

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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February 26, 2006

Mrs. Shirley Thompson
Thompson Edward C & Shirley E Trust
1155 Hopkins Street
Berkeley, CA 94702-1359

Subject: Fuel Leak Case No. RO0002933, Thompson Property, 1409-1417 12th Street, Oakland, CA 94607-2003 – Request for Work Plan

Dear Mrs. Thompson:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site, including the reports entitled, "Subsurface Investigation," dated August 25, 1999 prepared by Blymer Engineers, Inc. and "Phase I Environmental Site Assessment," dated December 14, 2006 and prepared by Impact Environmental Services.

The subsurface investigation report summarizes the results from the installation of five soil borings. Elevated concentrations of total petroleum hydrocarbons as gasoline (TPHg) benzene, toluene, ethylbenzene and xylenes (BTEX) were detected in soil samples at concentrations of up to 1,500 milligrams per kilogram (mg/kg), 2.0 mg/kg, 37 mg/kg, 22 mg/kg and 120 mg/kg, respectively. Dissolved phase petroleum hydrocarbons including TPHg and BTEX were also detected in a groundwater samples collected from throughout the site at concentrations of up to 110,000 micrograms per liter ($\mu\text{g/L}$), 5,800 $\mu\text{g/L}$, 16,000 $\mu\text{g/L}$, 3,100 $\mu\text{g/L}$ and 18,000 $\mu\text{g/L}$, respectively. Based on results of soil sampling from the subsurface investigation ACEH has determined that the horizontal and lateral extent of soil and groundwater contamination has not been adequately defined at the site. Therefore, we request that additional site characterization be completed in the vicinity of the former underground storage tank (UST) and fuel dispenser locations.

Please submit a work plan detailing your proposal to define the extent of soil and groundwater contamination **by March 15, 2007**. This report is being requested pursuant to the Regional Water Quality Control Board's authority under Section 13267 of the California Water Code. We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

TECHNICAL REPORT REQUEST

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

- **March 15, 2007** – Work Plan for Soil and Groundwater Investigation

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

Effective **January 31, 2006**, 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).

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at <mailto:steven.plunkett@acgov.org>.

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

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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) 383-1767

Sincerely,



Steven Plunkett
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Joseph Cotton
Impact Environmental Services
39120 Argonaut Way, Suite 223
Fremont, CA 94538

Pat Presslar
State Water Resources Control Board
PO Box 944212
Sacramento, CA 94244-2120

Donna Drogos, ACEH
Steven Plunkett, ACEH
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