Based on a recent telephone conversation with ENGEO personnel, it is understood that several attempts to claim the site in Geotracker have been unsuccessful. Please work with the Geotracker Help Desk, at the following website [http://www.waterboards.ca.gov/ust/electronic\\_submittal/](http://www.waterboards.ca.gov/ust/electronic_submittal/), in order to claim the site by the date identified below. Thereafter, please upload all required documents and data files.

#### **TECHNICAL REPORT REQUEST**

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

- **July 22, 2011** – GeoTracker Compliance and appropriate uploads and Revised Figure (Work Plan Addendum)
- **September 16, 2011** – Soil and Groundwater Investigation

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

Sincerely,

Mark E. Detterman  
Senior Hazardous Materials Specialist

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

cc: Brian Flaherty, Engeo, Inc, 332 Pine Street, Suite 300, San Francisco, CA 94104  
(sent via electronic mail to [bflaherty@engeo.com](mailto:bflaherty@engeo.com))

Donna Drogos, ACEH, (sent via electronic mail to [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))  
Mark Detterman, ACEH, (sent via electronic mail to [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org))  
Geotracker, e-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/](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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>REVISION DATE:</b> July 20, 2010
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> 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](mailto: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](mailto: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.