



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
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Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

July 31, 2008

Marianne Robison  
Buttner Properties  
600 West Grand Avenue  
Oakland, CA 94612

Subject: Fuel Leak Case No. RO00000359 and Geotracker Global ID T0600100431, Dave's Station, 2250 Telegraph Ave., Oakland, CA 94612

Dear Ms. Marianne Robison:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the April 2008 *Winter 2007-2008 Groundwater Monitoring Report*, the February 2004 *Workplan For Additional Site Study*, and the August 5, 2004 *Addendum to the Work Plan for Additional Site Study Dated February 2004* that were submitted by Fugro West, Inc. The work plan will further define the lateral extent of petroleum hydrocarbons in soil, water and soil vapor, although it will not define the extent of the plume vertically.

ACEH generally concurs with the proposed scope of work and requests that you address the following technical comments, perform the proposed scope of work, and send us the technical reports requested in our April 7, 2008 letter. The proposed scope of work may be implemented provided that the modifications requested in the technical comments below are addressed and incorporated during field implementation. Submittal of a revised work plan is not required.

#### **TECHNICAL COMMENTS**

1. **Groundwater Monitoring Report.** In addition to the groundwater flow direction, hydraulic gradient and rose diagram, please include groundwater contours on your maps with the groundwater elevations.
2. **Preferential Pathway Study** – The conduit study that you performed did not include a request to EBMUD to determine where the water lines were located. Also, there were a number of minor issues with the well survey that was performed. First, the writing on the boring logs did not come through on the hard copy report. I am unable to read all of the addresses that were written on the pages. Please provide me with a copy that can be read. Typically, if a well does not have a street address it should be placed at the center of the section, not left off the map entirely. Well number 4 appears to have an address of 327 21st Street according to what I can see on the upper right corner of the well log but the table says 22<sup>nd</sup> St. Great Western Power Company is located at 520 20<sup>th</sup> St. and is within 1,000 feet of

the site. Please contact them to see if the well is active. 300 Lakeside is misplotted on the map. It is closer to the site than shown and in the downgradient direction of the site. Please contact them to ask if the well is active, as well. These are examples of deficiencies in the well survey and there may be others. Please review and revise your well survey and include the result in the report requested below.

3. **Soil Vapor Sampling** – Use a tracer gas, such as isopropyl alcohol, to check for leaks in your soil vapor sampling set up. Drop a cotton ball between the drilling rod and the tubing to see if the PRT valve is leaking in this area. To ensure that short circuiting with the surface is not occurring please also analyze for oxygen, carbon dioxide, methane and your tracer gas and collect your vapor samples from a depth no shallower than 5 feet bgs.
4. **Vertical Extent of Petroleum Hydrocarbon Plume** – No borings were proposed to assess the vertical extent of petroleum hydrocarbons at the site. As previously requested of you in our August 19, 2005 letter, include your proposal for this work in the report requested below.

#### **TECHNICAL REPORT REQUEST**

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

- **December 1, 2008** –Soil, Soil Vapor and Water Investigation Report with work plan for vertical delineation of soil.

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](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.

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If you have any questions, please call me at (510) 639-1287 or send me an electronic mail message at [barbara.jakub@acgov.org](mailto:barbara.jakub@acgov.org).

Sincerely,

A handwritten signature in cursive script that reads "Barbara J. Jakub".

Barbara J. Jakub, P.G.  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Jeriann Alexander, Fugro West, Inc., 1000 Broadway, Suite 200, Oakland, CA 94607  
Donna Drogos, ACEH  
Barbara Jakub, ACEH  
File

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>ISSUE DATE:</b> July 5, 2005
	<b>REVISION DATE:</b> December 16, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> 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](mailto: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](mailto: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)