

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director



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

January 23, 2009

Mr. Gary Bankhead Kaiser Foundation Hospitals 1100 San Leandro Blvd Ste 200 San Leandro, CA 94577	Mr. Bruce Brecovich Val Strough Honda 100 Embarcadero, 3 rd Floor San Francisco, CA 94105	Mr. Bernie Campbell 224 Mountain Drive Piedmont, CA 94611	Ms. Maude Besthorn Ptarmigan Drive #7B Walnut Creek, CA 94595
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Subject: Fuel Leak Case No. RO0000205 (Global ID # T0600101504), Kaiser Development/Val Strough Honda, 3735-3799 Broadway, Oakland CA 94611

Dear Mr. Bankhead, Mr. Brecovich, Mr. Campbell and Ms. Besthorn:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site and the documents entitled, "Additional Site Characterization Report" dated October 30, 2006 and "Soil Management Implementation Report" received June 11, 2008 prepared by Stantec. Results from the site characterization report document the installation of 24 soil borings throughout the site to assess subsurface soil and groundwater contamination associated with previous site activities. While results from the soil management report document soil removal activities at six areas identified as areas of concern during the previous site investigations.

Prior to excavation and construction dewatering activities, significantly elevated levels of dissolved phase contamination (exceeding residential ESLs) of up to 77,000 ppb TPHg, 8,000 ppb TPHd, 1,000,000 ppb TPHmo, 3,400 ppb benzene, 1,600 ppb ethylbenzene, 7,800 ppb toluene and 620 ppb naphthalene were detected. No confirmation groundwater sampling was conducted after these activities, leaving the levels of residual dissolved phase contamination unknown.

Based on ACEH staff review of the case file, we request that you address the following technical comments and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to <mailto:steven.plunkett@acgov.org>) prior to the start of field activities.

TECHNICAL COMMENTS

- 1. Soil Excavation and Remediation of Areas of Concern.** Prior to site redevelopment activities, including the construction of a medical office building and parking structure, Stantec identified the location of six Areas of Concern (AOC). These locations were identified as AOCs based on the results of a phase 1 site assessment, previous site investigations or historic land use practices. A brief summary of the soil and groundwater investigation results and remediation activities for each AOC is presented below;

Soil Area 2 (3735-3737 Broadway)

AOC 2 was formerly occupied by a car wash and auto dealership. Three 10,000 gallon USTs were removed from this location in 1987; however, no additional soil or groundwater characterization was completed. Two soil boring installed in September 2006 (boring SB-52 and SB-53) near the former UST tank pit detected elevated levels of contamination in soil up to 690 mg/kg TPHg, 20 mg/kg ethyl benzene,

112 mg/kg Xylene, 7.4 mg/kg naphthalene, 350 mg/kg lead and 67 mg/kg chromium at 16 feet bgs. Over-excavation of contaminated soil was completed to a depth of 18 feet bgs and confirmation soil samples detected residual, contamination, below residential ESLs, at concentrations of up to 14 mg/kg TPHg, 100 mg/kg TPHd, 120 mg/kg TPHmo, 0.13 mg/kg ethyl benzene, 0.224 mg/kg xylene.

Grab groundwater samples collected during an investigation conducted in January 2004 detected 77,000 ppb TPHg, 8,000 ppb TPHd 3,400 ppb benzene 1,600 ethylbenzene, 7,800 toluene and 620 ppb naphthalene. The location was identified as an AOC and additional characterization was completed in September 2006. Groundwater samples collected from soil borings (SB-51 through SB-53) detected elevated levels of dissolved phase contamination at concentrations of up to 30,000 ppb TPHg, 4,300 ppb TPHd 1,300 ppb benzene and 620 ppb naphthalene. The concentrations of dissolved phase contamination in groundwater were detected prior to excavation and construction dewatering activities. However, post excavation confirmation groundwater samples were not collected, leaving the levels of residual dissolved phase contamination beneath AOC 2 unknown. Please prepare a scope to evaluate this data gap and present your proposal by the date requested below.

