



ENVIRONMENTAL HEALTH DEPARTMENT
ENVIRONMENTAL PROTECTION
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August 24, 2016

Tudor Hall Apartments, LP
800 Airport Boulevard, #510
Burlingame, CA 94010
Attention: Erik Koppl
(Sent via electronic mail to erik@copelandparkproperties.com)

Subject: Conditional Work Plan Approval; Fuel Leak Case No. RO0003165 and GeoTracker
Global ID T10000007042, Tudor Hall Apartments, 150 17th Street, Oakland, CA 94612

Dear Mr. Koppl:

Thank you for claiming your site and for the preparation and submittal of the work plan to investigate the extent of residual contamination present at the subject site. The residual contamination was encountered during the March 16, 2015 in-place closure of a 1,500-gallon heating oil underground storage tank (UST) which formerly serviced the property. At the time of the closure, a determination was made that the UST experienced an unauthorized release, and the case was transferred to the Local Oversight Program (LOP) managed by Alameda County Department of Environmental Health (ACDEH). ACDEH requested preparation of a work plan to investigate the release in our letter dated June 22, 2015.

ACDEH has reviewed the recently submitted work plan entitled *Data Gap Investigation Work Plan* (Work Plan) dated July 29, 2016 and prepared by ATC Group Services LLC (ATC) for the subject site. ATC proposes to advance five (5) soil bores for the collection of soil and grab-groundwater (GGW) samples. The bore holes will be advanced to a maximum depth of 30 feet below ground surface (bgs) or to five feet below first encountered groundwater, whichever is shallower. It is anticipated that one soil and one GGW sample from each bore hole will be submitted for laboratory analysis. The proposed analyses of soil and GGW samples are total petroleum hydrocarbons (TPH) as diesel (TPHd) by EPA test method 8015, and benzene, toluene, ethylbenzene, xylenes (collectively BTEX), methyl tertiary butyl ether (MTBE), and naphthalene by EPA test method 8260.

In addition to collecting soil and GGW samples, ATC proposes to advance two (2) soil bores to a depth of five (5) feet bgs for the collection of soil gas samples. Soil gas sampling will be conducted in accordance with the July 2015 *Advisory- Active Soil Gas Investigations* prepared by Department of Toxic Substances Control (DTSC guidance) with helium used as the tracer compound for leak detection. The proposed analyses of soil gas samples are BTEX, MTBE, and naphthalene by EPA test method TO-15 and percent oxygen by ASTM test method D-1945 or D-1946.

The proposed scope of work may be implemented provided that the modifications requested in the technical comments below are addressed and incorporated during the field implementation.

Submittal of a revised Work Plan is not required unless an alternate scope of work outside that described in the Work Plan and technical comments below is proposed.

TECHNICAL COMMENTS

1. **List of Landowners Form** – In letters dated June 22, 2015 and May 5, 2016, ACDEH requested the completion and submittal of the List of Landowners Form. To date ACDEH has not received the form. Please complete the form and provide it as an electronic mail attachment, Attention: Keith Nowell, by the date provided below.
2. **Unauthorized Release Form** – In our letters of June 22, 2015 and May 5, 2016, we requested the completion and submittal of the Unauthorized Release Form (URF). To date ACDEH has not received the URF. Please complete the form and provide it as an electronic mail attachment, Attention: Keith Nowell, by the date provided below.
3. **Soil Sampling** – ACDEH requested preparation of the Work Plan after a review of the case file in conjunction with the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case Closure Policy (LTCP). In order to address the LTCP Media Specific criteria for Petroleum Vapor Intrusion to Indoor Air and Direct Contact and Outdoor Air Exposure, ACDEH requests soil samples be collected and analyzed from within the 0- to -5-foot and 5- to 10-foot bgs intervals. Additionally, please recover soil samples for analysis from areas of obvious contamination, the soil/groundwater interface, and at significant changes in lithology. If staining, odor, or elevated photoionization detector (PID) readings are observed over an interval of several feet, a sufficient number of soil samples from this interval should be submitted for laboratory analyses to characterize the fuel hydrocarbon concentrations within this interval. If groundwater is not encountered within the 30 feet of the ground surface, an additional soil sample should be collected and analyzed from the bottom of the soil bore to evaluate if groundwater may be impacted. Please ensure that the analytical results define the vertical and horizontal extent of TPH impacts at the site.
4. **Soil and Grab-Groundwater Analysis** – ACDEH requests the following modification be made to the scope of analysis proposed in the Work Plan: carbon range analysis to identify the TPH present.
5. **Soil Vapor Sample Analysis** – ACDEH requests the following analyses be added to the scope proposed in the Work Plan: carbon dioxide, methane, and the leak detection tracer gas (helium is proposed). Additionally, please run an additional naphthalene analysis for confirmation using EPA test method TO-17 per the DTSC guidance.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACDEH ftp site (Attention: Keith Nowell), and to the SWRCB Geotracker website, in accordance with the following specified file naming convention by the date specified below:

- **September 23, 2016 – List of Landowners Form** (file to be named RO0003165_LNDOWNR_F_yyyy-mm-dd) (provided by electronic mail Attn. Keith Nowell)

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- **September 23, 2016 – Unauthorized Release Form** (file to be named RO0003165_URF_R_YYYY-MM-DD) (provided by electronic mail Attn. Keith Nowell)
- **November 29, 2016 – Soil, Groundwater, and Soil Vapor Investigation** (file to be named: RO0003165_SWI_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.

Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, please call me at (510) 567-6764 or send me an electronic mail message at keith.nowell@acgov.org.

Sincerely,

Keith Nowell
Hazardous Materials Specialist

Enclosure: Attachment 1- Responsible Party(ies) Legal Requirements/Obligations
ACEH Electronic Report Upload (ftp) Instructions

cc: Bryan Campbell, ATC Group Services LLC, 2400 Camino Diablo, Suite 360, San Ramon, CA 94583 (Sent via electronic mail to: bryan.campbell@atcassociates.com)

Dilan Roe, ACEH (Sent via electronic mail to: dilan.roe@acgov.org)

Keith Nowell, ACEH (Sent via electronic mail to: keith.nowell@acgov.org)

GeoTracker / 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.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/).

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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	REVISION DATE: May 15, 2014
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010
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

- **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) 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 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.