



January 23, 2018

Ms. Nancy Humphrey  
City of Emeryville  
1333 Park Avenue  
Emeryville, CA 94608

(Sent via electronic mail to:  
[nhumphrey@ci.emeryville.ca.us](mailto:nhumphrey@ci.emeryville.ca.us))

Mr. Michael A Guina, Esq.  
City of Emeryville  
1333 Park Avenue  
Emeryville, CA 94608

(Sent via electronic mail to:  
[mguina@ci.emeryville.org](mailto:mguina@ci.emeryville.org))

Subject: Notification of Potential Closure Consideration, Fuel Leak Case RO0003185 and GeoTracker  
Global ID T10000007323, Horton Street UST, 5679 Horton Street, Emeryville, CA 94608

Dear Ms. Humphrey and Mr. Guina:

Alameda County Department of Environmental Health (ACDEH) is considering closing the above referenced fuel case. As you are aware, numerous site investigations and groundwater monitoring events for underground storage tank leaks have been performed at the subject property to which you are named as the primary or active responsible party. Thank you for submitting the completed *List of Landowners Form* requested in ACDEH's May 5, 2017 Directive Letter.

### Public Participation

Public participation is a requirement for the case closure process. In order to notify potentially affected members of the public of the potential fuel leak case closure, ACDEH will distribute the attached *Notification of Potential Case Closure* to addresses in the immediate vicinity. The *Invitation to Comment - Potential Case Closure* requests that landowners or residents submit any comments or questions to ACDEH regarding potential case closure. ACDEH will consider all comments from the public prior to potential case closure. ACDEH will provide you with written notification if any comments are received during the following Public Comment Period:

- **January 26, 2018** – Public Comment Period Begins
- **March 28, 2018** – Public Comment Period Ends

### Waste Removal Activities

At this time while public comments are pending, you are requested to remove any remaining investigation or remediation, derived waste from the site. Please ensure that any previously submitted waste disposal documentation contains a minimum of three signatures. If not, please supply ACDEH with updated and completed manifest forms.

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,

A handwritten signature in blue ink, appearing to read 'Mark E. Detterman', with a stylized flourish at the end.

Mark E. Detterman, PG, CEG  
Senior Hazardous Materials Specialist

Ms. Humphrey and Mr. Guina  
RO0003185  
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Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements/Obligations &  
Electronic Report Upload (ftp) Instructions

Attachment 2 - *Invitation to Comment - Potential Case Closure* and Address List

cc: Earl James, Eler & Kalinowski, Inc, 1870 Ogden Drive, Burlingame, CA 94010, (Sent via electronic  
mail to: [ejames@ekiconsult.com](mailto:ejames@ekiconsult.com))

Joy Su, Eler & Kalinowski, Inc, 1870 Ogden Drive, Burlingame, CA 94010, (Sent via electronic  
mail to: [jsu@ekiconsult.com](mailto:jsu@ekiconsult.com))

Elena Joy Pelen, Department of Toxic Substances Control, Brownfields & Environmental  
Restoration Program, 700 Heinz Avenue, Berkeley, CA 94710, (Sent via electronic mail to:  
[elenajoy.pelen@dtsc.ca.gov](mailto:elenajoy.pelen@dtsc.ca.gov))

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

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> December 14, 2017
	<b>ISSUE DATE:</b> July 25, 2012
	<b>PREVIOUS REVISIONS:</b> September 17, 2013, May 15, 2014, December 12, 2016
<b>SECTION:</b> ACDEH Procedures	<b>SUBJECT:</b> Responsible Party(ies) Legal Requirements / Obligations

**REPORT & DELIVERABLE REQUESTS**

Alameda County Department of Environmental Health (ACDEH) Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) require submission of all reports in electronic form to the State Water Board's (SWB) GeoTracker website in accordance with California Code of Regulations, Chapter 30, Division 3, Title 23 and Division 3, Title 27.

Leaking Underground Fuel Tank (LUFT) Cases

Reports and deliverable requests are 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 (RP) in conjunction with an unauthorized release from a petroleum underground storage tank (UST) system.

Site Cleanup Program (SCP) Cases

For non-petroleum UST cases, reports and deliverables requests are pursuant to California Health and Safety Code Section 101480.

