

ALAMEDA COUNTY
**HEALTH CARE SERVICES
AGENCY**

REBECCA GEBHART, Interim Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP)
For Hazardous Materials Releases
1131 HARBOR BAY PARKWAY, SUITE 250
ALAMEDA, CA 94502
(510) 567-6700
FAX (510) 337-9335

April 26, 2017

Bradley A & Sandra L Hirst, Trustees
& Bradley Hirst et al.
c/o Equity Enterprises
4460 Black Avenue, Suite L
Pleasanton, CA 94566-6142
(Sent via email to brad@equityenterprises.net)

Paul C and Alice T Sun, Trustees
PO Box 117941
Burlingame, CA 94011-7941
(Sent via email to dsun@dsunlaw.com)

C & H Development Co
43 Panoramic Way
Walnut Creek, CA 94566-8218

Morey and Ethel Gross and Peggy Lane
915 Main Street
Pleasanton, CA 94566-8218

David B. Wheeler
927 Main Street
Pleasanton, CA 94566-6072

Santa Rita Investment Company
915 Main Street
Pleasanton, CA 94566-8218

C & H Development Co
Bradley A. and Sandra L Hirst, Trustees
43 Panoramic Way
Walnut Creek, CA 94595-1605

Autogal, Inc.
Agent: The Prentice-Hall Corporation System, Inc.
2711 Centerville Road Suite 400
Wilmington, DE 19808

Subject: Conditional Work Plan Approval for Fuel Leak Case No. RO0003199 and GeoTracker Global ID T10000008158, Main Street Property, 927 Main Street, Pleasanton, CA 94566

Dear Responsible Parties:

Alameda County Department of Environmental Health (ACDEH) has reviewed the case file, including the "*Soil and Groundwater Investigation Work Plan*," (Work Plan), dated April 14, 2017, and submitted by Environmental Risk Assessors.

The proposed scope of work is conditionally approved and may be implemented provided that the technical comments below are addressed and incorporated during the proposed site investigation activities. 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) Soil Sampling and Field Indicators.** Besides collecting soil samples at the proposed pre-defined depths, ACDEH requests that additional soil samples be collected at signs of contamination such as photoionization detections, staining, odor, and major lithologic changes.

- 2) **Soil Gas Sampling.** We request that the soil gas sample be collected at least five feet below the bottom of the foundation of the adjacent west building. In addition to naphthalene analysis by U.S. EPA Method TO-15, please analyze for naphthalene using Method TO-17 in conformance with DTSC guidance for naphthalene vapor analysis (Appendix D, Active Soil Gas Investigations, July 2015, DTSC).

- 3) **Indoor Air and Ambient Air Sampling.** At this time, the need for indoor air and ambient air sampling has not been established, but is approved within this scope of work contingent upon submittal and review of soil vapor results by ACDEH. Final approval may be provided after the review of the soil vapor results.

SUBMITTAL ACKNOWLEDGEMENT STATEMENT

Please note that ACDEH has updated its Attachment 1 with regard to report submittals to ACDEH. ACDEH will now be requiring a Submittal Acknowledgement Statement, replacing the Perjury Statement, as a cover letter that is to be signed by the Responsible Party (RP). The language for the Submittal Acknowledgement Statement is as follows:

"I have read and acknowledge the content, recommendations, and and/or conclusions contained in the attached document or report submitted on my behalf to ACDEH's FTP server and the State Water Resource Control Board's GeoTracker website."

Please include this in your submittals to ACDEH.

TECHNICAL REPORT REQUEST

Please upload the work plan to the ACDEH ftp site (Attention: Anne Jurek), and to the State Water Resources Control Board's GeoTracker website according to the following schedule and file-naming convention:

- **June 26, 2017** – Site Investigation Report
File to be named: SWI_R_yyyy-mm-dd RO3199

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.

My last day at ACDEH as a case worker will be May 5, 2017. You will be informed by me or Paresh Khatri (paresh.khatri@acgov.org) as to who the new case worker will be as soon as that has been determined.

If you have any questions, please call me at (510) 567-6721 or send me an electronic mail message at anne.jurek@acgov.org. Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>

Sincerely,

Anne Jurek, California GIT 731
Professional Technical Specialist II

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

cc: Lita Freeman, Environmental Risk Assessors, 1420 East Roseville Parkway, Roseville, CA 95661 (*Sent via E-mail to: litafreeman@gmail.com*)

Anne Jurek, ACDEH (*Sent via E-mail to: anne.jurek@acgov.org*)

Paresh Khatri, ACDEH (*Sent via E-mail to: paresh.khatri@acgov.org*)

GeoTracker, eFile

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.