Soil Area 3 (3741 Broadway)

AOC 3 was the location of a rubble pile at 3741 Broadway. Soil borings installed in January 2004 detected high concentrations of TPHd, TPHmo and heavy metals in soil. Confirmation soil samples collected from the excavation side walls at 5 feet bgs exceeded residential ESLs; therefore, additional excavation was completed and confirmation soil samples were collected from the excavation sidewalls and bottom at 12 feet bgs. Approximately 280 yd³ of contaminated soil was removed and disposed of off site. Residual contamination, below residential ESLs, at concentrations of up to 7 mg/kg TPHd and 350 mg/kg TPHmo remain in soil at this location. No further action is necessary at this location.

Soil Area 4

Contaminated soil was detected during a previous investigation completed in January 2006, thus this location was identified as an AOC. Contaminated soil was excavated and confirmation samples were collected from the excavation sidewalls and bottom. Contamination below residential ESLs was detected at up to 13 mg/kg TPHd and 63 mg/kg TPHmo. Approximately 75 yd³ of impacted soil was removed and disposed of offsite. No further action is necessary at this location.

Soil Area 5 (3799 Broadway)

This area was a former auto repair facility (Midas) with several hydraulic hoists. In October 2006, nine soil borings were advanced to determine if soil and groundwater beneath the site were contaminated. High concentrations of up to 4,700 mg/kg TPHd, 16,000 mg/kg TPHmo and 17,000 mg/kg TPHhf were detected in soil at 19 feet bgs. Consequently, this location was identified as an area of concern and approximately 2000 yd³ of contaminated soil was removed and disposed of offsite. Post excavation confirmation soil samples collected from the excavation bottom at up to 30 feet bgs detected residual hydrocarbon contamination at concentrations of up to 18 mg/kg TPHd, 420 mg/kg TPHmo and 440 mg/kg TPHhf, which are below residential ESLs.

During a previous site investigation completed in September 2006, dissolved phase hydrocarbon contamination was detected in groundwater beneath AOC 5 at concentrations of up to 290,000 ppb TPHd and 1,000,000 ppb TPHmo. The concentrations of dissolved phase contamination in groundwater were detected prior to excavation and construction dewatering activities. However, post excavation confirmation groundwater samples were not collected, leaving the levels of residual dissolved phase contamination beneath AOC 5 unknown. Please prepare a scope to evaluate this data gap and present your proposal by the date requested below.

Soil Area 6 (3785 Broadway)

This is the location of the former Firestone facility and waste oil tank. Stantec states that seven soil borings were installed; however, our review of the data and figure 2 indicate that eight soil borings were actually installed (SB-69, 70, 71, 72, 74, 75, 76 and SB-77). Soil analytical results collected during the soil boring installation detected elevated levels of TPHd, TPHmo and lead at concentrations of 72 mg/kg, 350 mg/kg and 350 mg/kg. While dissolved phase TPHd and TPHmo were also detected at concentrations up to 420 ppb and 1,800 ppb, respectively. A total of 100 yd³ of soil was removed and disposed of offsite during over-excavation. Post excavation confirmation sampling did not detect contamination in soil above residential ESLs; however dissolved phase contamination above residential ESLs remains in place at this location.

Soil Area 7

During excavation and site grading activities, stained soil and a distinct hydrocarbon odor were identified, and this location was identified as an AOC. Soil was excavated to a depth of 5 feet bgs and 85 yd³ of contaminated soil was removed and disposed of offsite. Post excavation confirmation soil samples were collected and analyzed for TPHg, TPHd and TPHmo. Results from the confirmation soil sampling and detected 5.1 ppm TPHd and 20 ppm TPHmo, which are below residential ESLs. No further action is necessary at this location.