**ELECTRONIC SUBMITTAL OF REPORTS**

A complete report submittal includes the PDF report and all associated electronic data files, including but not limited to GEO\_MAP, GEO\_XY, GEO\_Z, GEO\_BORE, GEO\_WELL, and laboratory analytical data in Electronic Deliverable Format™ (EDF). Additional information on these requirements is available on the State Water Board's website ([http://www.waterboards.ca.gov/water\\_issues/programs/ust/electronic\\_submittal/](http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/))

- Do not upload draft reports to GeoTracker
- Rotate each page in the PDF document in the direction that will make it easiest to read on a computer monitor.

**GEOTRACKER UPLOAD CERTIFICATION**

Each report submittal is to include a GeoTracker Upload Summary Table with GeoTracker valid values<sup>1</sup> as illustrated in the example below to facilitate ACDEH review and verify compliance with GeoTracker requirements.

**GeoTracker Upload Table Example**

Report Title	Sample Period	PDF Report	GEO_MAPS	Sample ID	Matrix	GEO_Z	GEO_XY	GEO_BORE	GEO_WELL	EDF
<b>2016 Subsurface Investigation Report</b>	2016 S1	✓	✓	Effluent	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
<b>2012 Site Assessment Work Plan</b>	2012	✓	✓			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>2010 GW Investigation Report</b>	2008 Q4	✓	✓	SB-10	W	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				SB-10-6	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				MW-1	WG	✓	✓	✓	✓	✓
				SW-1	W	✓	✓	✓	✓	✓

<sup>1</sup> GeoTracker Survey XYZ, Well Data, and Site Map Guidelines & Restrictions, CA State Water Resources Control Board, April 2005

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> NA
	<b>ISSUE DATE:</b> December 14, 2017
	<b>PREVIOUS REVISIONS:</b> September 17, 2013, May 15, 2014, December 12, 2016
<b>SECTION:</b> ACDEH Procedures	<b>SUBJECT:</b> Responsible Party(ies) Legal Requirements / Obligations

**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 the State Water Board's GeoTracker website." This letter must be signed by the Responsible Party, or legally authorized representative of the Responsible Party.

**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 and include the professional registration stamp, signature, and statement of professional certification. 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**

For LUFT cases, RP's non-compliance with these regulations may result in ineligibility to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse the cost of cleanup. Additional information is available on the internet at: [https://www.waterboards.ca.gov/water\\_issues/programs/ustcf/](https://www.waterboards.ca.gov/water_issues/programs/ustcf/)

**AGENCY OVERSIGHT**

Significant delays in conducting site assessment/cleanup or report submittals may result in referral of the case to the Regional Water 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.



**INVITATION TO COMMENT – POTENTIAL CASE CLOSURE**

**Horton Street UST  
5679 Horton Street, Emeryville, CA 94608  
Fuel Leak Case No. RO0003185  
GeoTracker Global ID T10000007323  
January 23, 2018**

The above referenced site is a fuel leak case that is under the regulatory oversight of the Alameda County Department of Environmental Health (ACDEH) Local Oversight Program for the investigation and cleanup of a release of petroleum hydrocarbons from an underground storage tank system. Site investigation and cleanup activities have been completed and the site has been evaluated in accordance with the State Water Resources Control Board Low-Threat Closure Policy. The site appears to meet all of the criteria in the Low-Threat Closure Policy. Therefore, ACDEH is considering closure of the fuel leak case.

The public is invited to review and comment on the potential closure of the fuel leak case. This notice is being sent to the current occupants and landowners of the site and adjacent properties and other known interested parties. The entire case file can be viewed over the Internet on the ACDEH website (<http://www.acgov.org/aceh/lop/ust.htm>) or the State of California Water Resources Control Board GeoTracker website (<http://geotracker.waterboards.ca.gov>). Please send written comments to Mark Detterman at the address below; all comments will be forwarded to the responsible parties. Comments **received by March 28, 2018** will be considered and responded to prior to a final determination on the proposed case closure.

If you have comments or questions regarding this site, please contact the ACDEH caseworker, Mark Detterman at 510-567-6876 or by email at [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org). Please refer to ACDEH case RO0003185 in any correspondence.

