



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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April 20, 2009

Ms. Steffi Zimmerman
Ronald S. Zimmerman Estate
6330 Swainland Road
Oakland, CA 94611

Subject: Fuel Leak Case No. RO0002936 (Global ID #T0600183099), Zimmerman Property, 3442 Adeline Street, Oakland, CA 94608

Dear Ms. Zimmerman:

Alameda County Environmental Health (ACEH) staff has recently received a correspondence entitled, "Request for Time Extension" dated April 15, 2009 and submitted on your behalf by Conestoga-Rovers & Associates. Your April 15, 2009 correspondence requested a time extension to complete a "Soil and Groundwater Investigation and Monitoring Well Installation Report" from April 15, 2009 to June 1, 2009. The proposed schedule extension is acceptable. Please submit the work plan, which was previously requested in a directive letter dated December 29, 2008 correspondence, by June 1, 2009.

Based on ACEHD staff review of the documents referenced above, we request that you address the following technical comments and send us the reports described below.

TECHNICAL REPORT REQUEST

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

- **June 1, 2009** – Soil and Groundwater Investigation Report with Soil Excavation 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 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.

LANDOWNER NOTIFICATION REQUIREMENTS

Pursuant to California Health & Safety Code Section 25297.15, the active or primary responsible party for a fuel leak case must inform all current property owners of the site of cleanup actions or requests for closure. Furthermore, ACEH may not consider any cleanup proposals or requests for case closure without assurance that this notification requirement has been met. Additionally, the active or primary responsible party is required to forward to ACEH a complete mailing list of all record fee title holders to the site.

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, we 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.

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If you have any questions, please call me at (510) 383-1767.

Sincerely,



Steven Plunkett
Hazardous Materials Specialist

cc: Peter McIntyre
AEI Consultants
2500 Camino Diablo, Suite 200
Walnut Creek, CA 94597

Leroy Griffin
Oakland Fire Department, Hazardous Materials Unit
150 Frank Ogawa Plaza, Suite 3354
Oakland, CA 94612

Donna Drogos, Steven Plunkett, File