

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

REBECCA GEBHART, Acting Director

ENVIRONMENTAL HEALTH SERVICES

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

March 3, 2016

619 South 33rd LLC
C/o Mark Skolnick
930 Redwood Hwy, #B
Mill Valley, CA 94941-2374

Subject: Request for Work Plan; LOP Case No. RO0003166 and Geotracker Global ID T10000007122, Seminary Avenue UST, 1759 Seminary Avenue, Oakland, CA 94621

Dear 619 South 33rd LLC:

I would like to take this opportunity to introduce myself. I am the case worker for the subject Local Oversight Program (LOP) case. I have reviewed the Alameda County Environmental Health (ACEH) case file and the State Water Resources Control Board's (SWRCBs) GeoTracker website for the above-referenced site. ACEH is in possession of one document addressing activities conducted at the subject site. The document, entitled *Underground Storage Tank Closure Report*, prepared by Golden Gate Tank Removal and dated May 14, 2015, was provided to the ACEH Certified Unified Program Agency (CUPA).

This case has been opened as a result of a documented release from a 1,500-gallon underground storage tank (UST). The tank is variously identified as having been used for the storage of diesel and heating oil fuels. At the time of the tank removal on January 30, 2015, the condition of the tank was reported to be in poor condition with at least one visible hole. Concentrations of up to 39.9 milligram per kilogram (mg/kg) extractable-range petroleum hydrocarbons (TEPH) were reported in soil removed from beneath the UST and up to 12,800 micrograms per liter ($\mu\text{g/L}$) TEPH were reported in UST pit water.

Please prepare a workplan to delineate the extent of contamination. The work plan should be prepared in conjunction with the SWRCB Low Threat Underground Storage Tank Case Closure Policy (LTCP) and the SWRCB Leaking Underground Fuel Tank Guidance Manual.

In order to insure that site's current property owner has been identified and informed of these activities, please complete the attached *List Landowners* form and return to ACEH by the date specified below. The completed form may be returned as an electronic mail attachment or by land mail to the attention of Keith Nowell.

In order to initiate a case review, ACEH will need to review all documents related to investigation performed for the site in order to develop an adequate picture of the current status of the case. Please upload any and all documents pertaining to investigation and remedial activities, including all Phase I and Phase II Environmental Site Assessments, and tank removal reports, for your site to the ACEH ftp and the SWRCB GeoTracker websites. Please note that the case will need to be claimed in GeoTracker prior to uploading files to the SWRCB website. Additionally, GeoTracker requires electronic submittal of information (ESI). Hence, once the site is claimed, please upload the laboratory analysis report(s) in electronic deliverable format (EDF), reports (GEO_REPORTS) and figures (GEO_MAPS) to GeoTracker.

Please claim your site and upload existing submittals to GeoTracker and ACEH's ftp websites by the date specified below. All future submittals should also be submitted to both websites. Electronic reporting is described on the attachments. Additional information regarding the SWRCB's GeoTracker website may be obtained online at:

http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/

and at

http://www.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml.

Additional information and/or clarification may be obtained by contacting the GeoTracker Help Desk at geotracker@waterboards.ca.gov or (866) 480-1028.

Please provide ACEH with a list of uploaded documents by the date specified below. The document listing may be provided via email to my attention.

TECHNICAL REPORT REQUEST

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

- **April 4, 2016** – Claim Site in GeoTracker
- **April 4, 2016**– Return *List of Landowners* Form
- **April 18, 2016** – Electronic Submittal of Information
- **April 18, 2016**– List of uploaded documents (provided via email - Attn.: Keith Nowell)
- **May 2, 2016** – Work Plan for Site Characterization - (file to be named: RO0003166_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>.

If your email address does not appear on the cover page of this notification, ACEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case. Additionally, ACEH requests you provide us with the contact information of your consultant(s).

Thank you for your cooperation. ACEH looks forward to working with you and your consultants to advance the case toward closure. Should you have any questions regarding this correspondence

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or your case, please call me at (510) 567-6764 or send an electronic mail message at keith.nowell@acgov.org

Sincerely,

Keith Nowell, PG, CHG
Hazardous Materials Specialist

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

Attachment 2 - List of Landowners Form

Dilan Roe, ACEH (*Sent via E-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.

ATTACHMENT 2

List of Landowners

LIST OF LANDOWNERS FORM

County of Alameda
Environmental Health Services
Environmental Protection
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR:

Site Name: SEMINARY AVENUE UST
Address: 1759 SEMINARY AVENUE
City, State, Zip: OAKLAND , CA 94621
Record ID #: RO0003166

Please fill out item 1 if there are multiple site landowners (attach an extra sheet if necessary). If you are the sole site landowner, skip item 1 and fill out item 2.

1. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I, _____ (name of primary responsible party), certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:

Name: _____
Address: _____
City, State, Zip: _____
E-mail Address: _____

Name: _____
Address: _____
City, State, Zip: _____
E-mail Address: _____

Name: _____
Address: _____
City, State, Zip: _____
E-mail Address: _____

2. In accordance with Section 25297.15(a) of Chapter 6.7 of the California Health & Safety Code, I _____, certify that I am the sole landowner for the above site.

Sincerely,

Signature of Primary Responsible Party

Printed Name

Date

E-mail Address