2. **GeoTracker Compliance.** A review of the case file and the State Water Resources Control Board's (SWRCB) GeoTracker website indicate that electronic copies of analytical data and reports have not been submitted, rendering the site to non-compliance status. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the UST or LUST program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. Also, beginning January 1, 2002, all permanent monitoring points utilized to collect groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level and latitude and longitude to sub-meter accuracy using NAD 83. A California licensed surveyor may be required to perform this work. Additionally, pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3893, 3894, and 3895, beginning July 1, 2005, the successful submittal of electronic information (i.e. report in PDF format) shall replace the requirement for the submittal of a paper copy. Please complete the surveying and upload all applicable electronic submittal types such as the analytical data (EDF), survey data (GEO_XY and GEO_Z), and PDF reports from July 1, 2005 to current to GeoTracker by the date specified below. Electronic reporting is described below.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Mr. Steven Plunkett), according to the following schedule:

- **February 21, 2009** – Geotracker Submission Confirmation
- **April 30, 2009** – Work Plan

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.

If you have any questions, please call me at (510) 383-1767 or send me an electronic mail message at steven.plunkett@acgov.org.

Gary Bankhead, Bruce Brecovich, Bernie Campbell and Maude Besthorn
RO0000205
January 23, 2009
Page 5

Sincerely,



Steven Plunkett
Hazardous Materials Specialist



Donna Drogos, PE
Supervising Hazardous Materials Specialist

cc: Greg Hoehn
Stantec
57 Lafayette Circle, 2nd Floor
Lafayette, CA 94549

Aaron Costa
Chevron Environmental Management
6111 Bollinger Canyon Rd., Room 3660
San Ramon, CA 94583-2324

Charlotte Evans
CRA
5900 Hollis Street, Suite A
Emeryville, CA 94608

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, Steven Plunkett, File



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HEALTH CARE SERVICES AGENCY

Department Of Environmental Health
Environmental Protection Division
1131 Harbor Bay Parkway
Alameda, CA 94502-6577

Ro205

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RETURN TO SENDER

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address*

Mr. Bruce Brecovich
Val Strough Honda

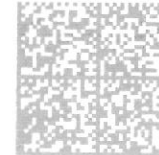
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Soil Area 4

Contaminated soil was detected during a previous investigation completed in January 2006, thus this location was identified as an AOC. Contaminated soil was excavated and confirmation samples were collected from the excavation sidewalls and bottom. Contamination below residential ESLs was detected at up to 13 mg/kg TPHd and 63 mg/kg TPHmo. Approximately 75 yd³ of impacted soil was removed and disposed of offsite. No further action is necessary at this location.

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During a previous site investigation completed in September 2006, dissolved phase hydrocarbon contamination was detected in groundwater beneath AOC 5 at concentrations of up to 290,000 ppb TPHd and 1,000,000 ppb TPHmo. The concentrations of dissolved phase contamination in groundwater were detected prior to excavation and construction dewatering activities. However, post excavation confirmation groundwater samples were not collected, leaving the levels of residual dissolved phase contamination beneath AOC 5 unknown. Please prepare a scope to evaluate this data gap and present your proposal by the date requested below.

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PERJURY STATEMENT

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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.

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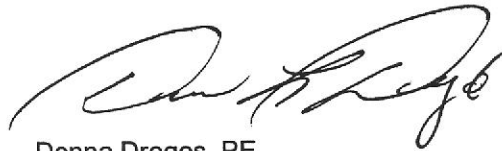
If you have any questions, please call me at (510) 383-1767 or send me an electronic mail message at steven.plunkett@acgov.org.

Gary Bankhead, Bruce Brecovich, Bernie Campbell and Maude Besthorn
RO0000205
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Page 5

Sincerely,



Steven Plunkett
Hazardous Materials Specialist



Donna Drogos, PE
Supervising Hazardous Materials Specialist

cc: Greg Hoehn
Stantec
57 Lafayette Circle, 2nd Floor
Lafayette, CA 94549

Aaron Costa
Chevron Environmental Management
6111 Bollinger Canyon Rd., Room 3660
San Ramon, CA 94583-2324

Charlotte Evans
CRA
5900 Hollis Street, Suite A
Emeryville, CA 94608

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, Steven Plunkett, File



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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**Ms. Maude Besthorn
 Ptarmigan Drive #7B
 Walnut Creek, CA 94594**

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HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



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Based on ACEH staff review of the case file, we request that you address the following technical comments and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to <mailto:steven.plunkett@acgov.org>) prior to the start of field activities.

