



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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January 26, 2010

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

Subject: Fuel Leak Case No. RO0002959 (Geotracker Global ID #SLT19761201), Regal #404/Huynh Property, 5901 MacArthur Blvd., Oakland CA 94605

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, "Work Plan for Site Assessment" received on October 14, 2009 and submitted on your behalf by OTG EnviroEngineering Solutions Inc. (OTG). The proposed scope of work is generally adequate and may be implemented 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 alternative scope of work outside that described in the work plan and technical comments below is presented. 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. Soil and Groundwater Investigation Locations.** Prior to the installation of groundwater monitoring wells we request that you consider expedited site assessment as recommended by the EPA in their guidance document, *Expedited Site Assessment Tools For Underground Storage Tank Sites: A Guide For Regulators, March 1997*. Expedited site assessment will provide essential information and data needed to locate the contaminant mass and thus determine the potential locations for groundwater monitoring wells, if needed.

ACEH generally concurs with the proposed boring locations for NW-1 through NW-5 and NW-7 and the proposed total depth of borings; however we request that a transect of at minimum four borings be installed on the southwest property line, replacing proposed borings NW-6 and NW-10. We do not concur with the installation of borings NW-8 and NW-9. We recommend that you consider expedited turn-around-time on sample analysis and proposing monitoring well locations if needed, while field work is in progress. Draft analytical results and proposed well locations can be submitted to our office for review and concurrence during field work. Please present the results from the investigation in the report requested below.

- 2. Soil and Groundwater Sampling and Analysis.** ACEH generally concurs with the proposed soil and groundwater sampling and analysis recommended by OTG. In addition, during soil boring installation any interval where staining, odor, or elevated PID readings occur a soil sample is to be collected and submitted for laboratory analysis. If no staining, odor, or elevated PID readings are observed, soil samples are to be collected at five-foot intervals from each boring, at the capillary fringe, where groundwater is first encountered, at changes in lithology and at the total depth of the boring. Please present the results from the soil and groundwater sampling in the report requested below.

TECHNICAL REPORT REQUEST

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

- **April 15, 2010** – Soil and Groundwater 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

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.

Jeffery Huynh
RO0002959
January 25, 2010
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Sincerely,

Steven Plunkett
Hazardous Materials Specialist

cc: Xinggang Tong (sent Via email)
OTG EnviroEngineering Solutions Inc.
PO Box 70125
Oakland, CA 94612
Email: xtong@otgenv.com

Pearl Cross (sent Via email)
State Water Resources Control Board
Division of Financial Assistance
Email: pcross@waterboards.ca.gov

Donna Drogos, Steven Plunkett, File