

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

July 24, 2009

Mr. Dan Hall
Wickland Properties
P.O. Box 13648
Sacramento, CA 95853-4648

Mr. Robert Petrina
EBSC c/o Alta Bates Summit Medical Center
350 Hawthorne Avenue, Suite G100
Oakland, CA 94609-3108

Mr. Larry Fusch
The Surgery Center
3875 Telegraph Avenue
Oakland, CA 94609

Subject: Fuel Leak Case No. RO0002875 and Geotracker Global ID T06019716388, Regal #120/East Bay Surgery Center, 3875 Telegraph Avenue, Oakland, CA 94609

Dear Mr. Hall, Mr. Petrina, and Mr. Fusch:

The purpose of this correspondence is to inform you of changes to groundwater monitoring requirements for all fuel leak cases in California. The California State Water Resources Control Board (State Water Board) has approved Resolution No. 2009-0042 (*Actions to Improve Administration of the UST Cleanup Fund and UST Cleanup Program*). Resolution No. 2009-0042 states that, "*Regional Water Board and LOP agencies shall reduce quarterly groundwater monitoring requirements to semiannual or less frequent monitoring at all site unless site-specific needs warrant otherwise and shall notify all responsible parties of the new requirements no later than August 1, 2009. If more than semiannual monitoring is required for a case, the responsible party and State Water Board shall be notified of the rationale and the notice shall be posted on Geotracker.*"

If your site has ongoing groundwater monitoring, the frequency of groundwater monitoring is to be reduced from quarterly to semiannual monitoring in accordance with Resolution No. 2009-0042, unless site-specific needs warrant otherwise. Examples of site-specific conditions where monitoring more frequent than semiannual may be warranted include but are not limited to the following:

- Assessment incomplete
- WDR permit requirement
- Well being sampled to evaluate ongoing or proposed pilot tests, interim remedial actions, or long-term remedial actions for progress assessment or where data are needed to monitor or optimize system performance.
- Well being sampled for free product evaluation and reduction verification
- Well being sampled within first year of being installed
- Well being sampled to evaluate post-remedial action verification monitoring
- Well has not shown reliable consistency yet to warrant reduction on sampling frequency
- Well is last point of monitoring prior to possible impact to receptor
- Plume that is currently affecting a sensitive receptor or potentially could affect a sensitive receptor such as a water supply well.

Please review your site conditions to assess whether these conditions are applicable or other site-specific conditions exist that would warrant continuation of quarterly monitoring. If none of the above conditions are applicable, semiannual groundwater monitoring is to be implemented for the site. If site-specific conditions warrant continuation of quarterly groundwater monitoring for any wells, please submit a proposed sampling and analysis schedule along with your technical rationale supporting the proposal by **August 24, 2009**.

Schedule for Semiannual Sampling

Semiannual monitoring is to be conducted during either the first and third quarters or during the second and fourth quarters. Please review historic groundwater monitoring results and identify the quarter during which the highest chemical concentrations typically occur in order to select the appropriate semiannual monitoring schedule. As an example, if the highest chemical concentrations in groundwater are typically reported during the first quarter, the wells should be sampled on a first and third quarter monitoring schedule.

Existing Groundwater Monitoring Schedules Less Frequent than Semiannual

Any groundwater monitoring wells that are currently sampled on a less frequent schedule than semiannual (annual or longer) may continue to be sampled on the less frequent schedule.

Reporting

Please present results from groundwater sampling events in groundwater monitoring reports no later than 60 days following the groundwater sampling event.

If you have any questions, please call me at 510-567-6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,



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

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

Responsible Parties
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cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (*Sent via E-mail to: lgriffin@oaklandnet.com*)

Peter Morris, West Environmental Services & Technology, 711 Grand Avenue, Suite 220, San Rafael, CA 94901

Lori J. Gualco, Law Offices of David E. Frank, 1517 Lincoln Way, Auburn, CA 95603

Julie Rose, Randick, O'Dea & Tooliatos, LLP, 5000 Hopyard Road, Suite 400, Pleasanton, CA 94588-3348

Donna Drogos, ACEH (*Sent via E-mail to: donna.drogos@acgov.org*)
Jerry Wickham, ACEH

Geotracker, File

RESPONSIBLE PARTY OF RECORD AS OF 07/22/2009

RO0002875, REGAL #120 / EAST BAY SURGERY CENTER, 3875 TELEGRAPH AVE , OAKLAND, CA, 94609

Alameda County Environmental Health (ACEH) has the following information on record regarding the Responsible Party(ies) for the above referenced site. Please update the following information for our records. Should you have contact information regarding additional Responsible Parties, please correct the information accordingly. Also, please check the "e-mail preferred" box to receive all future correspondences and notifications by e-mail.

E-mail Preferred

Hardcopy Preferred

ACEH is requesting your e-mail address so that we can correspond with you quickly and efficiently regarding your case. Please note that ACEH respects your privacy. Your e-mail address will remain confidential and will not be provided to any third party.

Current Information

LARRY FUSCH
THE SURGERY CENTER
3875 TELEGRAPH AVENUE
OAKLAND CA 94609

5105472244

ROBERT PETRINA
EBSCLP C/O ALTABATES SUMMIT MED CTR
350 HAWTHORNE AVE, SUITE G100
OAKLAND CA 946093108

DAN HALL
WICKLAND PROPERTIES
PO BOX 13648
SACRAMENTO CA 958534648

Corrections or Additions

Name: _____
Company: _____
Address: _____
City: _____ State: _____ Zip: _____
E-mail: _____
Home Phone: (____) _____
Office Phone: (____) _____
Cell Phone: (____) _____

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