

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

May 25, 2006

Ms. Helen Loreto  
McDonald's Corporation  
2527 Camino Ramon, Suite 300  
San Ramon, CA 94583

Ms. Ann Johnston  
222 Kearny St., 7<sup>th</sup> Floor  
San Francisco, CA 94108-4510

Mr. Charles Duval  
Franchise Realty Interstate Corp.  
5344 Golden Gate Ave.  
Oakland, CA 94618-2034

Dear Ladies and Gentleman:

Subject: Fuel Leak Case RO0000116, 6623 San Pablo Ave., Oakland, CA 94608

Alameda County Environmental Health staff has recently reviewed the case file for the subject site and determined that additional investigation/information is required at this site to progress toward case closure. It appears that the technical request of our November 1, 2001 has not been addressed and that no further work has been done since this time. If this is not the case, you are requested to provide all technical reports for this site since the *Baseline Environmental September 24, 2001, Report on Passive Gas Sampling and Work Plan for Additional Investigation*. I refer you to our November 1, 2001 letter (attached) wherein four items were noted. These items included a request for an additional well in the area near MW-1A, evaluation of aerial photos by your consultant, continued quarterly monitoring and performance of a sensitive receptor survey. In addition to reiterating our request for the November 1 items, please address the following technical comments and submit the technical reports requested below.

TECHNICAL COMMENTS

1. Please provide a site map indicating the location of the additional well requested east of MW1A. Describe the construction of the well and the rationale used to determine if multi-level sampling is recommended. Please note that although the existing multi-level wells are nested wells, our office requests that any future multi-level sampling use either well clusters or a multi-level wells.
2. Please clarify the location of the former UST system(s) at this site using Sanborn maps, aerial photos, etc. Is the current analytical data consistent with assumed former source areas? If not, how else can the data be explained?
3. Please provide a Site Conceptual Model (SCM) consisting of your understanding of the release and exposure scenario. Of particular interest is site geology, potential artificial groundwater gradient and the existence of multiple water bearing zones.

ENVIRONMENTAL HEALTH SERVICES

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

4. We request that your sensitive receptor survey also include a conduit study that details the potential migration pathways and potential conduits (utilities, storm drains, etc.) that may be present in the vicinity of the site. Provide a map showing the location and depth of all utility lines and trenches including sewers and storm drains within and near the plume area. The conduit study shall include a well survey of all wells (monitoring and production wells: active, inactive, standby, destroyed (sealed with concrete), abandoned (improperly destroyed); and dewatering, drainage, and cathodic protection wells within a ½ mile radius of the subject site.
5. Your co-operation with the neighboring site, the former St. Francis Pie @1125 67<sup>th</sup> St., is requested since it appears that contaminant plumes may be commingled. We are disappointed to hear that a recent 2006 request by the consultant for the former St. Francis Pie Shop to perform an environmental investigation on your site was denied. Be aware that you may be requested to perform the additional investigation, at your own expense, if you do not allow the adjacent property owner access to your property.
6. Your September 2001 Passive Gas Sampling and Work Plan for Additional Investigation from Baseline proposed to install two additional shallow wells in areas identified as being "hot" in the gas sampling survey. Please note a well screen of no longer than 10' is recommended.
7. Groundwater Monitoring- Our office has not received a groundwater monitoring report since February 2001. We request you reinstate quarterly monitoring at this site immediately and submit the technical reports as requested below.
8. Electronic Submittal of Reports- You are required to submit your reports electronically to the Geotracker database as well as the County's ftp site. Please follow the enclosed instructions for submittal of all reports.

#### TECHNICAL REPORT REQUEST

- June 26, 2006- Provide figure with new well location, documentation of former UST system locations and sensitive receptor survey
- July 26, 2006- Monitoring well installation report and Site Conceptual Model
- June 26, 2006- 2nd Qtr. 2006 Groundwater Monitoring Report
- September 26, 2006- 3<sup>rd</sup> Qtr. 2006 Groundwater Monitoring Report
- January 2, 2007- 4<sup>th</sup> Qtr. 2006 Groundwater Monitoring Report

#### 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. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Ms. Loreto, Johnson & Mr. Duval

May 25, 2006

Page 3 of 4

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

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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.

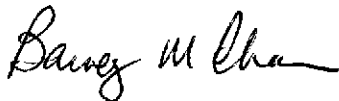
Ms. Loreto, Johnson & Mr. Duval  
May 25, 2006  
Page 4 of 4

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

Enclosure: ACEH Electronic Report Upload (ftp) Instructions  
November 1, 2001 letter

C: files, D. Drogos

Mr. Bruce Abelli-Amen, Baseline, 5900 Hollis St., Suite D, Emeryville, CA 94608  
Mr. John Buschini, 1260 Shell Circle, Clayton, CA 94517  
Mr. Matthew Spielmann, TEC Accutite, 262 Michelle Court, So. San Francisco,  
CA 94080-6201

5\_25\_06 6623 San Pablo

**Alameda County**  
JUN 06 2006  
**Environmental Health**

20116

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**Andrew Nash  
McDonald's Corp.  
2999 Oak Road, Suite 900  
Walnut Creek, CA 94597**

2. Article Number  
(Transfer from service label) **7004 2510 0000 5834 0739**

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee  
B. Received by (Printed Name) **SAM** C. Date of Delivery **9/12/07**

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1035



**C:4580**  
**ALAMEDA COUNTY**  
**HEALTH CARE SERVICES AGENCY**  
Environmental Health Services Administration  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

20116

~~Ms. Helen Loreto  
McDonald's Corporation  
2527 Camino Ramon, Suite 300  
San Ramon, CA~~

Return To

NIXIE 945 1 00 06/02/06

RETURN TO SENDER  
ATTEMPTED - NOT KNOWN  
UNABLE TO FORWARD

BC: 94502634031 \*0405-03983-26-39

34383+4412-75945026340



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HEALTH CARE SERVICES



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CA 94080-6201


C:4580



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HEALTH CARE SERVICES AGENCY  
Environmental Health Services Administration  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

*Roll 6*

Ms. Ann Johnston  
222 Kearny St., 7th Floor  
San Francisco, CA 94108-4510

94108+4521-07 94502/6577 

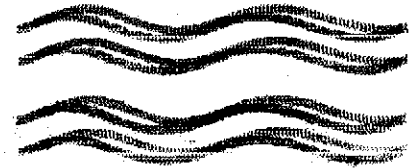
C:4580



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1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

*Roll 6*

SAN FRANCISCO  
25 MAY 2005 PM 3:17  
25 MAY 2005 PM



*Please return  
to sender*

Ms. Ann Johnson  
222 Kearny St. 7th Floor  
San Francisco, CA 94108-4510

94108+4521 94502/6577 