



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

August 15, 2011

Ms. Mary K. Wright (*Sent via e-mail to: [ksaveourkids@aol.com](mailto:ksaveourkids@aol.com)*)  
 Heirs of Mary L. Wright Estate  
 1829 9<sup>th</sup> Avenue  
 Oakland, CA 94606-3019

Subject: Request for Work Plan for Fuel Leak Case No. RO0003077 and GeoTracker Global ID T10000003190, F&M Auto Service/Gas Station, 1839 Foothill Boulevard, Oakland, CA 94606

Dear Ms. Wright:

Alameda County Environmental Health (ACEH) has reviewed the *Underground Storage Tank Removal Report* (UST Report) dated June 3, 2011, prepared by Sierra West Consultants, Inc. According to the UST Report, between March 29 and April 13, 2011, four underground storage tanks (USTs) were removed from the site: USTs #1 and #2 were located in the southern part of the site, UST #3 in the center part, and UST #4 in the northern part. Below is a summary of the capacity, contents and condition of the USTs at the time of removal taken from the UST Report:

	UST #1	UST #2	UST #3	UST #4
UST capacity	1000 gallons	1000 gallons	550 gallons	100 gallons
UST contents	200 gallons unleaded gasoline/sludge	empty	150 gallons leaded gasoline/water	50 gallons oil
UST condition	1" hole west edge/several small holes in UST bottom	No observed holes but stained soil & TPH odor beneath UST	1" hole in UST bottom & 6" hole south end UST	Corrosion & pitting in UST walls/ many holes pin hole to 3" by 6" south end UST

A removal confirmation soil sample collected beneath the UST #1 at a depth of approximately 13 feet contained 1,990 milligrams per kilogram (mg/Kg) Total Petroleum Hydrocarbons as Gasoline (TPH-G), benzene, toluene, and methyl-tert-butyl ether at elevated detection limits, 46.2 mg/Kg ethylbenzene, and 159 mg/Kg total xylenes. Total lead was detected at a concentration of 71.2 mg/Kg. A four-point composite sample was also analyzed and contained multiple detectable concentrations. Based on the results of soil sampling an unauthorized release occurred from the UST. We request that you address the following technical comments as requested below.

### **TECHNICAL COMMENTS**

1. **GeoTracker Compliance** – Thank you for both claiming your site and uploading the June 3, 2011 UST Removal Report to the State's GeoTracker Web Site and the ACEH ftp site. ACEH requests uploading the Soil and Groundwater Investigation Work Plan (requested below) and all future reports to the GeoTracker website and ACEH's FTP server by the dates specified below.
2. **Request for a Soil and Groundwater Investigation Work Plan** – ACEH requests you to investigate the extent of soil contamination and determine if groundwater contamination is present beneath your site. This type of investigation, prepared by a qualified environmental consultant, usually involves drilling one or more soil borings and collection of soil and groundwater samples for analysis. We request that you prepare and submit a Work Plan to ACEH to conduct this work at the site by the date specified below.
3. **Request for information** - The ACEH case file for the subject site contains only the electronic files listed on our web site at <http://www.acgov.org/aceh/lop/ust.htm>. You are requested to submit copies of all other reports, data, correspondence, etc. related to environmental investigations for this property not currently contained in our case file.

### **UNDERGROUND STORAGE TANK CLEANUP FUND**

Please be aware that site investigation/site cleanup costs may be reimbursable from the California Underground Storage Tank Cleanup Fund. The application and additional information is available at the State Water Resources Control Board's website at [http://www.waterboards.ca.gov/water\\_issues/programs/ustcf](http://www.waterboards.ca.gov/water_issues/programs/ustcf). Please be aware that reimbursement monies are contingent upon maintaining compliance with directives from ACEH. Additional information about the USTCF can be found below in the attachments to this letter.

### **TECHNICAL REPORT REQUEST**

Please submit the following deliverables to ACEH (Attention: Karel Detterman), according to the following schedule:

1. **November 11, 2011** – Soil and Groundwater Investigation Work Plan
2. **November 11, 2011** – Request for reports, data, correspondence, etc. related to environmental investigations for this property not currently contained in our case file Information

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.

Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, please call me at (510) 567-6708 or send me an e-mail message at [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org)

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Sincerely,

Karel Detterman, PG 5628  
Hazardous Materials Specialist

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

cc: Jeff Bensch, Sierra West Consultants, Inc. 4227 Sunrise Blvd., Fair Oaks, CA 95628  
(Sent via E-mail to: [jbensch@sierra-west.net](mailto:jbensch@sierra-west.net))

Donna Drogos, ACEH (Sent via E-mail to: [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))  
Karel Detterman, ACEH (Sent via E-mail to: [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org))  
GeoTracker, Electronic Case 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.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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>REVISION DATE:</b> July 20, 2010
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 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.