

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



May 29, 2007

Mr. Bob Lawlor  
RWL Investments, Inc.  
4919 Tidewater Ave., Unit B  
Oakland, CA 94601-4914

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

Dear Mr. Lawlor:

Subject: Fuel Leak Case No. RO0000107 & Global ID T0600100451, Di Salvo Trucking,  
4919 Tidewater Ave., Oakland 94601

Alameda County Environmental Health staff has received and reviewed the February 26, 2007 Feasibility Study Report for the subject site prepared by Applied Remedial Technologies (ART). This study evaluates five remedial alternatives besides No Action. These were evaluated using a screening method which consists of a weighted cumulative score based upon the ability of each alternative to achieve specific weighted criteria. The two highest scoring alternatives were groundwater extraction & treatment with limited excavation and site dewatering plus soil excavation and disposal. As you are aware, prior approval was given from our office for this latter alternative. Since the overall score of these remedial alternatives was similar, based upon the estimated cost for each remedial approach, ART recommends groundwater extraction & treatment with limited source area remediation. Our office concurs with the proposed remedial approach. We understand that alternatives other than excavation may be evaluated to remediate the TPH impacted soils. We request you address the following technical comments and submit the technical reports requested below.

#### TECHNICAL COMMENTS

1. Remedial Action Plan- Please submit your Remedial Action Plan (RAP) as requested below. We understand that it will consist of ten (10) extraction wells located within the area of MW-2 and the former tank pit. Please provide a more detailed figure indicating the well locations and their construction design and the design of the treatment system. Please describe how the affected soil area will be precisely determined and describe how the other remediation alternatives other than excavation will be evaluated. Will the fill and clay impacted soils be treated differently? Will the existing wells be monitored more frequently when the extraction system is operating? The current semi-annual monitoring will not be sufficient at that time. Describe your post-remediation soil and groundwater sampling plan.
2. Groundwater Monitoring- Please continue the requested semi-annual monitoring at the site until the extraction system is in operation. Please be aware, we have not received your 1<sup>st</sup> 2007 Semi-Annual monitoring report.

#### TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health according to the following schedule:

- June 23, 2007- Remedial Action Plan
- June 23, 2007- 1<sup>st</sup> 2007 Semi-Annual Monitoring Report
- November 23, 2007- 2<sup>nd</sup> 2007 Semi-Annual Monitoring Report

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

Effective **January 31, 2006**, 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. Please do not submit reports as attachments to electronic mail.

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. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for 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 monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at [barney.chan@acgov.org](mailto:barney.chan@acgov.org).

### 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

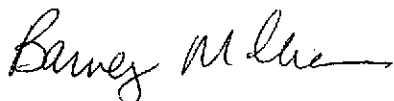
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

## 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.

If you have any questions, please call me at (510) 567-6765.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: files, D. Drogos

Mr. Apri Ghuman, ART, 1485 Bayshore Blvd., Ste. 1, San Francisco, CA 94124

Mr. S. Ramdass, SWRCB Cleanup Fund, 1001 I St., P.O. Box 944212, Sacramento,  
CA, 94244



ALAMEDA COUNTY  
**HEALTH CARE SERVICES AGENCY**  
 Department Of Environmental Health  
 Environmental Protection Division  
 1131 Harbor Bay Parkway  
 Alameda, CA 94502-6577

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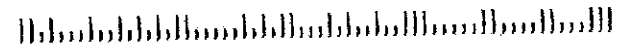
**ENVIRONMENTAL HEALTH SERVICES**

**Mr. Apri Ghuman**  
**ART**  
**1485 Bayshore Blvd., Suite 1**

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RETURN TO SENDER  
 NO MAIL RECEPTACLE  
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