



February 10, 2017

Mark A. Jacobson & Ilona J. Frieden  
811 Paramount Road  
Oakland, CA 94610  
(Sent via email to: [mjacobson@php.ucsf.edu](mailto:mjacobson@php.ucsf.edu))

James E. Allison & Margaret Linderstein  
214 Highland Avenue  
Piedmont, CA 94611  
(Sent via email to: [jallison@medsfgh.ucsf.edu](mailto:jallison@medsfgh.ucsf.edu))  
(Sent via email to: [mlinderstein@gmail.com](mailto:mlinderstein@gmail.com))

Subject: Meeting Follow Up and Request for Brief Work Plan; Fuel Leak Case No. RO0003143  
(GeoTracker Global ID T10000006106), Paramount UST, 811 Paramount Road, Oakland, CA 94610

Dear Responsible Parties:

First I wanted to thank you for taking the time to come in for a meeting to discuss the site and next steps forward on February 2, 2017. It helps to meet interested parties and allowed us to discuss the complexities of the case in person.

As discussed in the meeting, Alameda County Department of Environmental Health (ACDEH) staff have revisited case files including the *Data Gap Investigation to Evaluate Potential Indoor Air Vapor Intrusion by Soil-Gas Related to a Former Residential Underground Heating Oil Tank*, dated September 27, 2016, which was submitted on your behalf by Stellar Environmental Solutions, Inc. (Stellar).

Based on the meeting, a path forward has been identified and consists of the elements discussed below in the Technical Comments section. At this juncture ACDEH requests that you address the Technical Comments provided below and submit the documents requested.

### **TECHNICAL COMMENTS**

1. **Feasibility Study / Corrective Action Plan** – As communicated in the meeting, potential elements of a Feasibility Study and Corrective Action Plan (FS/CAP) were identified during the meeting. In order to determine if additional corrective actions are necessary, or feasible, the collection of additional data from limited locations at the site was identified to be necessary. Consequently, ACDEH will place on hold the request to submit a draft Feasibility Study / Corrective Action Plan (FS/CAP) at this time.
2. **Work Plan Request** - In order to collect the data mentioned above, ACDEH is requesting a brief work plan, generally referencing previously accepted Standard Operating Procedures (SOPs) used at the site, to collect the data. Please submit the work plan by the date identified below. Data included the following:
  - a. **Improved Site Map** – As discovered in the meeting a detailed site map that identifies foundational areas of the residential home overlaying the crawl space, any concrete slabs (slab-on-grade), or basement areas (which may also overlay a concrete slab) is necessary. Identifying the precise location of these elements is necessary for the following Technical Comment.
  - b. **Vapor Pin** – The installation of one a minimum of one vapor pin, depending on the configuration of the foundation, was identified in order to determine if contaminant vapor concentrations detected in basement indoor air were emanating from beneath the basement floor. Please include SOPs for the vapor pin installation and sampling, including ensuring the sump pump for the French Drain is inactive at the time of vapor sampling.

- c. **Additional Soil Bores** – The locations of three additional soil bores were discussed in order to define and laterally limit soil contamination between the surface and approximately 13 feet below grade surface (bgs). These were discussed for installation to the east, north, and west of the former underground storage tank (UST) excavation, and were discussed for installation with a hand auger if possible. Laboratory analysis of soil was identified to include limited contaminants of concern (COC) as identified in the meeting, including Total Petroleum Hydrocarbons as gasoline (TPHg), as diesel (TPHd), as motor oil (TPHmo), fuel components benzene, toluene, ethylbenzene, total xylenes (BTEX), and naphthalene. Please depict bore locations on an updated site map and propose any related items necessary.
- d. **Data Package Submittal** – In order to expedite, to the extent possible, identifying the path forward after the collection of this data, ACDEH requests the submittal of comprehensive data tables and sufficient figures to allow an understanding of the data with respect to previous data and the site. Please also include bore logs generated as a result of the installation of the soil bores.
- e. **Conference Call or Meeting** – Upon review of the data, ACDEH has committed to either a conference call or meeting in order to quickly identify next steps based on the new data.

#### **SUBMITTAL ACKNOWLEDGEMENT STATEMENT**

Please note that ACDEH has updated Attachment 1 with regard to report submittals to ACDEH. ACDEH will now be requiring a Submittal Acknowledgement Statement, replacing the Perjury Statement, as a cover letter signed by the Responsible Party (RP). The language for the Submittal Acknowledgement Statement is as follows:

*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.*

Please make this change to your submittals to ACDEH.

#### **TECHNICAL REPORT REQUEST**

Please upload technical reports to the ACDEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with the following specified file naming convention below and schedule:

- **April 7, 2017** – Work Plan  
File to be named: RO3143\_WP\_R\_yyyy-mm-dd

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.

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

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

Sincerely,



Mark Detterman, PG, CEG  
Senior Hazardous Materials Specialist

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

cc: Amitai Schwartz, 200 Powell Street, Suite 1286, Emeryville, CA 94608; (Sent via electronic mail  
to: [amitai@schwartzlaw.com](mailto:amitai@schwartzlaw.com))

Henry Pietropaoli, Stellar Environmental Solutions, Inc, 2198 Sixth Street, Suite 201, Berkeley, CA  
94710, (Sent via electronic mail to: [hpietropaoli@stellar-environmental.com](mailto:hpietropaoli@stellar-environmental.com))

Richard Makdisi, Stellar Environmental Solutions, Inc, 2198 Sixth Street, Suite 201, Berkeley, CA  
94710, (Sent via electronic mail to: [rmakdisi@stellar-environmental.com](mailto:rmakdisi@stellar-environmental.com))

Dilan Roe, ACDEH, (Sent via electronic mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))

Paresh Khatri, ACDEH; (Sent via electronic mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org))

Mark Detterman, ACDEH, (Sent via electronic mail to: [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org))

Electronic File; GeoTracker

## 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/](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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> December 1, 2016
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010; May 15, 2014, November 29, 2016
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> 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](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) 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](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.