



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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(510) 567-6700
FAX (510) 337-9335

December 23, 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, "*Revised Workplan for Additional; Soil and Groundwater Investigation*," dated November 20, 2009 (Revised Work Plan). The Revised Work Plan proposes eight direct-push soil borings.

The Revised Work Plan generally addressed our technical comments; however, the Revised Work Plan also deleted proposed investigation activities inside the building which was not requested in our technical comments. Based upon our review of the Revised Work Plan, we have several technical comments on the proposed scope of work that will require further revision or clarification. We request that you address the technical comments below and prepare a Revised Work Plan **by March 4, 2010**.

REQUEST FOR INFORMATION

Please submit copies of any reports you have documenting additional investigation activities or other work that are relevant to the current investigation or other unauthorized releases and not currently in ACEH case files. This includes Phase I environmental site assessment reports and site investigations conducted for potential real estate transactions. ACEH case files may be reviewed online using the ACEH website (<http://ehgis.acgov.org/dehpublic/dehpublic.jsp>).

TECHNICAL COMMENTS

1. **Base Map.** The revised base map showing the locations of previous soil borings, existing and historic monitoring wells, former nearby USTs associated with the Glovatorium site, revised property boundaries and building configurations, and sanitary sewers and storm conduits is acceptable.
2. **Proposed Boring Locations.** We request some modification to two proposed boring locations in order to provide better definition of the extent of contamination to the west and east of the former tanks. Suggested boring locations are shown on an attached figure (Attachment A). Please also see the request for boring locations to the north inside the building.

3. **Deleted Boring Locations Inside the Building.** The previous Work Plan dated August 3, 2009, included a total of six proposed limited access direct push soil borings inside the building. These proposed borings inside the building were deleted from the Revised Work Plan dated November 20, 2009 although no technical comments were made by ACEH regarding the proposed borings. We request that you review and provide information on the current or former locations of piping, dispensers, and/or equipment inside the building that may have been used to transport, dispense, or otherwise use the contents of the USTs. Based on the locations or former locations of these features and review of the existing data, which shows elevated concentrations of TPH as gasoline and TPH as Stoddard solvent in soil and groundwater immediately adjacent to the building, we request that you propose limited access direct push soil borings inside the building(s). Please present the requested information and proposed boring locations in the Revised Work Plan requested below.
4. **Clarification Regarding Wells B-11 and B-12.** Sampling locations B-11 and B-12 were described as borings converted into monitoring wells in the report entitled, "*Subsurface Investigation Report of Two Clusters of Underground Storage Tanks at the Former Glovatorium/The Leather Cleaners Site Located at 3815 Broadway, Oakland, CA 94611.*" Please clarify whether they were decommissioned or their condition if they remain in place. Please include this information in the Revised Work Plan requested below.
5. **Geotracker EDF Submittals.** A review of the case file and the State's GeoTracker database indicates your site still has not been "claimed," and your site is out of compliance with directives from this agency. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3893, 3894, and 3895, you are required to claim your site and subsequently electronically transmit reports and other site data, as required. In order to regain compliance, please claim the site (www.geotracker.waterboards.ca.gov) and submit verification to ACEH by **March 4, 2010**. Failure to claim the site by the due date specified above may result in referral and possible enforcement action by the District Attorney and/or ineligibility for reimbursement of corrective action costs incurred at the site from the Underground Storage Tank Clean-up Fund. Once removed from the Clean-up Fund, the costs associated with the subsurface investigation and/or cleanup work that may be required at your site will not be reimbursed.

TECHNICAL REPORT REQUEST

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

- **March 4, 2010** – 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.

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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

Attachment A: Sampling Locations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 2032 (*Sent via E-mail to: lgriffin@oaklandnet.com*)

John Kortrum, Archer Norris, 2033 North Main Street, Suite 800, Walnut Creek, CA 94596-3759 (*Sent via E-mail to: jkortrum@archernorris.com*)

Mansour Sepehr, SOMA Environmental Engineering, 6620 Owens Drive, Suite A, Pleasanton, CA 94588 (*Sent via E-mail to: msepehr@somaenv.com*)

Donna Drogos, ACEH (*Sent via E-mail to: donna.drogos@acgov.org*)
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.