

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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December 4, 2007

Mr. Daniel Altwarg
Cardanal Properties, LLC
C/o Bartlett, Leader-Picone & Young, LLP
2201 Broadway, Suite 803
Oakland, CA 94612

Ms. Betty Brunswick
PG&E
77 Beal Street, Room 2439C
San Francisco, CA 94105

Mr. Richard Arnold, et al
Gamma Investments
301 Jefferson Street
Oakland, CA 94607

Mr. Ray Garnica
United California Bank
601 South Figueroa
Los Angeles, CA 90017-5704

Subject: Fuel Leak Case No. RO0002949 and Geotracker Global ID T0619758441, Markus Supply Hardware, 632-638 2nd Street, Oakland, CA 94607

Dear Mr. Altwarg, Ms. Brunswick, Mr. Arnold, and Mr. Garnica:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site, including the most recent report entitled, "Underground Storage Tank Closure-in-Place Report," dated June 21, 2007, prepared on your behalf by Clearwater Group. The report summarizes the results from cleaning and closure of five USTs at the above referenced site. The five USTs were closed-in-place beneath the sidewalk on 2nd Street by filling with concrete in May 2007.

In February 2007, 12 soil borings were advanced in the immediate vicinity of the five USTs to collect soil and groundwater samples. Total petroleum hydrocarbons as gasoline (TPHg) were detected in 1 of the 12 soil borings at a concentration of 89 milligrams per kilogram. Groundwater samples from five of the soil borings contained TPHg at concentrations up to 35,000 micrograms per liter ($\mu\text{g/L}$), benzene at concentrations up to 360 $\mu\text{g/L}$, ethylbenzene at concentrations up to 1,800 $\mu\text{g/L}$, and total xylenes at concentrations up to 4,500 $\mu\text{g/L}$. The horizontal and vertical extent of fuel hydrocarbons in soil and groundwater has not been defined. Therefore, we request that you submit a **Work Plan for site assessment by February 22, 2008**.

We recommend that your investigation incorporate expedited site assessment techniques. Expedited site assessment tools and methods are a scientifically valid and cost-effective approach to fully define the three-dimensional extent of groundwater contamination. Technical protocol for expedited site assessments are provided in the U.S. Environmental Protection Agency's "Expedited Site Assessment tools for Underground Storage Tanks: A Guide for Regulators," (EPA 510-B-97-001), dated March 1997. Therefore, we recommend that you utilize direct push technology to collect soil samples and depth-discrete groundwater samples prior to the installation of groundwater monitoring wells. Sampling locations should be located to assess the extent of soil and groundwater contamination. Other options for additional investigation may be appropriate to define contamination at your site.

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TECHNICAL REPORT REQUEST

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

- February 22, 2008 – Work 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).

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.

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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

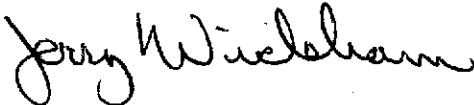
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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.

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
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Mr. Matthew Ryder-Smith, Clearwater Group, 229 Tewksbury Avenue, Point Richmond, CA 94801

Donna Drogos, ACEH
Jerry Wickham, ACEH
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