



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

(510) 567-6700
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May 30, 2012

Emeryville Redevelopment Agency
c/o Mr. Markus Niebanck
1333 Park Ave.
Emeryville, CA 94608
(sent via electronic mail to
mniebanck@ci.emeryville.ca.us)

Mr. Scott Barde
Owens Mortgage Investment Fund
2221 Olympic Blvd.
Walnut Creek, CA 94595

Lloyd Kendall Jr.
(Address unknown)

ELTEX Investments Corporation
c/o Eller Media
200 E Basse
San Antonio, TX 78209

William Owens
Ambassador Partners Limited
2221 Olympic Blvd.
Walnut Creek, CA 94595

Wilson Associates
(Address unknown)

Title Two Investment Corporation
c/o Bellview Capital Mgmt.
(Address unknown)

Ms. Deni Adaniya
Resources for Community Development
2730 Telegraph Avenue
Berkeley, CA 94705

Adeline Investments
(Address unknown)

Subject: Request for Soil and Groundwater Investigation Work Plan; Fuel Leak Case No. RO0002973 and Geotracker Global ID T0619717287, Ambassador Laundry, 3623 Adeline St., Emeryville, CA 94608

Dear Ladies and Gentlemen:

Alameda County Environmental Health (ACEH) staff has been made aware of the discovery of an abandoned approximately 150-foot deep, 12-inch diameter steel-casing water production well at the subject site, and the presence of free-phase product (FP) in that well. The FP was initially reported to be several feet thick; however, measurements were not performed with an oil interface probe at the time. In visiting the site on Friday May 19, 2012, ACEH spoke with the drillers and their supervisor to determine if a video camera could be lowered down the well in an attempt to determine the depth of origin of the FP. The drillers were very reluctant to send a video camera down hole to attempt to determine this based on the poor condition of the well (collapsed casing in portions) and the free product (coating the lens). Alameda County Public Works Agency (ACPWA) reports that the well was successfully decommissioned on May 18, 2012; however, ACPWA reported that oil appeared to continue to bleed to the surface. The Alameda County Public Works Agency reports that oil appeared to continue to bleed up well during the destruction process, so there is a reservoir of some sort at some depth. ACEH also understands that an unknown steel riveted underground storage tank (UST) has been discovered in close proximity to the abandoned well. As a consequence and based on ACEH staff review of the case file, we request that you address the following technical comments and send us the reports described below.

TECHNICAL COMMENTS

- 1) Electronic Report and Data Upload Compliance** – A review of the case file and the State's Geotracker database indicates that the site is not in compliance with previous directive letters (January 9, 2009). **Compliance is a State requirement.** Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the UST or LUST program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup

programs, including SLIC programs. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites was required in GeoTracker. At present missing data and documents include, but may not be limited to, older reports, a number of EDF submittals, GEO_Z vertical well survey data, all GEO_MAPS, all GEO_WELL data, and all bore logs. Please see Attachment 1 for limited additional details, and the state GeoTracker website for full details. You are required to upload all submittals to GeoTracker as well as to ACEH's ftp website by the date specified below, and documentation of the uploaded reports and data. This is requested to include the pending UST closure report for the recently discovered UST.

- 2) **Request for a Soil and Groundwater Investigation Work Plan** – As indicated above, it appears that a soil and groundwater investigation to determine the lateral and vertical extent of remaining FP is appropriate, and to determine if the FP has been removed to the extent practicable. Existing bores and data is expected to be of use in determining the scope of the investigation; however, if the water supply well continued to be active and to be drawn-down during the time of product release, the product may have used the gravel pack to migrate vertically. As a consequence ACEH requests that a work plan be submitted by the date identified below.

TECHNICAL REPORT REQUEST

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

- **June 15, 2012** - ACEH and Geotracker submittals (with documentation of such)
- **Two Weeks After UST Removal** – UST Removal Report
- **Two Weeks After Submittal of UST Removal Report** - Soil and Groundwater Investigation Work Plan
- **60 Days After Work Plan Approval** – Soil and Groundwater Investigation Report

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.

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

Sincerely,

Mark E. Detterman, PG, CEG
Senior Hazardous Materials Specialist

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

cc: Nick Patz, Adanta, Inc, 828 School Street, Napa, CA 94559
(sent via electronic mail to nick.patz@adanta-inc.com)

Jessica Sheldon, Resources for Community Development, 2730 Telegraph Avenue, Berkeley, CA 94705
(sent via electronic mail to JSheldon@rcdev.org)

Donna Drogos, ACEH, (sent via electronic mail to donna.drogos@acgov.org)
Mark Detterman, ACEH, (sent via electronic mail to mark.detterman@acgov.org)
Geotracker, Electronic 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/).

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 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 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.