

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



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ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
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March 27, 2007

Kimball and Jane Allen
2 Lone Tree Avenue
Mill Valley, CA 94941-1741

Teresa Pucci
Pucci Enterprises
6369 Stone Bridge Road
Santa Rosa, CA 95409-5859

Subject: Fuel Leak Case No. RO0002930 and Geotracker Global ID T0600108713, Allen Property, 325 Martin Luther King Jr Way, Oakland, CA 94607

Dear Kimball and Jane Allen and Teresa Pucci:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site, including the work plan entitled, "Site Characterization Work Plan," dated March 8, 2007, prepared on your behalf by AEI Consultants. The Work Plan proposes the soil and groundwater sampling from 11 soil borings, review of permit records for indications of piping or other sources, well records review, geophysical survey of the UST area, mapping of utilities, and installation of 3 monitoring wells. The proposed scope of work is acceptable provided that the technical comments below are addressed and incorporated during the proposed field investigation. Submittal of a revised Work Plan is not required unless an alternate scope of work outside that described in the Work Plan or technical comments below is proposed.

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

TECHNICAL COMMENTS

- 1. Monitoring Well Installation.** The proposed locations and depths of the monitoring wells are tentatively approved. The well locations are to be revised if results from the 11 soil borings indicate that the plume extends significantly beyond the proposed well locations or the plume extends in a direction that is different from the presumed downgradient direction. The proposed well depths may require revision if confined conditions or multiple water-bearing zones are encountered. We concur with the proposal to confer with ACEH prior to mobilization if confined conditions or multiple water-bearing zones are encountered during advancement of the 11 soil borings in the initial investigation phase.

TECHNICAL REPORT REQUEST

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

- **August 14, 2007** – Subsurface Investigation Report

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

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).

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

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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 be aware that you may be eligible for reimbursement of the costs of investigation from the California Underground Storage Tank Cleanup Fund (Fund). In some cases, a deductible amount may apply. If you believe you meet the eligibility requirements, I strongly encourage you to call the Fund for an application.

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.

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: Adrian Angel, AEI Consultants, 2500 Camino Diablo, Suite 200, Walnut Creek CA 94597

Sunil Ramdass, SWRCB Cleanup Fund, 1001 I Street, 17th floor, Sacramento, CA 95814-2828

Donna Drogos, ACEH
Jerry Wickham, ACEH
File