

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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(510) 567-6700
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December 24, 2007

Mr. Richard Lum and Ms. Linda Lum
2188 Hillside Drive
San Leandro, CA 94577-6369

Mr. Victor Lum
Vic's Automotive
245 8th Street
Oakland, CA 94607

Subject: Fuel Leak Case No. RO0000202 and Geotracker Global ID T0600101143, Vic's Automotive, 245 8th Street, Oakland, CA

Dear Mr. and Ms. Lum and Victor Lum:

Alameda County Environmental Health (ACEH) staff has received a hard copy of a report entitled, "Quarterly Monitoring Report, 3rd Quarter 2007," dated November 30, 2007 and prepared on your behalf by AEI Consultants. Please note that 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. Hard copies of reports are no longer accepted. **Therefore, please upload the "Quarterly Monitoring Report, 3rd Quarter 2007," dated November 30, 2007 to the Alameda County FTP site** as outlined in the "Electronic Submittal of Reports," section of this correspondence and the enclosed, "Electronic Report Upload (ftp) Instructions."

We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

TECHNICAL COMMENTS

1. **Quarterly Groundwater and Soil Vapor Sampling.** Please continue quarterly groundwater and soil vapor sampling and present the results in the Quarterly Groundwater and Soil Vapor Monitoring Reports requested below.
2. **Analyses for VOCs in Groundwater.** During the November 8, 2006 groundwater sampling event, groundwater samples from several wells were sampled for halogenated volatile organic compounds (VOCs). VOCs were not detected in any of the groundwater samples collected. Based on these results, we are not requesting additional analyses for VOCs for groundwater from any of the wells previously sampled in November 2006. However, well MW-6 was not sampled in November 2006 due to free product in the well. We request that the groundwater sample collected from well MW-6 during the first quarter 2008 groundwater sampling event be analyzed for halogenated VOCs using EPA Method 8260B. Please

present the results in the Quarterly Groundwater and Soil Vapor Monitoring Report for First Quarter 2008 requested below.

3. **Proposed Wells MW-8, MW-9, and MW-13.** We concur with the proposed locations for off-site monitoring wells MW-8, MW-9, and MW-13 as presented in a map provided by electronic mail on November 7, 2007. Please present well installation results including boring logs, well completion diagrams, and sampling results for the proposed wells no later than the Quarterly Groundwater and Soil Vapor Monitoring Report for Second Quarter 2008 Report requested below. Alternately, well installation information may be presented in a separate Well Installation Report no later than August 13, 2008. Wells MW-8, MW-9, and MW-13 are to be sampled quarterly in the future as part of the ongoing groundwater monitoring program.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **February 13, 2008** – Quarterly Groundwater and Soil Vapor Monitoring Report for Fourth Quarter 2007
- **May 13, 2008** – Quarterly Groundwater and Soil Vapor Monitoring Report for First Quarter 2008 with VOC Analytical Results for Well MW-6
- **August 13, 2008** – Quarterly Groundwater and Soil Vapor Monitoring Report for First Quarter 2008 with Well Installation Results
- **40 days following end of each quarter** – Quarterly Groundwater and Soil Vapor Monitoring Reports

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

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.

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).

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.

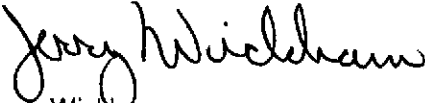
AGENCY OVERSIGHT

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.

Richard and Linda Lum
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If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Leah Goldberg
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Walnut Creek, CA 94597

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Donna Drogos, ACEH
Jerry Wickham, ACEH
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