



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
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September 23, 2011

Mr. Leonard Shirley  
Southern Pacific Transportation Company  
P.O. Box 2500  
Broomfield, CO 80038

Mr. Leslie A. Bacon, et al  
c/o Economy Lumber Company  
750 High Street.  
Oakland, CA 94601-4402

Subject: Fuel Leak Case No. RO0001135 and Geotracker Global ID T0600101305, 744 and 758 High Street, Oakland, CA 94601

Dear Mr. Shirley and Mr. Bacon:

Alameda County Environmental Health (ACEH) is in the process of reviewing older open fuel leak cases and has determined that additional information is needed to evaluate your site and progress to case closure. This case was first identified as a fuel leak case in 1992 when ACEH sent Southern Pacific Transportation Company (SPTC) a letter dated March 13, 1992 identifying a gasoline leak from an underground storage tank (UST) had been reported at the site on July 15, 1986.

In March 1988 ACEH inspected business operating on the SPTC property (Assessor Parcel Number (APN) 34-2293-6-7) and found the following two addresses at the parcel: 774 High Street, Kayak America Works (KAW) an auto body repair shop and 758 High Street, Scrap Metal & Supply (SMS), a wet battery & metal recycler. KAW and SMS both occupied a building adjacent to High Street in the northern portion of the SPTC property and SMS also occupied the yard in the central and southern portion of the SPTC property. Information regarding the 744 High Street address was not available in ACEH files.

Between 1989 and 1994 SPTC conducted site assessment and remediation activities in areas of oil-stained soil in the yard in the central portion of the SPTC property south of the building adjacent to High Street. In 1989 six groundwater monitoring wells were installed in the yard and in 1990 three areas of oil-stained soil in the central portion of the yard were excavated to a depth of 2.5' below grade. In 1992, the former SPTC parcel along with the adjacent property at 752 High Street was redeveloped into Economy Lumber which is currently in operation.

The highest post-excavation confirmation soil results in the central portion of the yard were 18 milligrams per kilogram (mg/kg) for Total Petroleum Hydrocarbon (TPH) and 2.5 mg/kg for polychlorinated biphenyls (PCBs). Excavation was not conducted in the southern portion of the yard near monitoring well C-2 where a soil sample contained 2,800 mg/kg Total Oil & Grease (TOG) and 1,100 mg/kg lead.

The six monitoring wells were sampled in 1989 for TPH and from 1989-1993 for PCBs. Groundwater from monitoring well B-2 had 1,500 micrograms per liter (ug/L) TPH and 2,800 ug/L Oil & Grease (O&G); benzene, toluene, ethylbenzene, and xylenes (BTEX) analyses did not appear to have been performed. Between 1993 and 1994, case closure for PCBs in groundwater was requested by the new property owner but not granted by the Regional Water Quality Control Board (Water Board). In 1994 ACEH received the last SPTC site document.

Based on these results, soil and groundwater contamination are not adequately defined at your site and additional investigation of the site is required. We request that you address the following technical comments by preparing a work plan for the proposed work and send us the reports described below.

### **TECHNICAL COMMENTS**

- 1. Soil & Groundwater Investigation – Northern Portion of Site:** A soil sample taken from soil boring D-1, the only boring located adjacent to High Street in the northern portion of the SPTC property, contained 1,200 mg/kg oil & grease. Please prepare a work plan to investigate the horizontal and vertical extent of contamination in the northern portion of the site adjacent to High Street and please submit the work plan describing your proposed investigation by the date specified below.
- 2. Soil & Groundwater Investigation - Former Railroad Spur:** Figures provided with SPTC's 1988 and 1989 documents show a railroad spur crossing the center portion of the parcel; however subsequent investigations did not collect or analyze soil & groundwater samples in this area. We request that you conduct a soil & groundwater investigation at the railroad spur and please submit a work plan describing your proposed investigation by the date specified below.
- 3. Hydraulic Gradient:** Six groundwater monitoring wells were installed and sampled in 1989; however a groundwater gradient was not provided in any of the groundwater sampling reports. The December 4, 1989 groundwater elevations for the six wells indicate groundwater elevations ranged from 8.07 feet above mean sea level (msl) to -2.24 msl, which may indicate that the wells were not screened in the same water-bearing zone. Correspondence reporting the September 8, 1993 groundwater sampling event indicated that the wells had been paved over and during the effort to uncover the wells, the well casings were damaged. Please include a plan to locate, rehabilitate, and professionally survey all wells to Geotracker standards (see Technical Comment No. 5) in the work plan requested below.
- 4. Groundwater sampling:** The six groundwater monitoring wells were each sampled twice for TPH and TOG only; additionally, elevated detection limits were used (1,000 ug/L). Please include your plan to redevelop and initiate a groundwater monitoring program in the work plan requested below. We request that all groundwater samples from all wells be analyzed for the following compounds:

- a. Total Petroleum Hydrocarbons-Gasoline and TPH-Diesel by EPA Method 8015M;
  - b. Oil & Grease by EPA Method 1664;
  - c. Benzene, Toluene, Ethyl benzene, and Xylenes, Chlorinated Hydrocarbons, ethylene dibromide (EDB), ethylene dichloride (EDC), Methyl Tertiary-Butyl Ether (MTBE), Tert-amyl-methyl ether (TAME), Ethyl tert-butyl ether (ETBE), Di-isopropyl ether (DIPE), and t-Butyl alcohol (TBA) by EPA Method 8260;
  - d. cadmium, chromium, lead, nickel, zinc;
  - e. Polychlorinated biphenyl (PCB), Pentachlorophenol (PCP), polynuclear aromatic hydrocarbon (PNA), Creosote and 1,4-Dioxane by EPA Method 8270;
  - f. Please note that the listed analysis for ethanol (EtOH) is not needed at this time.
5. **GeoTracker Compliance** - As described in the attached Responsible Party(ies) Legal Requirements/Obligations, all technical reports must be submitted to both the ACEH ftp site and the State Water Resource Control Board (SWRCB) GeoTracker website. Therefore, please claim your site on GeoTracker and upload the Work Plan and all future reports to the GeoTracker website. Pursuant to CCR Sections 2729 and 2729.1, beginning July 1, 2005 for SLIC cases, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the LUFT program, must be transmitted electronically to the SWRCB Geotracker website via the internet. Additionally, all permanent monitoring points utilized to collect groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level and latitude and longitude accurate to within 1-meter accuracy, using NAD 83, and transmitted electronically to the SWRCB Geotracker website. Beginning July 1, 2005, electronic submittal of a complete copy of all reports (LUFT or SLIC) is required in GeoTracker (in PDF format). Please upload all reports prepared after July 1, 2005 to the SWRCB's Geotracker database website in accordance with the above-cited regulation.

#### **REQUEST FOR ADDITIONAL INFORMATION**

ACEH requests submittal of electronic copies of all other reports, data, and correspondence related to all environmental investigations for this property (including Phase I reports). The ACEH case file for the subject site contains only the electronic files listed on our web site; please access the web site as described further in the attachments below. The additional information is to be submitted by the date specified below. Case files can be reviewed online at the following website: <http://www.acgov.org/aceh/index.htm>.

#### **TECHNICAL REPORT REQUEST**

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

- **November 17, 2011** – Request for additional information
- **December 16, 2011** – Work Plan to Address Technical Comments

If you have any questions, please call me at (510) 567-6708 or send me an electronic mail message at [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org). Online case files are available for review at the

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following website: <http://www.acgov.org/aceh/index.htm>. Please provide ACEH with your email address so that we can correspond with you quickly and efficiently regarding your case.

Sincerely,

Karel Detterman, P.G. 5628  
Hazardous Materials Specialist

Attachments: Responsible Party(ies) Legal Requirements/Obligations

ACEH Electronic Report Upload (ftp) Instructions

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (Sent via E-mail to: [lgriffin@oaklandnet.com](mailto:lgriffin@oaklandnet.com))

Donna Drogos, ACEH (Sent via E-mail to: [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))

Karel Detterman, ACEH (Sent via E-mail to: [karel.detterman@acgov.org](mailto:karel.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.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.