Parcel_APN	Name	StreetAddress	Unit	City	Zip	Zip_4
49-1319-1-11	5677 HORTON STREET LLC	5677 HORTON ST		EMERYVILLE (	94608	2515
49-1552-1	CITY OF EMERYVILLE	1333 PARK AVE		EMERYVILLE (	94608	3517
49-1041-37-6	CITY OF EMERYVILLE	1333 PARK AVE		EMERYVILLE (	94608	3517
49-1041-37-10	CITY OF EMERYVILLE	1333 PARK AVE		EMERYVILLE (	94608	3517
49-1544-8	CITY OF EMERYVILLE	2200 POWELL ST	12	EMERYVILLE (	94608	1809
49-1319-1-6	FOUR STUDIOS LIMITED PARTNE	5950 GRIZZLY PEAK BLVD		OAKLAND CA	94611	1029
49-1319-1-20	FOUR STUDIOS LIMITED PARTNE	5950 GRIZZLY PEAK BLVD		OAKLAND CA	94611	1029
49-1041-48-3	G C DIAGNOSTICS CORP	2410 LILLYVALE AVE		LOS ANGELES	90032	3514
49-1544-7	G C DIAGNOSTICS CORP	2410 LILLYVALE AVE		LOS ANGELES	90032	3514
49-1552-1	OCCUPANT	HOLLIS ST		EMERYVILLE (	94608	
49-1319-2-2	OCCUPANT	5745 PELADEAU ST		EMERYVILLE (	94608	
49-1320-3	OCCUPANT	5755 LANDREGAN ST		EMERYVILLE (	94608	
49-1320-4	OCCUPANT	5749 LANDREGAN ST		EMERYVILLE (	94608	
49-1319-1-6	OCCUPANT	5675 LANDREGAN ST		EMERYVILLE (	94608	
49-1319-1-20	OCCUPANT	5679 LANDREGAN ST		EMERYVILLE (	94608	
49-1041-48-3	OCCUPANT	1403 STANFORD AVE		EMERYVILLE (	94608	
49-1544-7	OCCUPANT	5309 HORTON ST		EMERYVILLE (	94608	
49-1041-37-6	OCCUPANT	HOLLIS ST		EMERYVILLE (	94608	
49-1041-38-2	OCCUPANT	HOLLIS ST		EMERYVILLE (	94608	
49-1041-37-10	OCCUPANT	HOLLIS ST		EMERYVILLE (	94608	
49-1544-8	OCCUPANT	HORTON ST		EMERYVILLE (	94608	
49-1038-6-2	OCCUPANT	5601 CHRISTIE AVE		EMERYVILLE (	94608	
49-1321-6	OCCUPANT	1521 POWELL ST		EMERYVILLE (	94608	
49-1319-2-2	OCCUPANT	1440 STANFORD AV		EMERYVILLE	94608	
49-1544-7	OCCUPANT	5317 HORTON ST		EMERYVILLE	94608	
49-1544-7	OCCUPANT	5321 HORTON ST		EMERYVILLE	94608	
49-1544-7	OCCUPANT	5325 HORTON ST		EMERYVILLE	94608	
49-1320-4	OCCUPANT	5743 HORTON ST		EMERYVILLE	94608	
49-1320-4	OCCUPANT	5749 HORTON ST		EMERYVILLE	94608	
49-1320-3	OCCUPANT	5755 HORTON ST		EMERYVILLE	94608	
49-1041-48-3	OCCUPANT	5350 HORTON ST		EMERYVILLE	94608	
49-1038-6-2	S P CO 872-1-9-POR 1	PO BOX 2500		BROOMFIELD	80038	
49-1321-6	S P CO 872-1-9-POR 1	PO BOX 2500		BROOMFIELD	80038	
49-1320-4	SCHMIER ERIC S TR & SCHMIER	1475 POWELL ST	201	EMERYVILLE (	94608	2182
49-1319-2-2	SCHMIER ERIC S TR & SCHMIER	1475 POWELL ST	201	EMERYVILLE (	94608	2182
49-1041-38-2	SP CO 872-1-17E-20	PO BOX 2500		BROOMFIELD	80038	
49-1320-3	ZENTNER ROBERT P & JENNIFER	1731 LA VEREDA RD		BERKELEY CA	94709	1022

SAN FRANCISCO BAY | 1515 CLAY STREET SUITE 1400 OAKLAND ( 94612 LAURENT [laurent.meillier@waterboards.ca.gov](mailto:laurent.meillier@waterboards.ca.gov)  
CITY OF EMERYVILLE | 1333 PARK AVENUE EMERYVIL 94608 Nancy Hun [nhumphrey@emeryville.org](mailto:nhumphrey@emeryville.org)  
CITY OF EMERYVILLE | 1333 PARK AVENUE EMERYVIL 94608  
CITY OF EMERYVILLE | 1333 PARK AVENUE EMERYVIL 94608 MICHAEL | [mroberts@ci.emeryville.ca.us](mailto:mroberts@ci.emeryville.ca.us)