

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

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ENVIRONMENTAL PROTECTION
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June 25, 2008

Mr. Jeffery and Anna Cheng Huynh
1501 Darius Court
San Leandro, Ca 94577

Subject: SLIC Case No. RO0002959 (Geotracker Global ID #SLT19761201), Regal #404/Huynh Property, 5901 MacArthur Blvd., Oakland CA

Dear Mr. Huynh

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site and the document entitled, "Results from Soil and Groundwater Investigation" dated June 23, 2007 and submitted on your behalf by OTG EnviroEngineering Solutions Inc. Results from the investigation indicate that residual petroleum hydrocarbon contamination remains in soil and groundwater beneath your site.

To evaluate the presence of contamination in soil and groundwater beneath your site, ACEH requests that you prepare a work plan that details your proposal to evaluate contamination beneath your site. ACEH request that you address the following technical comments and send us the work plan requested below. Please provide 72-hour advance written notification to this office (e-mail preferred to steven.plunkett@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

- 1. Site Characterization.** In July 2007, a preliminary site assessment was completed and five soil borings were installed; however, the soil borings were not located near the source areas. TPHg was detected at concentrations of up to 2,890 parts per million in soil at 15 feet bgs, leaving the vertical extent of contamination beneath your site undefined. ACEH requests that you define the vertical and lateral extent of contamination beneath your site. Please pay particular attention to the former UST and fuel dispenser locations when considering the placement of soil boring locations. Please submit a Work Plan according the schedule outlined below.
- 2. Soil Sampling and Analysis.** All soil samples collected during the investigation are to be analyzed for the following constituents: TPHg and TPHD by EPA Method 8015M and BTEX, EDB, EDC, MTBE, TAME, TBA, ETBE AND DiPE by EPA Method 8260. Results from soil sample must be presented in the Soil and Groundwater Investigation Report requested below.

3. **Groundwater Sampling and Analysis.** All groundwater samples collected during the investigation are to be analyzed for TPHg and TPHD by EPA Method 8015M and BTEX, EDB, EDC, MTBE, TAME, TBA, ETBE AND DIPE by EPA Method 8260. Please present the results from the soil and groundwater sampling in the Soil and Groundwater Investigation Report requested below.
4. **Groundwater Gradient.** OTG has estimated that the hydraulic gradient flows in a south-west direction beneath your site. ACEH recommends that you review groundwater elevation data from fuel leak sites near your site including ACEH case #RO0000124, Chevron #9-9708, 5910 MacArthur to evaluate the hydraulic gradient near your site. Furthermore, to determine if your site has been negatively impacted from an upgradient source, ACEH suggests that you review historic water quality data from Fast Gas & Shop. Please present the results from your evaluation in the report requested below.

REQUEST FOR INFORMATION

ACEH's case file for the subject site contains only the electronic reports as listed on our website (<http://www.acgov.org/aceh/lop/ust.htm>). You are requested to submit copies of all other reports related to environmental investigations for this property (including Phase 1 reports) by **July 31, 2008**.

TECHNICAL REPORT REQUEST

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

- **August 30, 2008** – 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

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy and is expected to 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 Instructions." 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. 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 monitoring wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF

format). Please visit the State Water Resources Control Board 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.

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



Jerry Wickham, PG
Senior Hazardous Materials Specialist

cc: Xinggang Tong
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