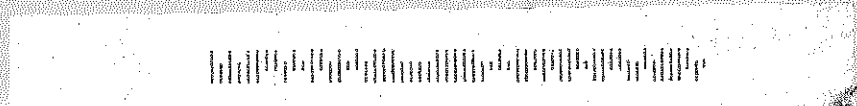


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MAILED FROM ZIP CODE 94502

Suncor Holdings Corp
Attention: Keith Marks
11601 Wilshire Blvd, #700
Los Angeles, CA 90025

D. Roe



ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

ALEX BRISCOE, Agency Director



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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Alameda, CA 94502-6577
(510) 567-6700
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February 21, 2013

Mr. Pete Mizera
State Water Resources Control Board
1001 I Street, 16th Floor
Sacramento, CA 95814
(Sent via E-mail to: DFA-USTClosures@waterboards.ca.gov)

Subject: **Comment Letter - BP 11133 Case Closure Summary**, Revised Notice of Opportunity for Public Comment; Response to Underground Storage Tank Cleanup Fund Case Closure Recommendation for Claim Number 5502; Fuel Leak Case No. RO0000403; Global ID # T0600100210; BP #11133, 2220 98th Avenue, Oakland, CA 94603

Dear Ms. Townsend:

Alameda County Environmental Health (ACEH) staff has received the Underground Storage Tank Cleanup Fund's (USTCF's) *Revised Notice of Opportunity for Public Comment* (Revised Notice), dated December 20, 2012, for the subject site. The Revised Notice supersedes two previous notices for public comment sent by the USTCF including the *Notice of Opportunity for Public Comment* dated August 31, 2012, and the *Revised Notice of Opportunity for Public Comment*, dated September 10, 2012. The purpose of the Revised Notice is to inform interested parties of 1) USTCF's intent to recommend closure of the subject site to the California State Water Resources Control Board's (SWRCBs) Executive Director rather than at a future Board meeting as previously anticipated, and 2) the sixty day public comment period on the Fund's *UST Case Closure Review Summary Report (Case Closure Summary)*, dated December 16, 2012. According to the Revised Notice, written comments to the SWRCB on the Fund's Case Closure Summary must be received by 12:00 noon on February 21, 2013. This letter herein transmits ACEH's comments.

Requirements for Investigation and Cleanup of Unauthorized Releases from USTs

ACEH reviewed the *UST Case Closure Summary*, dated August 31, 2012, signed by Lisa Babcock the Fund Manager, and the *UST Case Closure Review Summary Report*, dated December 16, 2012, prepared by Pat Cullen with the Sullivan International Group (a United States Environmental Protection Agency Contractor), also signed by Lisa Babcock, including *Attachment 1: Compliance with State Water Board Policies and State Law* (i.e., the SWRCB's Low-Threat UST Case Closure Policy Paper Check List), and *Attachment 2: Summary of Basic Site Information (Conceptual Site Model)* in conjunction with the case files for the above-referenced site. A complete record of the case files (i.e., regulatory directives and correspondence, reports, data submitted in electronic deliverable format, etc.) can be obtained through review of both the SWRCB's Geotracker database, and the ACEH website at <http://www.acgov.org/aceh/index.htm>.

ACEH additionally reviewed the requirements for investigation and cleanup of unauthorized releases from USTs contained in the following resolutions, policies, codes, and regulations:

- SWRCB Draft Resolution 2012-0062, *Directing Additional Actions to Improve the Underground Storage Tank Cleanup Program*, adopted on November 6, 2012;
- SWRCB *Plan for Implementation of Low-Threat Underground Storage Tank Case Closure Policy and Additional Program Improvements*, adopted by the SWRCB on November 6, 2012;