



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

March 10, 2011

Ms. Rita Sullins  
Don Sul, Inc.  
187 North L Street  
Livermore, CA 94550

Ms. Jennifer Sedlacheck (*Sent via E-mail to: [jennifer.c.sedlachek@exxonmobil.com](mailto:jennifer.c.sedlachek@exxonmobil.com)*)  
Exxon Mobil  
4096 Piedmont, #194  
Oakland, CA 94611

Subject: Fuel Leak Case No. RO0000394 and GeoTracker Global ID T0600100116, Arrow Rentals, 187 North L Street, Livermore, CA 94550

Dear Ms. Sullins and Ms. Sedlacheck:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site including correspondence from Geologic Technics Inc. dated December 9, 2010. Based on the December 9, 2010 request, we are extending the schedule for implementation of the Corrective Action Plan. Please provide a schedule for implementation of the CAP that includes remediation system start-up no later than July 29, 2011. The schedule should include detailed steps necessary to complete the planning, permitting, subcontracting, construction, and testing of the remediation system. Please include one groundwater sampling event in the proposed schedule to establish baseline conditions prior to initiation of cleanup.

#### **TECHNICAL REPORT REQUEST**

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

- **May 17, 2011** – Detailed Project Schedule
- **July 29, 2011** – Remediation System Start-Up
- **August 31, 2011** – Remediation System Start-Up Report

Responsible Parties  
RO0000394  
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If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org).

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297  
Senior Hazardous Materials Specialist

Attachments: Correspondence from Geological Technics, Inc. dated December 9, 2010  
Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Danielle Stefani, Livermore Pleasanton Fire Department, 3560 Nevada St, Pleasanton, CA 94566  
(Sent via E-mail to: [dstefani@lpfire.org](mailto:dstefani@lpfire.org))

Cheryl Dizon (QIC 8021), Zone 7 Water Agency, 100 North Canyons Pkwy, Livermore, CA 94551  
(Sent via E-mail to: [cdizon@zone7water.com](mailto:cdizon@zone7water.com))

Eric Uranga, City of Livermore, Economic Development, 1052 S. Livermore Ave., Livermore, CA 94550 (Sent via E-mail to: [ejuranga@ci.livermore.ca.us](mailto:ejuranga@ci.livermore.ca.us))

Tamorah Bryant, Geological Technics, Inc., 1172 Kansas Avenue, Stockton, CA 95351  
(Sent via E mail to: [TamorahB@gtienv.com](mailto:TamorahB@gtienv.com))

Heidi Timken, Timken, Johnson, Hwang, 1931 San Miguel Drive, Suite 100, Walnut Creek, CA 94596

Christa Marting, ETIC Engineering, Inc., 2285 Morello Avenue, Pleasant Hill, CA 94523 (Sent via E-mail to: [cmarting@eticeng.com](mailto:cmarting@eticeng.com))

Donna Drogos, ACEH (Sent via E-mail to: [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))

Jerry Wickham, ACEH (Sent via E-mail to: [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org))

GeoTracker, File

# Geological Technics Inc.

1172 Kansas Avenue  
Modesto, CA 95351  
209.522.4119  
209.522.4227 (fax)  
gti@geologicaltechnics.com

December 9, 2010

Project No.: 1262.2  
Project Name: Sullins (L St.)

Jerry Wickham  
Hazardous Materials Specialist  
Alameda County Environmental Health Services  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

RE: Arrow Rentals Service  
187 North L Street  
Livermore, CA 94550

Dear Mr. Wickham:

On behalf of Tony and Rita Sullins, I would like to thank Alameda County Environmental Health Services (ACEH) for understanding the particular circumstance the Sullins find themselves in, and accommodating the implementation extension request dated March 13, 2009. It is my understanding that the Sullins are involved in litigation concerning other responsible parties with regard to financial responsibilities pertaining to the contamination reported to be present at the North L Street location. It is also my understanding that a final decision is expected from the United States District Court for the Northern District of California in the next six months.

In a November 9, 2010 correspondence, Alameda County Environmental Health Services (ACEH) has directed that implementation of the Corrective Action Plan (CAP) proceed, and included a technical reporting schedule.

At this time, we respectfully request that the reporting schedule timetable be extended such that the Court final decision can be made, and the Sullins have an opportunity to make the appropriate arrangements based on the final decision. We propose that a Detailed Project Schedule be prepared and submitted to ACEH within 30 days of notification of a final decision in the courts, which is anticipated before June, 2011. The remaining technical reporting schedule would follow in the same time frames as per the November 9, 2010 directive.

Please contact me at (209) 522-4119 should you have any questions or need more information.

Thank you,



Tamorah Bryant, P.E.

cc. Tony & Rita Sullins  
USTCUF  
Chris Davidson - City of Livermore  
Jennifer Sedlecheck - Exxon Mobile Corp.



Attachment 1  
**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](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.

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