



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
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May 23, 2014

Mr. David Weiss  
AAA Truck Parts  
3884 Depot Road  
Hayward, CA 94545  
(Sent by electronic mail to [Weissbiz@gmail.com](mailto:Weissbiz@gmail.com))

Subject: Request for Site Conceptual Model and Work Plan Addendum; Site Cleanup Program (SCP) Case RO0002499 and Geotracker Global ID T06019790228 AAA Truck Parts Company, 3884 Depot Road, Hayward, CA 94545

Dear Mr. Weiss:

At your request Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site, including the correspondence entitled *Re: Request for Information*, dated May 5, 2008 (May 5, 2014), and the *Initial Site Conceptual Model*, an undated three page document, that was accepted by ACEH on May 9, 2014. Thank you for submitting these documents and providing further information.

ACEH understands that the subject site may be sold in the near future and property owners are attempting to determine the status of the case. The site is reported to be, or to have been, a vehicle dismantling and parts supply yard. It is also the understanding of ACEH that the business that occupied the subject site previously leased the property immediately to the east (3878 or 3862 Depot Road), and a smaller rectangular portion of the property to the immediate west. Review of documents referenced in the *Re: Request for Information* and subsequently obtained from Geotracker for the Russell City Energy Center (RCEC; at 3878 – 3862 Depot Road, Hayward; Geotracker ID SL0600159954), indicate that the eastern leased property was included in the case closure for the RCEC site. It also appears that well MW-3, installed for an investigation associated with the subject site (AAA Truck Parts) was destroyed under permit, that the eastern parcel was the subject of corrective actions, and was included in a deed restriction at the time of case closure of that site (RCEC). As a consequence, ACEH considers residual contamination at the eastern parcel to be adequately managed under the deed restriction, and will exclude that property from further investigation associated with the subject site.

Remaining areas that appear to warrant further investigation include the subject parcel, and the formerly leased parcel to the west of the subject parcel. Should an argument be forwarded that the western formerly leased property should be excluded from site investigations, the acceptability of this must be documented and certified to be acceptable to the owner of that parcel. At that time a new environmental case would be opened and funds requested to manage residual contamination at that parcel, and appropriate Responsible Parties would be identified. This would include the owner of the subject site (AAA Truck Parts).

The referenced *Re: Request for Information* correspondence indicates that a deed restriction that limits future use of the subject parcel to industrial land-use is an acceptable method to obtain case closure and manage residual contamination at the site at closure.

At this juncture ACEH requests that you prepare an addendum to the Data Gap Investigation Work Plan that is supported by a focused Site Conceptual Model (SCM) to address the Technical Comments provided below. Prior to submitting the addendum, ACEH would like to invite you to a meeting to discuss the site and strategize about the most efficient path towards closure. ACEH requests notification of suitable dates and times for the meeting by the date listed below.

## **TECHNICAL COMMENTS**

- 1. Addendum to the Site Conceptual Model and Data Gap Work Plan** – Thank you for submitting the SCM. The SCM identified several data gaps and suggested several generic actions, but did not discuss an approach, sampling methodology, or a sampling step-out interval should further contamination be encountered, did not indicate EPA laboratory methods to be used, did not describe sample collection procedures, etc. These are industry standard requirements for a work plan.

Additionally, two areas of concern were identified (HWS and area around MW-2); however, review of site documents also indicate that the areas around P-7 (Parts Storage Area) and P-8 (leased property to west) are also of concern based on existing analytical data. Additionally, the source of contamination in well MW-1 has also not been identified, but may be located in the vicinity of bore P-3, based on existing analytical data. Please evaluate the potential of additional areas to contain undocumented contamination with a random sampling strategy focused on former use areas.

Please note that the SCM is deficient in a number of elements that were requested by ACEH and itemized in Technical Comment 2 and in Attachment A of the March 5, 2014 directive letter. This includes a tabulation of all site analytical data, and photo-based figures to depict site features, including existing and proposed bore and well locations, and Data Quality Objectives (DQOs) as discussed in Technical Comment 3 of the March 5, 2014 directive letter. The inclusion of this data greatly speeds the review by ACEH which will expedite any appropriate site work, and ultimately closure.

Based on the review by ACEH it appears the work plan is deficient in a number of elements as detailed above. ACEH requests the submittal of a work plan addendum by the date identified below.

- 2. Clean-up Goals** – As noted above the *Re: Request for Information* correspondence indicated that a deed restriction that limits future use of the subject parcel to industrial land-use is an acceptable method to obtain case closure and manage residual contamination at the site at closure. A requirement for this option is identification of acceptable contaminant concentration corrective action goals for the site, the technical basis for the identified goals (e.g. Regional Water Quality Control Board Environmental Screening Levels, Low-Threat Closure Policy, or site specific risk assessment), and a technical analysis that residual contamination at the site is acceptable under the technical basis.

## **TECHNICAL REPORT REQUEST**

Please upload technical reports to the ACEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with the specified file naming convention below, according to the following schedule:

- **June 5, 2014** – Notification of Available Meeting Dates
- **45-Days After Meeting** – Data Gap Investigation Plan and Focused Site Conceptual Model  
(File to be named: RO2499\_WP\_SCM\_R\_yyyy-mm-dd)

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.

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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, PG, CEG  
Senior Hazardous Materials Specialist

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

cc: James Carro, Chemical Data Management Systems, 6515 Trinity Ct., Suite 201, Dublin, CA 94568, (sent via electronic mail to [jim@cdms.com](mailto:jim@cdms.com))

Dilan Roe, ACEH (sent via electronic mail to [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Mark Detterman, ACEH (sent via electronic mail to [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org))  
Electronic File, GeoTracker

## 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> May 15, 2014
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 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.