

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

May 22, 2009

Ian Robb  
Chevron Environmental Management  
Company  
6001 Bollinger Canyon Road  
San Ramon, CA 94583

Carl & Wanda J. Kuper  
Carl Kuper Motors  
16600 E 14<sup>th</sup> Street  
San Leandro, CA 94578-2394

Thomas D. Meek  
c/o Dick Ballard, Inc.  
P.O. Box 371  
Walnut Creek, CA 94597-0371

John C. & Rose M. McPhee, Trustees  
Chief Auto Plaza  
49 York Place  
Moraga, CA 94556-1220

Kil N. Pang ETAL  
3568 Bittern Place  
Fremont, CA 94555-1307

Subject: Fuel Leak Case No. RO0002997 and GeoTracker Global ID T10000001069, 167<sup>th</sup> Gas Station (former Texaco), 16690 E 14<sup>th</sup> Street, San Leandro, CA 94578

Dear Responsible Parties:

Alameda County Environmental Health (ACEH) is in receipt of a Phase II Investigation Report prepared by Environmental Bio-Systems, Inc. dated April 8, 1994 and a Phase I Report entitled, "Phase I Environmental Site Assessment," dated July 22, 2002, prepared by AEI Consultants, Inc., both were prepared for the subject property. Reviews of the reports indicate that the subject property was utilized as a Texaco Station located at 16660 E 14<sup>th</sup> Street in San Leandro, California from circa 1966 to 1985 when the three fuel USTs and the waste oil UST were removed. In 1994, a Phase II investigation, conducted by Environmental Bio-Systems detected low concentrations of petroleum hydrocarbons in soil samples collected from exploratory borings installed at the site. However, based on the figure included in the Phase II Report, it is not clear whether the borings were installed in the vicinity of likely source areas at the site. Although concentrations of hydrocarbons detected in soil samples collected from the site are low, ACEH does not have sufficient information on file to evaluate this case. At this time, ACEH's electronic case file for the subject site contains the following electronic reports as listed on our website (<http://www.acgov.org/aceh/lop/ust.htm>). You are requested to submit copies of all other report related to environmental investigations and/or documentation that illustrates the former UST and dispenser system previously utilized at the site. This may include additional Phase I/II Reports, tank removal reports, as-built drawing, building plans, permits, etc. Please submit the requested documentation for this property by **July 6, 2009**. If no documentation is submitted by the requested date, a subsurface investigation may be necessary to close this case.

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 in 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.swrcb.ca.gov/ust/electronic\\_submittal/report\\_rqmts.shtml](http://www.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml)).

#### **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.

Responsible Parties  
RO0002997  
May 22, 2009, Page 3

If you have any questions, please call me at (510) 777-2478 or send me an electronic mail message at paresh.khatri@acgov.org.

Sincerely,



Paresh C. Khatri  
Hazardous Materials Specialist



Donna L. Drogos, PE  
Supervising Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Dr. Thomas D. Meek, 523 North Alleghaney Avenue, Odessa, TX 79761  
Donna Drogos, ACEH (sent via electronic mail)  
Paresh Khatri, ACEH (sent via electronic mail)  
GeoTracker  
File

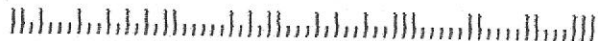
ALAMEDA COUNTY  
**HEALTH CARE SERVICES AGENCY**  
Environmental Health Services Administration  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577



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**Carl & Wanda J. Kuper**  
**Carl Kuper Motors**  
**16600 East 14<sup>th</sup> Street**  
**San Leandro, CA 94578-2394**

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**Alameda County Environmental Cleanup  
Oversight Programs  
(LOP and SLIC)**

**ISSUE DATE:** July 5, 2005

**REVISION DATE:** March 27, 2009

**PREVIOUS REVISIONS:** December 16, 2005,  
October 31, 2005

**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**

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- 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)

**Additional Recommendations**

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

**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 [dehloptoxic@acgov.org](mailto:dehloptoxic@acgov.org)
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    - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of My Le Huynh.
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  - 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 [dehloptoxic@acgov.org](mailto:dehloptoxic@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.

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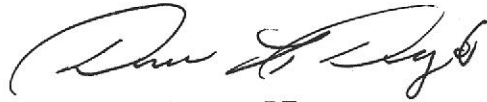
Responsible Parties  
RO0002997  
May 22, 2009, Page 3

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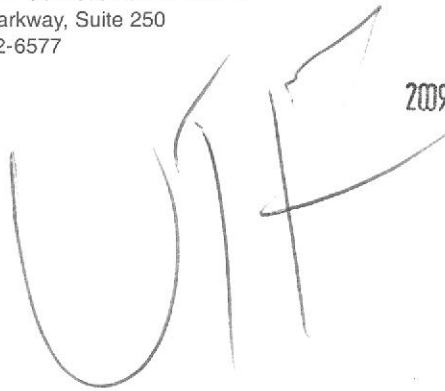


Donna L. Drogos, PE  
Supervising Hazardous Materials Specialist

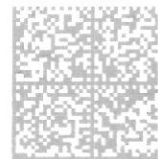
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GeoTracker  
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Environmental Health Services Administration  
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Alameda, CA 94502-6577



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c/o Dick Ballard, Inc.  
P O Box 371  
Walnut Creek, CA 94597-0371

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**Alameda County Environmental Cleanup  
Oversight Programs  
(LOP and SLIC)**

**ISSUE DATE:** July 5, 2005

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  - a) Send email to [dehloptoxic@acgov.org](mailto:dehloptoxic@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)
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