



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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May 20, 2010

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

Mr. James Tracy (*Sent via E-mail to: alpineutah@aol.com*)
878 West Hayden Court
Alpine, UT 84004-2504

Subject: 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:

Thank you for the recently submitted document entitled, "Revised Feasibility Study/Corrective Action Plan," dated April 26, 2010, which was prepared by Golden Gate Tank Removal (GGTR) for the subject site. Alameda County Environmental Health (ACEH) staff has reviewed the case file including the above-mentioned report/work plan for the above-referenced site. The Revised FA/CAP was prepared in response to comments in ACEH's February 10, 2010 correspondence, which identified concerns that backfilling the excavations with more permeable material in areas where native less-permeable soils exist may cause a preferential pathway for contaminant vapor migration from the subsurface to indoor (if a future structure is located above the former excavations) and outdoor air. In response to our concerns, GGTR proposes institutional controls and confirmation sub-slab sampling to address ACEH's concerns of potential vapor intrusion.

Also, the 30-day public participation period has expired on March 18, 2010 and no comments or concerns opposing the proposed Corrective Action have been received. However, ACEH does have concerns with implementing institutional controls at the site. Therefore, you may proceed with implementing the Revised FA/CAP provided that the modifications requested in the technical comments below are addressed and incorporated during the field implementation. Submittal of a revised FA/CAP 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. **Institutional Controls** – As mentioned above, ACEH has concerns regarding backfilling permeable material in areas where less permeable native material exists. GGTR proposes to cover the three excavation areas with surface areas of 450, 500 and 600 square feet with a vapor barrier (10-mil plastic sheeting) at a depth of six inches below grade. "These three excavation areas adjoin to form a continuous vapor barrier of approximately 1550 square feet

similar to a building footprint. The vapor barrier will be overlain with three inches of baserock / sand for protection and the excavation areas re-surfaced with about 3-6 inches of asphaltic pavement. GGTR will subsequently install a traffic utility box within a 3x3 square foot concrete apron in the center of the three excavations at the locations shown on Figure 28. A vapor probe will be constructed within each traffic box..." Should the above institutional control be implemented as a mitigation measure, periodic maintenance and monitoring would be necessary, costs associated with these activities would be incurred by the Responsible Party, and the case would remain open. ACEH does not necessarily oppose the installation of a vapor barrier, however, this Agency does not have the necessary resources to oversee the periodic maintenance and monitoring of the institutional control throughout the lifespan of the vapor barrier and ACEH prefers to move the case towards closure in an expeditious manner. Therefore, ACEH will require the installation of the semi-permanent soil vapor probes below the vapor barrier to monitoring the success of the remedial excavation (i.e. post remedial quarterly monitoring for a minimum of one year). Should concentrations of contaminants in soil vapor be detected above the cleanup goals, additional site remediation may be necessary to achieve case closure.

ACEH does recommend that the excavation is backfilled and compacted with backfill material similar to native soil.

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.

TECHNICAL REPORT REQUEST

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

- **August 16, 2010** – Corrective Action Progress Report
- **Due within 30 Days of Sampling** – Quarterly Remediation Progress Report (3rd Quarter 2010)
- **Due within 30 Days of Sampling** – Quarterly Remediation Progress Report (4th Quarter 2010)
- **Due within 30 Days of Sampling** – Quarterly Remediation Progress Report (1st Quarter 2011)
- **Due within 30 Days of Sampling** – Quarterly Remediation Progress Report (2nd Quarter 2011)

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Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, 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

Enclosure: Responsible Party(ies) Legal Requirements/Obligations
ACEH Electronic Report Upload (ftp) Instructions

cc: Mark Youngkin, Golden Gate Tank Removal, 3730 Mission Street, San Francisco, CA 94110 (*Sent via E-mail to: geomark@sbcglobal.net*)
Brent Wheeler, Golden Gate Tank Removal, 3730 Mission Street, San Francisco, CA 94110 (*Sent via E-mail to: b.wheeler@ggtr.com*)
Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (sent via electronic mail to lgriffin@oaklandnet.com)
Donna Drogos, ACEH (sent via electronic mail)
Paresh Khatri, ACEH (sent via electronic mail)
GeoTracker
File

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.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, 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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: March 27, 2009
	PREVIOUS REVISIONS: December 16, 2005, October 31, 2005
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: 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

- 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 My Le Huynh.
 - 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 @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.