TECHNICAL COMMENTS

- 1. Soil Excavation and Remediation of Areas of Concern.** Prior to site redevelopment activities, including the construction of a medical office building and parking structure, Stantec identified the location of six Areas of Concern (AOC). These locations were identified as AOCs based on the results of a phase 1 site assessment, previous site investigations or historic land use practices. A brief summary of the soil and groundwater investigation results and remediation activities for each AOC is presented below;

Soil Area 2 (3735-3737 Broadway)

AOC 2 was formerly occupied by a car wash and auto dealership. Three 10,000 gallon USTs were removed from this location in 1987; however, no additional soil or groundwater characterization was completed. Two soil borings installed in September 2006 (boring SB-52 and SB-53) near the former UST tank pit detected elevated levels of contamination in soil up to 690 mg/kg TPHg, 20 mg/kg ethyl benzene,

112 mg/kg Xylene, 7.4 mg/kg naphthalene, 350 mg/kg lead and 67 mg/kg chromium at 16 feet bgs. Over-excavation of contaminated soil was completed to a depth of 18 feet bgs and confirmation soil samples detected residual, contamination, below residential ESLs, at concentrations of up to 14 mg/kg TPHg, 100 mg/kg TPHd, 120 mg/kg TPHmo, 0.13 mg/kg ethyl benzene, 0.224 mg/kg xylene.

Grab groundwater samples collected during an investigation conducted in January 2004 detected 77,000 ppb TPHg, 8,000 ppb TPHd 3,400 ppb benzene 1,600 ethylbenzene, 7,800 toluene and 620 ppb naphthalene. The location was identified as an AOC and additional characterization was completed in September 2006. Groundwater samples collected from soil borings (SB-51 through SB-53) detected elevated levels of dissolved phase contamination at concentrations of up to 30,000 ppb TPHg, 4,300 ppb TPHd 1,300 ppb benzene and 620 ppb naphthalene. The concentrations of dissolved phase contamination in groundwater were detected prior to excavation and construction dewatering activities. However, post excavation confirmation groundwater samples were not collected, leaving the levels of residual dissolved phase contamination beneath AOC 2 unknown. Please prepare a scope to evaluate this data gap and present your proposal by the date requested below.

Soil Area 3 (3741 Broadway)

AOC 3 was the location of a rubble pile at 3741 Broadway. Soil borings installed in January 2004 detected high concentrations of TPHd, TPHmo and heavy metals in soil. Confirmation soil samples collected from the excavation side walls at 5 feet bgs exceeded residential ESLs; therefore, additional excavation was completed and confirmation soil samples were collected from the excavation sidewalls and bottom at 12 feet bgs. Approximately 280 yd³ of contaminated soil was removed and disposed of off site. Residual contamination, below residential ESLs, at concentrations of up to 7 mg/kg TPHd and 350 mg/kg TPHmo remain in soil at this location. No further action is necessary at this location.

Soil Area 4

Contaminated soil was detected during a previous investigation completed in January 2006, thus this location was identified as an AOC. Contaminated soil was excavated and confirmation samples were collected from the excavation sidewalls and bottom. Contamination below residential ESLs was detected at up to 13 mg/kg TPHd and 63 mg/kg TPHmo. Approximately 75 yd³ of impacted soil was removed and disposed of offsite. No further action is necessary at this location.

Soil Area 5 (3799 Broadway)

This area was a former auto repair facility (Midas) with several hydraulic hoists. In October 2006, nine soil borings were advanced to determine if soil and groundwater beneath the site were contaminated. High concentrations of up to 4,700 mg/kg TPHd, 16,000 mg/kg TPHmo and 17,000 mg/kg TPHhf were detected in soil at 19 feet bgs. Consequently, this location was identified as an area of concern and approximately 2000 yd³ of contaminated soil was removed and disposed of offsite. Post excavation confirmation soil samples collected from the excavation bottom at up to 30 feet bgs detected residual hydrocarbon contamination at concentrations of up to 18 mg/kg TPHd, 420 mg/kg TPHmo and 440 mg/kg TPHhf, which are below residential ESLs.

