



March 17, 2017

Mr. Daniel Bo  
Harvest Investments  
3942 Valley Avenue, Suite H  
Pleasanton, CA 94566 (Sent via email to: [danielsbo@gmail.com](mailto:danielsbo@gmail.com))

Subject: Site Cleanup Program (SCP) Case No. RO0003150, Shell Station Redevelopment, 27501  
Loyola Avenue, Hayward, CA 94545

Dear Mr. Bo:

Thank you for participating in meeting held at Alameda County Department of Environmental Health's (ACDEH) office on March 10, 2017 in which you attended along with a representative of AEI Consultants, Inc. (AEI). The purpose of the March 10<sup>th</sup> meeting was to discuss the Data Gap Work Plan Addendum (Addendum) dated September 14, 2016, prepared by AEI and next steps to progress the case to closure.

A Shell Gasoline Service Station occupied this property from 1956 to 1978, was not operated as a service station from 1979 to 1983, and by 1984 the service station was demolished leaving the property vacant land since 1984. The San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) issued a Closure Letter for the site on July 16, 2001. The case was closed to existing commercial use as a gasoline service station, and the Site Management Requirements Section of the Closure Letter states "Should property use intensify, a separate assessment shall be conducted and clearance obtained from the SFBRWQCB for proposed more intensive use". ACDEH now assists in providing oversight for environmental cases in the City of Hayward which resulted in opening a Site Cleanup Program (SCP) case.

According to the documentation included with the October 21, 2014 *Phase I Environmental Site Report*, prepared by AEI, Shell Oil performed three remedial events: a Groundwater Extraction and Treatment (GWET) System operated at the site between May 1985 and the first quarter 1994 with up to 38 groundwater monitoring wells; a soil vapor extraction test was performed in 1994, and Oxygen-releasing Compound (ORC) was used in the third quarter 1995. Light non-aqueous phase liquid (LNAPL) was recovered from monitoring wells converted to extraction wells located along the east, south, and west sides of the site.

The ultimate goal of assessing the site is to determine if additional investigation and cleanup is needed prior to a land use change from lower risk commercial standards to higher risk residential standards.

Prior to approval and implementation of the Addendum, we request that you first address the following Technical Comments, submit a technical memorandum of your findings to ACDEH, and schedule a meeting to discuss the next steps by the date requested below.

### **TECHNICAL COMMENTS**

- 1. Current Status of Groundwater Monitoring Wells:** The June 29, 2001 *Site Closure Summary* prepared by the San Francisco Regional Water Quality Control Board staff indicates that 35 groundwater monitoring wells were installed, six wells were decommissioned, and 33 wells were retained. Please determine the status of each of the monitoring wells and provide documentation whether or not they were decommissioned or if 33 monitoring wells remain both on-and off-site. If the monitoring wells still exist, ACDEH may request redevelopment and sampling of the remaining

wells to determine the current groundwater quality, the current groundwater gradient direction, and assess potential risk of vapor intrusion to future residents.

- 2. Hayward Fire Department Records:** Please determine if the Hayward Fire Department (HFD) records include the soil and groundwater analytical laboratory reports (not just analytical summary tables) of any of the technical reports including Groundwater Monitoring and Sampling Reports, Soil and Groundwater Investigation Reports, and the May 10, 2001 *Human Health Risk Assessment Residential Use* prepared by Cambria Environmental Technology, Inc. (Cambria). Please compile a table similar to the following table, indicating which site investigation, monitoring and sampling, or other reports include the laboratory analytical data sheets.

Report Title and Date	Boring/MW designation	Lab Data Sheets – Yes/No

- 3. Preparation of Hydrographs:** Please prepare hydrographs for each groundwater monitoring well including start and stop dates of the GWET system, and if the well was converted to an extraction well.
- 4. Figure Indicating Historical Extent of LNAPL:** On a plan view figure, please indicate monitoring wells in which LNAPL was found and which wells were monitoring wells converted to extraction wells.

#### **TECHNICAL REPORT REQUEST**

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

- **April 21, 2017** Technical Memorandum  
RO0003150\_MISC\_R\_yyyy-mm-dd
- **May 1, 2017** Meeting to discuss Technical Memorandum

Should you have any questions, please contact me at (510) 567-6708 or send me an e-mail message at [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org)

Sincerely,

Karel Detterman, PG  
Hazardous Materials Specialist

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

cc: Trent Weise, AEI Consultants (Sent via E-mail to: [tweise@aeiconsultants.com](mailto:tweise@aeiconsultants.com))  
Hugh Murphy, Hayward Fire Department (Sent via E-mail to: [hugh.murphy@hayward-ca.gov](mailto:hugh.murphy@hayward-ca.gov))  
Dilan Roe, ACDEH (Sent via E-mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Karel Detterman, ACDEH (Sent via E-mail to: [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org))  
Paresh Khatri, ACDEH (Sent via E-mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@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.