



December 29, 2016

Robert A. and Leslie C. Elliott (and Trust)
415 Blue Ridge Drive
Martinez, CA 94553

Richard E. Moore (and Trust)
1855 Olympic Blvd
Walnut Creek, CA 94596

Robert A. Elliott Sr. (and Trust)
408 Silver Chief Way
Danville, CA 94526 (Sent via E-mail to coachelliott@me.com)

Subject: Fuel Leak Case No. RO0003159 and GeoTracker Global ID T10000006491, Roofing Facility,
745 Kevin Court, Oakland, CA 94621

Ladies and Gentlemen:

Thank you for attending the meeting held at Alameda County Department of Environmental Health's (ACDEH) offices on December 29, 2016. The purpose of the meeting was to discuss our November 10, 2016 Directive Letter and identify the next steps to progress the case to closure.

According to the case file, a 1,000 gallon underground storage tank (UST) was reportedly removed in 1991; however, the UST removal was undocumented. ACDEH has evaluated the data in conjunction with the case files, and the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case Closure Policy (LTCP). Based on ACDEH staff review, we have determined that the site does not meet the LTCP General Criteria d (Free Product), f (Secondary Source Removal), and Media-Specific Criteria for Groundwater. The predominant groundwater gradient direction is predominately to the west and southwest in the site vicinity, depth to groundwater at the site is three feet below ground surface (bgs), and the tidally influenced Alameda County Flood Control Channel is approximately 530 feet west and downgradient of the site.

ACDEH requests that you address the following technical comments and send us the technical report requested below.

TECHNICAL COMMENTS

As discussed during the meeting, grab groundwater samples collected from soil boring BH-D located 30 feet north of the suspected former UST location detected concentrations of 7,000 micrograms per liter (ug/L) Total Petroleum Hydrocarbons as diesel (TPHd) with silica gel cleanup (SGC). In comparison, boring BH-A located in the former UST pit detected 8,200 ug/L TPHd with SGC. The TPHd concentration detected at BH-A and BH-D exceed the TPHd Environmental Screening Levels (ESLs) Version 3 (February 2016) of 640 ug/L.

- 1. Request for a Work Plan to Define Lateral and Vertical Extent of Potential Diesel Source Area(s):**
 - a.** Please propose an adequate number of soil borings in the vicinity of boring BH-D to delineate the lateral extent of TPHd and TPHg between boring BH-D and the property lines to the west, north, and east of BH-D. As described in the May 26, 2016 Directive Letter, ACDEH

suggests utilizing a “step-out” strategy to accomplish this goal. Please indicate the proposed borings, TPHg, and TPHd groundwater isoconcentrations on a figure, using dashed lines where data gaps exist.

- b. Please provide the rationale for each of the proposed boring locations. Please include a brief description of the proposed soil and grab groundwater sampling procedures and reference the previously approved site work plan for a complete description of soil and groundwater sampling standard operating procedures.
- c. ACDEH requests collection and analysis of appropriate soil samples from the capillary fringe, saturated zone, stained interval(s), areas with elevated PID readings, and the bottom of the soil boring. If visual indications are not encountered, please collect soil samples at or just above the soil – water interface and the bottom of the boring. Please propose analysis of soil and grab groundwater samples for TPHg and TPHd with SGC.
- d. Technical Comment 1, 2, 3, and 4 of the November 10, 2016 Directive Letter are deferred until further notice. Remaining Technical Comment 5 is not deferred and is iterated and requested in this Directive Letter.

2. Electronic Submittal of Information (ESI) Compliance: Currently, site data and documents are maintained in two separate electronic databases – ACDEH’s File Transfer Protocol (FTP) site and the SWRCB’s Geotracker website. Both databases act as repositories for Portable Document Format (PDF) files of regulatory directives and reports, but only Geotracker has the functionality to store electronic compliance data in Electronic Deliverable Format (EDF) including analytical laboratory data for soil, vapor and water samples, monitoring well depth-to-water measurements, and surveyed location and elevation data for permanent sampling locations. Although the SWRCB is responsible for the overall operation and maintenance of the Geotracker System, ACDEH, as lead regulatory agency, is responsible to ensure that the Geotracker database is complete and accurate for sites regulated by ACDEH under the Local Oversight Program (LOP) and Site Cleanup Program (SCP) (SWRCB March 2011 document entitled *Electronic Reporting Roles and Responsibilities*).

A review of the case file indicates that the SWRCB Geotracker database and/or the ACDEH database is not complete, thus rendering the site to a non-compliant status pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3890 to 3895. At present missing data and documents include, but may not be limited to:

- complete copies of reports, in pdf format, including the signed transmittal letter and professional certification (GEO_REPORT files);
- analytical data for soil, water and vapor samples collected for the purpose of subsurface investigation or remediation, including influent/effluent water samples from remediation systems (EDF files);
- surveyed elevation measurements to the top of well casings (GEO_Z files);
- the latitude and longitude (GEO_XY files) of any permanent monitoring well for which data is reported in EDF format;
- depth-to-water information for permanent sampling points whenever the data is collected, even if the well is not sampled during the sampling event (GEO_WELL files);

- stand alone site maps displaying tank locations, streets bordering the facility, and sampling locations for all soil, water and vapor samples (GEO_MAP files);
- stand alone boring logs with depth to the screened interval and the length of screened interval for any permanent monitoring well installed (GEO_BORE files).

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:

- **January 31, 2017 Geotracker Upload Compliance including EDF, GEO_MAP, and GEO_BORE files**
- **February 28, 2017 Work Plan**
RO0003159_WP_R_YYYY-mm-dd

This report is 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.

SUBMITTAL ACKNOWLEDGEMENT STATEMENT

Please note that ACDEH has updated Attachment 1 regarding report submittals to ACDEH. ACDEH will now require a Submittal Acknowledgement Statement, replacing the Perjury Statement, as a cover letter signed by the Responsible Party. 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.

Should you have any questions, please contact me at (510) 567-6708 or send me an electronic mail message at 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

Ladies and Gentlemen
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cc: Joseph Bernardini, Bernardini Enterprises, Inc. & JD Services, P.O. Box 1563, Burlingame, CA 94011, (Sent via E-mail to: JDHauling@hotmail.com)
David Allen, Aqua Science Engineers, Inc., 55 Oak Court, Ste. 220, Danville, CA 94526, (Sent via E-mail to: dallen@aquascienceengineers.com)
Robert Kitay, Aqua Science Engineers, Inc., (Sent via e-mail to: rkitay@aquascienceengineers.com)
Karel Detterman, ACDEH, (Sent via E-mail to: karel.detterman@acgov.org)
Dilan Roe, ACDEH, (Sent via E-mail to: dilan.roe@acgov.org)
Paresh Khatri, ACDEH, (Sent via E-mail to: 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/) 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.

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