



ENVIRONMENTAL HEALTH DEPARTMENT
ENVIRONMENTAL PROTECTION
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Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

March 22, 2011

Rashid Ghafoor and Waseem Iqbal
226 Havenwood Circle
Pittsburg, CA 94567

Subject: Work Plan Denial for Fuel Leak Case No. RO0002931 and GeoTracker Global ID T0600174667, Shore Acres Gas, 403 E 12th St., Oakland, CA 94606

Dear Messrs. Ghafoor and Iqbal:

Thank you for the recently submitted document entitled, *Site Assessment and Soil Vapor Extraction Pilot Test Workplan* dated February 9, 2011, which was prepared by Environmental Compliance Group, LLC for the subject site. Alameda County Environmental Health (ACEH) staff has reviewed the case file including the above-mentioned work plan for the above-referenced site. The work plan does not address our request to determine the off-site extent of contamination.

The scope of work presented in the work plan has not been adequately justified and cannot be approved at this time. ACEH requests that you address the following technical comments and send us a work plan addendum as requested below.

TECHNICAL COMMENTS

1. **Regional Geologic and Hydrogeologic Setting** – Groundwater at a nearby site (RO2853) located at 506 International Blvd., ranges from 7 feet below ground surface (bgs) to 12 feet bgs. While the depths to water at nearby sites that you identified were even shallower. Based on these depths the screened intervals for the proposed wells appear to be too deep. In addition, the screen length is too long. We agree that you should advance the boring and leave it open to see what level water enters the boring but since we recommend shallower screen intervals of a maximum of 10 foot length that straddle the water table, we recommend advancing one boring to 10 feet and another to 15 feet and waiting for water to enter the boring. Please modify your proposed screen intervals in the work plan addendum requested below.
2. **Soil and Groundwater Characterization** – In our December 16, 2010 directive letter, ACEH requested an off-site investigation that evaluates contamination the may be moving onto the school property from your site. Further, MTBE contamination appearing to originate from

your site, has been detected at the school across the street. Please include your proposed boring locations in the work plan addendum requested below.

Soil samples selected for analysis should be analyzed not only from the areas with most contamination observed but from a minimum of five foot intervals and at lithologic changes to define the vertical extent of contamination.

3. **Preferential Pathway Study** – Please include the depths of the utilities on your preferential pathway study map. Also, please place these conduits on an expanded site plan showing areas off-site as well. The proposed off-site borings should be placed on this extended site plan which should be included in the work plan addendum requested below.
4. **Pilot Test** – The work plan proposes performing a pilot test and provides cleanup criteria that are substantiated using ESLs for non drinking water areas. The basin plan has designated the waters beneath your site as potential municipal use. In addition, no soil vapor study has been performed at the site to evaluate current levels at the site or at adjacent residences. Therefore the cleanup criteria are unjustified. However, at this time no corrective action plan is being requested, which is the correct place to evaluate those goals.

The proposed soil vapor extraction well screen intervals may intercept groundwater based on the depths of groundwater in the vicinity. No discussion of how water will be treated is included in the pilot test work plan. No observation wells for the soil vapor pilot test were proposed to determine the radius of influence for the test. Please adjust your plan to provide details of the test including well screen intervals, observation wells, procedures for handling groundwater, standard operating procedures, etc.

TECHNICAL REPORT REQUEST

Please submit technical reports to ACEH (Attention: Barbara Jakub), according to the following schedule:

- **May 23, 2011** – Work Plan Addendum

Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, please call me at (510) 639-1287 or send me an electronic mail message at barbara.jakub@acgov.org.

Sincerely,

Barbara J. Jakub, P.G.
Hazardous Materials Specialist

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

Messrs. Ghafoor and Iqbal
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cc: Michael S. Sgourakis, Environmental Compliance Group, LLC, 270 Vintage Drive,
Turlock, CA 95382
Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland,
CA 94612-2032 (*Sent via E-mail to: lgriffin@oaklandnet.com*)
Donna Drogos, ACEH (*Sent via E-mail to: donna.drogos@acgov.org*)
Barbara Jakub, ACEH (*Sent via E-mail to: barbara.jakub@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/).

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.
 - 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.