

ALAMEDA COUNTY
**HEALTH CARE SERVICES
AGENCY**

REBECCA GEBHART, Interim Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP)
For Hazardous Materials Releases
1131 HARBOR BAY PARKWAY, SUITE 250
ALAMEDA, CA 94502
(510) 567-6700
FAX (510) 337-9335

NOTICE TO COMPLY

August 1, 2017

Mr. Lawrence Hancock
Country Club Cleaners
500 Bollinger Canyon Way #A4
San Ramon, CA 94582
(Sent via E-mail to:
larry@@blueskycleanersca.com)

Mr. Mark Ratto
Peter J. Ratto Trust
670 W. Fruit Cive Forest Road
Jacksonville, FL 32259

Mr. Robert Strong
Country Club Cleaners
500 Bollinger Canyon Way #A4
San Ramon, CA 94582
(Sent via E-mail to:
bob@@blueskycleanersca.com)

Subject: Case File Review / Soil Vapor Assessment for SCP Case RO0002913 and GeoTracker ID T06019748481, Perciva/Metro Valley Cleaners, 224 Rickenbacker Circle, Livermore, CA 94550

Dear Messrs. Hancock, Strong, & Ratto:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file, including the August 18, 2014 "Soil Vapor Investigation Report," prepared by Advance GeoEnvironmental, Inc. for the subject site. Significantly elevated concentrations of Tetrachloroethene (PCE) and Trichloroethene (TCE) were detected in soil vapor samples collected at the site. On October 9, 2014, ACDEH sent you a correspondence requesting further site characterization to assess the potential vapor intrusion from the subsurface into the existing building. Nearly three (3) years have lapsed and a work plan has not been received.

VAPOR INTRUSION ASSESSMENT

Significant changes in our understanding of vapor intrusion to indoor air risk has occurred within the past few years. Based on the available data, there appears to be a risk of vapor intrusion from the detected chemicals at your site, and you and the employees of the facility may be at risk of exposure to harmful chemicals. ACDEH would like to discuss the site, and paths forward, with each of you in a meeting at our office.

Please provide ACDEH with several dates and times for which a meeting can be scheduled to discuss the path forward. ACDEH staff will either select dates and times from your list to arrange the meeting, or provide alternate dates. Please provide the list of available dates and times by **August 15, 2017**.

SITE CLEANUP PROGRAM

You are named Responsible Party (RP) for the subject site in ACDEH's Site Cleanup Program (SCP). ACDEH administers the SCP under authority of H&SC §101480, recovers remedial oversight fees from

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the RP under authority of H&SC §101490, and establishes a deposit/refund account as authorized in Alameda County Ordinance Code § 6.92.040L.

Our records indicate that your account has \$400 at this time. As an RP, you are required to maintain sufficient funding in your deposit/refund account to cover regulatory oversight costs related to site assessment and remedial actions necessary to protect human health and the environment. Please submit payment in the amount of \$4,000.00 within thirty (30) days to the attention of our Finance Department. Please write "SCP" (the type of project), case number "RO0002913," account number "AR0316174," and the site address on the check.

This deposit may or may not be sufficient to provide all necessary regulatory oversight. ACDEH will deduct actual costs incurred based on the Ordinance specified hourly rate, which is currently \$174 per hour. If these funds are insufficient, an additional deposit will be requested. Otherwise, any unused monies will be refunded to you or your designee.

Thank you in advance for your cooperation. If you have any questions, please call me at (510) 777-2478 or send me an electronic mail message at: paresh.khatri@acgov.org or Keith Nowell (your caseworker) at (510) 567-6764 or keith.nowell@acgov.org.

Sincerely,

Paresh C. Khatri
Supervising Hazardous Materials Specialist
Local Oversight & Site Cleanup Program Manager

Enclosure: Responsible Party(ies) Legal Requirements/Obligations
ACDEH Electronic Report Upload (ftp) Instructions

cc: Danielle Stephani, Livermore-Pleasanton Fire Department (*Sent via E-mail to: dstephani@lpfire.org*)
Colleen Winey (*Sent via E-mail to: cwiney@zone7water.com*)
Dilan Roe (*Sent via E-mail to: dilan.roe@acgov.org*)
Keith Nowell (*Sent via E-mail to: keith.nowell@acgov.org*)
GeoTracker,
eFile

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

Alameda County Department of Environmental Health's (ACDEH) Environmental Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) 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 File Transfer Protocol (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 SCP 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 (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/) for more information on these requirements.

ACKNOWLEDGEMENT STATEMENT

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to ACDEH's FTP server and the SWRCB's GeoTracker website." 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 6731, 6735, and 7835) 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 licensed 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 case meet this requirement. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, late 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 SCP)	REVISION DATE: December 1, 2016
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010; May 15, 2014, November 29, 2016
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (LOP and SCP) 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) Open File Explorer using the Windows  key + E keyboard shortcut.
 - i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) On the address bar, type in ftp://alcoftp1.acgov.org.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive)
 - d) Click Log On.
 - e) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - f) 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.