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ENVIRONMENTAL HEALTH SERVICES

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

May 9, 2016

Quik Stop Markets, Inc.  
4567 Enterprise Street  
Fremont, CA 94538  
Attn.: Roger Batra  
(Sent via E-mail to: [rogerbatra@quikstop.com](mailto:rogerbatra@quikstop.com))

Frederick D. and Geraldine G. Emory Trust  
257 Clearview Court  
Roseville, CA 95747  
Attn: Dewolfe Emory, Trustee

Subject: Conditional Work Plan Approval; LOP Case No. RO0003209 and Geotracker Global ID T10000008568, Quik Stop Market #51, 3130 35<sup>th</sup> Avenue, Oakland, CA 94619

Dear Responsible Parties:

Thank you for claiming your site on the State Water Resources Control Board's (SWRCBs) GeoTracker website. Alameda County Environmental Health (ACEH) has reviewed the case file, including the recently submitted document entitled *Soil and Groundwater Investigation Workplan* (Work Plan) dated April 20, 2016 and prepared by Compliance & Closure, Inc. (CCI) for the subject site. The Work Plan was reviewed in conjunction with the SWRCBs Low Threat Underground Storage Tank Case Closure Policy (LTCP). The Work Plan proposes advancing six soil bores using direct push methods for the recovery of soil and grab-groundwater (GGW) samples. Additionally, the Work Plan proposes to sample a down gradient groundwater monitoring well, MW-5, associated with a nearby fuel leak case, Exxon - GeoTracker Global ID T0600100538 and ACEH case file number RO0000271, for the collection of a groundwater sample.

Based on ACEH staff review of the referenced document and of the case file, we generally concur with the recently proposed scope of work. 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. Bore Logs** – The Work Plan indicates the soils will be logged using the Unified Soil Classification System (USCS); however, there is no mention of field screening of the soil. Please screen the soil in the field with the use of a photoionization detector (PID) or similar instrument. ACEH requests inclusion of the screening concentrations on the bore logs in the report requested below.
- 2. Soil Sample Collection** – The Work Plan states up to 18 soil samples will be collected from the soil bores, and that samples will be collected from depths of 5, 10 and 15 feet.

ACEH recommends that soil samples be collected and analyzed at intervals of no more than five feet, in areas of obvious contamination, the soil/groundwater interface, and at significant changes in lithology. If staining, odor, or elevated 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. Please ensure that the analytical results define the vertical and horizontal extent of total petroleum hydrocarbon (TPH) impacts at the site.

In accordance with the LTCP, ACEH requests at least one soil sample from each bore be recovered from within the upper five-foot (0- to 5 feet below the ground surface- bgs) interval and within the five- to- 10-foot bgs interval.

- 3. Grab Groundwater Sample Collection** – The Work Plan states the subsurface soils will be explored to a depth of 15 to 20 feet.

ACEH requests the soil bores be advanced to a sufficient depth for the collection of an adequate quantity of GGW for the intended analysis.

### 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:

- **August 8, 2016** – Soil and Groundwater Investigation Report - (file to be named: RO0003209\_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.

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) via electronic mail.

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

Sincerely,

Keith Nowell, PG, CHG  
Hazardous Materials Specialist

Responsible Parties  
RO0003209  
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Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements/Obligations and Electronic Report Upload (ftp) Instructions

cc: Mr. Gary Mulkey, Compliance & Closure, Inc., 4115 Blackhawk Plaza Circle, Suite 100, Danville, CA 94605 (Sent via E-mail to [gary@cci-envr.com](mailto:gary@cci-envr.com))

Dilan Roe, ACEH (Sent via E-mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))

Keith Nowell, ACEH (Sent via E-mail to [keith.nowell@acgov.org](mailto: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/](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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>REVISION DATE:</b> May 15, 2014
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> 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](mailto: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](mailto: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.