During a previous site investigation completed in September 2006, dissolved phase hydrocarbon contamination was detected in groundwater beneath AOC 5 at concentrations of up to 290,000 ppb TPHd and 1,000,000 ppb TPHmo. The concentrations of dissolved phase contamination in groundwater were detected prior to excavation and construction dewatering activities. However, post excavation confirmation groundwater samples were not collected, leaving the levels of residual dissolved phase contamination beneath AOC 5 unknown. Please prepare a scope to evaluate this data gap and present your proposal by the date requested below.

Soil Area 6 (3785 Broadway)

This is the location of the former Firestone facility and waste oil tank. Stantec states that seven soil borings were installed; however, our review of the data and figure 2 indicate that eight soil borings were actually installed (SB-69, 70, 71, 72, 74, 75, 76 and SB-77). Soil analytical results collected during the soil boring installation detected elevated levels of TPHd, TPHmo and lead at concentrations of 72 mg/kg, 350 mg/kg and 350 mg/kg. While dissolved phase TPHd and TPHmo were also detected at concentrations up to 420 ppb and 1,800 ppb, respectively. A total of 100 yd³ of soil was removed and disposed of offsite during over-excavation. Post excavation confirmation sampling did not detect contamination in soil above residential ESLs; however dissolved phase contamination above residential ESLs remains in place at this location.

Soil Area 7

During excavation and site grading activities, stained soil and a distinct hydrocarbon odor were identified, and this location was identified as an AOC. Soil was excavated to a depth of 5 feet bgs and 85 yd³ of contaminated soil was removed and disposed of offsite. Post excavation confirmation soil samples were collected and analyzed for TPHg, TPHd and TPHmo. Results from the confirmation soil sampling and detected 5.1 ppm TPHd and 20 ppm TPHmo, which are below residential ESLs. No further action is necessary at this location.

2. **GeoTracker Compliance.** A review of the case file and the State Water Resources Control Board's (SWRCB) GeoTracker website indicate that electronic copies of analytical data and reports have not been submitted, rendering the site to non-compliance status. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the UST or LUST program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. Also, beginning January 1, 2002, all permanent monitoring points utilized to collect groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level and latitude and longitude to sub-meter accuracy using NAD 83. A California licensed surveyor may be required to perform this work. Additionally, pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3893, 3894, and 3895, beginning July 1, 2005, the successful submittal of electronic information (i.e. report in PDF format) shall replace the requirement for the submittal of a paper copy. Please complete the surveying and upload all applicable electronic submittal types such as the analytical data (EDF), survey data (GEO_XY and GEO_Z), and PDF reports from July 1, 2005 to current to GeoTracker by the date specified below. Electronic reporting is described below.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Mr. Steven Plunkett), according to the following schedule:

- **February 21, 2009** – Geotracker Submission Confirmation
- **April 30, 2009** – Work Plan

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.

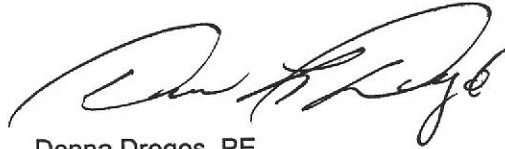
If you have any questions, please call me at (510) 383-1767 or send me an electronic mail message at steven.plunkett@acgov.org.

Gary Bankhead, Bruce Brecovich, Bernie Campbell and Maude Besthorn
RO0000205
January 23, 2009
Page 5

Sincerely,



Steven Plunkett
Hazardous Materials Specialist



Donna Drogos, PE
Supervising Hazardous Materials Specialist

cc: Greg Hoehn
Stantec
57 Lafayette Circle, 2nd Floor
Lafayette, CA 94549

Aaron Costa
Chevron Environmental Management
6111 Bollinger Canyon Rd., Room 3660
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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, Steven Plunkett, File



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

R0205



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*FOR
1118*

**Mr. Bernie Campbell
 224 Mountain Drive
 Piedmont CA 94611**

RETURN TO SENDER
 NOT DELIVERABLE TO ADDRESSEE
 UNABLE TO FORWARD

BC: 94502654031 *1505-19111-28-96

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