

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

June 13, 2007

Mr. Peter McGing  
Equity Office Properties  
Two North Riverside Plaza, Suite 2100  
Chicago, IL 60606

Subject: Fuel Leak Case No. RO0002900 and Geotracker Global ID T0600165110, SPK Industrial Property, 700 Independent Road, Oakland, CA 94621

Dear Mr. McGing:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site, including the report entitled, "Site Investigation Report, 700 Independent Road, Oakland, California," dated May 11, 2007, prepared on your behalf by Kleinfelder West, Inc. The report summarizes results from soil, soil vapor, and groundwater sampling completed between March 4 and March 7, 2007. Based on the results of the investigation, the report recommends further assessment of the horizontal extent of petroleum hydrocarbons east of the former UST and in the vicinity of well MW-1, measuring water levels on a quarterly basis, resampling the monitoring wells, assessing risks associated with the petroleum hydrocarbons, and conducting a feasibility study. We concur with the recommendation to conduct further assessment of the horizontal extent of petroleum hydrocarbons east of the former UST and in the vicinity of well MW-1. Please submit a Work Plan **by August 15, 2007** to conduct the assessment. Following the completion of the site characterization, we request that you assess risks associated with the fuel hydrocarbons in soil, soil vapor, and groundwater and prepare a Corrective Action Plan.

We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

**TECHNICAL COMMENTS**

1. **Soil Vapor Sampling Results.** Based on the low vapor permeability and low concentrations of petroleum hydrocarbons detected in soil vapor, we concur that no further soil vapor sampling is required at this time.
2. **Horizontal Extent of Contamination.** Please present plans in the Work Plan requested below to complete delineation of the horizontal extent of petroleum hydrocarbons east of the former UST and in the vicinity of well MW-1.
3. **Groundwater Monitoring.** We request that the groundwater monitoring wells at the site be sampled on a quarterly basis. The groundwater samples are to be analyzed for TPH as gasoline, BTEX, and MTBE using EPA Method 8260 and TPH as diesel using EPA Method 8015. Water levels are also to be measured on a quarterly basis to assess the groundwater flow direction. Maps showing the water level elevations, inferred hydraulic gradient, and the groundwater sampling results are to be prepared for each quarterly sampling event. Please

present the results of the groundwater sampling in the quarterly monitoring reports requested below.

4. **Geotracker Submittals.** A review of the SWRCB Geotracker website indicates that no data or reports have been submitted to Geotracker for your site. Pursuant to CCR 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 LUFT program, must be transmitted electronically to the SWRCB Geotracker website via the internet. Additionally, 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 accurate to within 1-meter accuracy, using NAD 83, and transmitted electronically to the SWRCB Geotracker website. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). In order to remain in regulatory compliance, please upload all analytical data (collected on or after September 1, 2001) and a copy, in PDF format, of all reports prepared after July 1, 2005.

#### TECHNICAL REPORT REQUEST

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

- **August 15, 2007 – Work Plan**
- **45 days following end of each quarter – Quarterly Groundwater Monitoring Report**
- **120 days following ACEH approval of Work Plan – Corrective Action 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

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. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

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. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for 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 monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

#### 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.

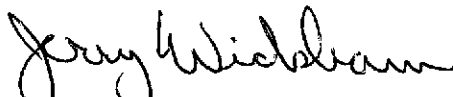
#### AGENCY OVERSIGHT

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.

Mr. Peter McGing  
RO0002900  
June 13, 2007  
Page 4

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Charles Almestad  
Kleinfelder West, Inc.  
1970 Broadway, Suite 710  
Oakland, CA 94612

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
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