



February 26, 2010

Jimmy Koo (via electronic mail: jimmykoo9@yahoo.com) Harvey J. and Donna J. Clar Trust
Sunny Piedmont Cleaners 230 Moraga Way
4364 Piedmont Ave. Orinda, CA 94563-3837
Oakland, CA 94611

Subject: Spills, Leaks, Investigations and Cleanup (SLIC) case file #RO0003013 and Geotracker Global ID T10000001597 Sunny Piedmont Cleaners, 4364 Piedmont Avenue, Oakland, CA 94611

Dear Mr. Koo, and Mr. and Mrs. Clar:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the June 15, 2009 *Phase II Environmental Site Assessment* that was submitted by Nova Consulting Group, Inc. The report indicates that contamination was discovered in soil samples collected from borings placed adjacent to the dry cleaning machines and recommends additional investigation to evaluate groundwater, soil and soil vapor impacts.

At this time, ACEH requests that you address the following technical comments and send us the technical work plans and reports requested below.

TECHNICAL COMMENTS

1. **Soil and Groundwater Investigation and Preferential Pathways** - Soil samples collected during the Phase II investigation and located adjacent to the dry cleaning machines detected maximum concentrations of 11 milligrams per kilogram (mg/kg) tetrachloroethene (PCE) and 0.002 mg/kg trichloroethene (TCE) from four feet below the ground surface (bgs) in sample HAB-2. No samples were collected from depths greater than 4 ft bgs nor was water encountered or analyzed from this location. In addition, adequate justification for Geoprobe borings GP-1 and GP-2 was not provided. Exploratory borings should be located in relation to the former source area and locations of likely impact, (floor drains, utility trenches, etc.). Propose a scope of work to address the above-mentioned concerns and submit a work plan due by the date specified below. Consider advancing soil borings and collecting groundwater samples to determine the vertical and lateral extent of contamination rather than installing permanent monitoring points at this time. Please include a figure that illustrates locations of former dry cleaning equipment, chemical storage areas, floor drains, subsurface utilities, and other preferential pathways to justify appropriateness of the previously installed and proposed sampling locations

TECHNICAL REPORT REQUEST

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

- **April 26, 2010** – Work Plan with preferential pathway assessment.

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) 639-1287 or send me an electronic mail message at barbara.jakub@acgov.org.

Sincerely,

Barbara Jakub, P.G.
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Derek Wong, ICES, 3300 Powell St. #109, Emeryville, CA 94608 (via electronic mail: derek_ices@yahoo.com)
Donna Drogos, ACEH, (electronic mail)
Barbara Jakub, ACEH, (electronic mail)
Geotracker, File