

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

July 14, 2016

Grand Avenue LLC  
Attn: Igal Sarfaty  
2295 San Pablo Avenue  
Berkeley, CA 94702-1871  
(Sent via email to [igal@pacbayinv.com](mailto:igal@pacbayinv.com))

Lake Merritt Associates  
2515 Santa Clara Avenue Ste 103  
Alameda, CA 94501-4667

Grand Avenue Apartments  
2295 San Pablo Avenue  
Berkeley, CA 94702-1829

World Savings and Loan Association  
4101 Wiseman Blvd  
San Antonio, TX 78251

Lawyers Trust Deed Service Corporation  
2515 Santa Clara Avenue Ste 103  
Alameda, CA 94501-4667

Peter J. and Candace D. Burns  
378 Grand Avenue  
Oakland, CA 94610-4847

Vincent S. Dimaggio  
378 Grand Avenue  
Oakland, CA 94610-4847

Gerton Investments  
378 Grand Avenue  
Oakland, CA 94610-4847

C. S. and Lottie E. Hansen  
378 Grand Avenue  
Oakland, CA 94610-4847

C. S. Hansen  
378 Grand Avenue  
Oakland, CA 94610-4847

Robert B. Hansen  
378 Grand Avenue  
Oakland, CA 94610-4847

Kenneth L. Krich, Harish Singhal,  
Prakash Singhal, Kris K. Tamaki, Ashok G. Warey,  
and Ujwala A. Warey  
26 Kirkwood Way  
San Carlos, CA 94070-1618

Geraldine S. and Morton L. Friedkin  
378 Grand Avenue  
Oakland, CA 94610-4847

Ronald P. and Gloria L. Gruber  
37 Bellevue Avenue  
Piedmont, CA 94611-3501

378 Grand Avenue Associates  
2515 Santa Clara Avenue Ste 103  
Alameda, CA 94501-4667

Filomeno P and Emilia F. Jesuitas  
378 Grand Avenue  
Oakland, CA 94610-4847

Subject: Work Plan Request for Fuel Leak Case No. RO0003218 and GeoTracker Global ID T10000009122, Grand Avenue LLC, 378 Grand Avenue, Oakland, CA 94610-4847

Dear Responsible Parties:

Thank you for meeting with Alameda County Department of Environmental Health (ACDEH) staff on July 8, 2016. A Notice of Responsibility has been sent out to all Responsible Parties (RPs) that ACDEH staff has identified. In addition, the above referenced case has been opened in the State Water Resources Control Board's (State Water Board) GeoTracker website. Please claim this site in GeoTracker.

Summarized below are ACDEH staff recommendations for the scope of work to be included in a draft work plan. Our recommendations are based on our review of the case file including the report

entitled *Underground Storage Tank Closure Report*, (UST Report) dated March 9, 2016, which was prepared on your behalf by Golden Gate Tank Removal, Inc., as well as our discussion at the meeting. Our recommendations are also based on the State Water Resources Board's Low-Threat Underground Storage Tank Case Closure Policy (LTCP).

In the draft work plan, please include the following:

One boring in the former tank area to collect soil and groundwater samples to be tested for the following: benzene, toluene, ethylbenzene, and total xylenes (BTEX); methyl tertiary butyl ether (MTBE); naphthalene; and full total petroleum hydrocarbon (TPH) organic range.

A soil gas sample to be analyzed for methane in order to rule out explosive conditions that could have resulted from residual TPH.

A rose diagram of groundwater flow direction on a site location figure based on depth to water data of adjacent sites on GeoTracker.

Delineation of representative plume lengths on a site map based on the constituents of benzene, MTBE and TPH according to the LTCP Technical Justification for Groundwater Media-Specific Criteria.

Identification of preferential pathways including basements adjacent to plume boundary and utility corridors.

Identification of sensitive receptors, including the nearest surface water bodies and water supply wells.

Please email the draft work plan to me ([anne.jurek@acgov.org](mailto:anne.jurek@acgov.org)) and copy to Dilan Roe ([dilan.roe@acgov.org](mailto:dilan.roe@acgov.org)).

Also, please upload the UST report to the ACDEH ftp site (Attention: Anne Jurek) according to the following file-naming convention:

- Tank Removal Report  
File to be named: TNK\_R\_yyyy-mm-dd RO3218

The report also needs to be uploaded onto the the State Water Board's GeoTracker website. 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.

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

Responsible Parties  
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Sincerely,

Anne Jurek, M.S.  
Professional Technical Specialist II (Geology)

Attachments: Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACDEH Electronic Report Upload (ftp) Instructions

cc:

Yuval Bobrovitch (*Sent via E-mail to: [yuval@sbpacificgroup.com](mailto:yuval@sbpacificgroup.com)*)

Nicole Gotberg (*Sent via E-mail to: [ngotberg@geosyntec.com](mailto:ngotberg@geosyntec.com)*)

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

Anne Jurek, ACDEH (*Sent via E-mail to: [anne.jurek@acgov.org](mailto:anne.jurek@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 Environmental Health's (ACDEH) 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 (State Water Board) 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 State Water Board website for more information on these requirements ([http://www.swrcb.ca.gov/ust/electronic\\_submittal/report\\_rqmts.shtml](http://www.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml)).

#### PERJURY 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 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.