



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

January 16, 2009

Dr. Orobo Osagie
Amenex Organization, Inc.
P.O. Box 426695
San Francisco, CA 94142-6695

Mr. James Tracy
878 West Hayden Court
Alpine, UT 84004-2504

Subject: Monitoring Well Construction Approval and Feasibility Study/Corrective Action Plan for Fuel Leak Case No. RO0000117 and GeoTracker Global ID T0600191668, Osagie Property, 1532 Peralta Street, Oakland, CA 94607

Dear Dr. Osagie and Mr. Tracy:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the recently submitted electronic (e) mail entitled, "Continued Site Investigation Activities - 1532 Perlata [sic] Street, Oakland (ACEH Fuel Leak Case No. RO0000117)" dated October 27, 2008, which was prepared by Golden Gate Tank Removal (GGTR) for the subject site. In the e-mail, GGTR proposed above-grade monitoring well construction at the site due to the shallow water table and proposed an interim remedial excavation of approximately 20 feet by 28 feet by 10 feet in depth to remove hydrocarbon impacted soil in the vicinity of the former USTs and dispenser islands.

ACEH generally concurs with the proposed monitoring well construction. However, the interim remedial action scope of work does not appear to address the extent of soil contamination identified at the site and illustrated on Figures 8 and 9 attached to the above-mentioned e-mail. Therefore, ACEH requests that you address the following technical comments, perform the proposed work, and send us the technical reports described below.

TECHNICAL COMMENTS

1. **Monitoring Well Construction** – GGTR proposes to install three groundwater monitoring wells at the site, of which selected wells may be completed above grade so that the screened interval intersects the shallow water bearing zone. Based on the site conditions, the proposed monitoring well construction appears appropriate. Please complete the fieldwork activities and submit a report due by the date specified below.
2. **Feasibility Study/Corrective Action Plan** – GGTR proposed additional source removal, consisting of a 20 feet by 28 feet by 10 feet deep excavation in the vicinity of the former USTs and dispenser islands as an interim remedial action. The extent of soil contamination identified at the site, illustrated on Figures 8 and 9 attached to the above-mentioned e-mail, is nearly twice the size of the proposed remedial excavation. ACEH is skeptical that the proposed remedial excavation will adequately reduce the residual source area to positively affect the site. Please be aware the site characterization and/or site cleanup is not contingent

upon receiving reimbursement monies from the UST Cleanup Fund. A Feasibility Study, prepared in accordance with California Code of Regulations, Title 23, Division 3, Chapter 16, §2725(f), which evaluates cost effective remedial approaches having likelihood of attaining site cleanup objectives has not been submitted. The UST Cleanup Fund typically reimburses costs associated with the most cost-effective remedial alternative. Since it has not been determined that over-excavation is the most cost-effective remedial approach, the UST Cleanup Fund may not fully reimburse all costs associated with the proposed remedial excavation. Therefore, it is recommended that a Feasibility Study/Corrective Action Plan (FS/CAP) prepared in accordance with Title 23, California Code of Regulations, Section 2725 is prepared once the site is adequately characterized.

The FS/CAP must include a concise background of soil and groundwater investigations performed in connection with this case and an assessment of the residual impacts of the chemicals of concern (COCs) for the site and the surrounding area where the unauthorized release has migrated or may migrate. The FS/CAP should also include, but not limited to, a detailed description of site lithology, including soil permeability, and most importantly, contamination cleanup levels and cleanup goals, in accordance with the San Francisco Regional Water Quality Control Board Basin Plan and consider appropriate ESL guidance for all COCs and for the appropriate groundwater designation. Please note that soil cleanup levels should ultimately (within a reasonable timeframe) achieve water quality objectives (cleanup goals) for groundwater in accordance with San Francisco Regional Water Quality Control Board Basin Plan. Please propose appropriate cleanup levels and cleanup goals in accordance with 23 CCR Section 2725, 2726, and 2727 in the FS/CAP.

As mentioned above, the FS/CAP must evaluate at least three viable alternatives for remedying or mitigating the actual or potential adverse effects of the unauthorized release(s) besides the "no action" and "monitored natural attenuation" remedial alternatives. Each alternative shall be evaluated for cost-effectiveness, time to achieve cleanup levels and cleanup goals, and the Responsible Party must propose the most cost-effective corrective action. Please submit an FS/CAP due by the date specified below.

NOTIFICATION OF FIELDWORK ACTIVITIES

Please schedule and complete the fieldwork activities by the date specified below and provide ACEH with at least three (3) business days notification prior to conducting the fieldwork including routine groundwater sampling.

TECHNICAL REPORT REQUEST

Please submit technical reports to ACEH (Attention: Paresh Khatri), according to the following schedule:

- **January 30, 2009** – Quarterly Monitoring Report (4th Quarter 2008)
- **March 17, 2009** – Soil and Water Investigation Report
- **April 16, 2009** – FS/CAP

- **April 30, 2009** – Quarterly Monitoring Report (1st Quarter 2009)
- **July 30, 2009** – Quarterly Monitoring Report (2nd Quarter 2009)
- **October 30, 2009** – Quarterly Monitoring Report (3rd Quarter 2009)

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.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml).

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,

Dr. Osagie and Mr. Tracy
RO0000117
January 16, 2009, Page 4

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) 777-2478 or send me an electronic mail message at paresh.khatri@acgov.org.

Sincerely,



Paresh C. Khatri
Hazardous Materials Specialist



Donna L. Drogos, PE
Supervising Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Mark Youngkin, Golden Gate Tank Removal, 3730 Mission Street, San Francisco, CA 94110
Brent Wheeler, Golden Gate Tank Removal, 3730 Mission Street, San Francisco, CA 94110
Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA
94612-2032
Donna Drogos, ACEH
Paresh Khatri, ACEH
File

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: December 16, 2005
	PREVIOUS REVISIONS: October 31, 2005
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

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.

REQUIREMENTS

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- 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)

Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

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 dehloptoxic@acgov.org
or
 - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of Alicia Lam-Finneke.
- 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 and Firefox browsers will not open the FTP site.
- b) Click on File, then on Login As.
- 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 dehloptoxic@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 at 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)