



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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September 17, 2009

Mr. Earl Thompson, Jr.
Estate of Earl Thompson, Sr.
14 Crescent Street
Quincy, CA 95971

Subject: Fuel Leak Case No. RO0002996 and Geotracker Global ID T10000000885, Earl Thompson Property, 316 38th Street, Oakland, CA. 94611 – Work Plan Review

Dear Mr. Thompson:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above referenced site including the recently submitted work plan entitled, "*Workplan for Additional; Soil and Groundwater Investigation*," dated August 3, 2009 (Work Plan). The Work Plan proposes six soil direct-push borings and the possible installation of monitoring wells.

Based upon our review of the Work Plan, we have several technical comments on the proposed scope of work that will require revision of the Work Plan. We request that you address the technical comments below and prepare a Revised Work Plan **by November 10, 2009**.

TECHNICAL COMMENTS

1. **Base Map.** The base map showing the site and surrounding features in Figure 2A is different than the base map shown on Figures 3 through 13. The features shown on Figure 2A are generally more consistent with features shown on aerial photographs of the site. Please revise the base maps for Figures 3 through 13 to accurately show site features and property boundaries. In addition, please show the locations of previous soil borings, existing and historic monitoring wells, former nearby USTs associated with the Glovatorium site, and sanitary sewers and storm conduits that could affect contaminant transport at the site. Please also check the locations of the former USTs on the base map, which appear to be slightly different than the locations shown on Figure 2A.
2. **Potential Preferential Pathways.** A 54-inch diameter storm conduit is located immediately west of the former USTs as shown on Figure 2A. Based on previous observations of the storm conduit, the feature is potentially a preferential pathway or receptor for the site. Please show this feature on site figures to help plan site investigation activities. Investigation of the site must include activities to assess whether contamination from the former USTs is discharging to the storm conduit. Please include investigation of the 54-inch storm conduit and any other features that could be preferential pathways or receptors for the site in the Revised Work Plan requested below. We suggest that you consider soil borings along the alignment of the 54-inch diameter storm conduit to assess possible impacts from the former USTs and preferential contaminant migration. We note that proposed locations DP-13 and DP-14 appear to be very close to or intercept the projected location of the storm conduit. Please adjust these borings as necessary based on an accurate location of the storm conduit.

- 3. Monitoring Wells.** The Work Plan discusses installation of monitoring wells downgradient from the former USTs. We note that four monitoring wells (LFR-4 and GW-5 through GW-8) were installed southwest of the former USTs as part of previous investigations of the former USTs associated with the Glovatorium. It is not clear whether the existing monitoring wells have been considered in the Work Plan. Please use these wells where relevant to avoid duplication of effort. Please include the locations and discussion of data from the existing wells in the Revised Work Plan requested below.

TECHNICAL REPORT REQUEST

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

- **November 10, 2009** – Revised 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

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of reports in electronic form. The electronic copy replaces paper copies 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 all 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, these same reporting requirements were added to Spills, Leaks, Investigations, and Cleanup (SLIC) sites. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites is 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.

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
Senior Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

Estate of Earl Thompson, Sr.
RO0002996
September 17, 2009
Page 4

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032

John Kortrum, Archer Norris, 2033 North Main Street, Suite 800, Walnut Creek, CA 94596-3759

Mansour Sepehr, SOMA Environmental Engineering, 6620 Owens Drive, Suite A, Pleasanton, CA 94588

Donna Drogos, ACEH
Jerry Wickham, ACEH
Geotracker, File

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: March 27, 2009
	PREVIOUS REVISIONS: December 16, 2005, October 31, 2005
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

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.

REQUIREMENTS

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- Signature pages and perjury statements **must** be included and have either original or electronic signature.
- **Do not password protect the document**. Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:
RO#_Report Name_Year-Month-Date (e.g., RO#5555_WorkPlan_2005-06-14)

Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

Submission Instructions

- 1) Obtain User Name and Password:
 - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
 - i) Send an e-mail to dehloptoxic@acgov.org
 - Or
 - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of My Le Huynh.
 - b) In the subject line of your request, be sure to include "**ftp PASSWORD REQUEST**" and in the body of your request, include the **Contact Information, Site Addresses, and the Case Numbers (RO# available in Geotracker) you will be posting for.**
- 2) Upload Files to the ftp Site
 - a) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
 - (i) Note: Netscape and Firefox browsers will not open the FTP site.
 - b) Click on File, then on Login As.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
 - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
 - a) Send email to dehloptoxic@acgov.org notify us that you have placed a report on our ftp site.
 - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name @acgov.org. (e.g., firstname.lastname@acgov.org)
 - c) The subject line of the e-mail must start with the RO# followed by **Report Upload**. (e.g., Subject: RO1234 Report Upload) If site is a new case without an RO# use the street address instead.
 - d) If your document meets the above requirements and you follow the submission instructions, you will receive a notification by email indicating that your document was successfully uploaded to the ftp site.