

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



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ENVIRONMENTAL HEALTH SERVICES  
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November 6, 2007

Mr. Chris Panaitescu  
Thrifty Oil Company  
13116 Imperial Highway  
Santa Fe Springs, CA 90670-00138

Subject: Fuel Leak Case No. RO00000004 (Global ID # T0600101365), Thrifty Oil #49, 3400 San Pablo Avenue, Oakland, CA

Dear Mr. Panaitescu:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site and the documents entitled; "Revised Work Plan for Additional Off-site Assessment" and "Request for Revised Monitoring Well and Soil Boring Locations" prepared on July 18, 2007 and September 27, 2007 by Equipoise Corporation. The scope of work as recommended in the work plan calls for the installation of seven soil borings, with four soil boring converted into groundwater monitoring wells. ACEH generally agrees with the scope of work as proposed in the Work Plan, provided the technical comments discussed below are incorporated before the start of field work.

Based on ACEH staff review of the case file, we request that you address the following technical comments, perform the proposed the work and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to <mailto:steven.plunkett@acgov.org>) prior to the start of field activities.

**TECHNICAL COMMENTS**

1. **Preferential Pathway Study.** In a previous correspondence dated May 18, 2007 ACEH requested that you complete an updated preferential pathway study and well survey. At present, ACEH has not received the preferential pathway study as requested. Please present the results from the preferential pathway study and well survey in the report requested below.
2. **Proposed Monitoring Well Locations.** Considering the difficulty of obtaining the necessary access agreement and permits to install monitoring wells in the public right of way, Thrifty has requested the monitoring wells be installed on adjacent private property. The proposed location of monitoring wells MW-8, MW-9 are acceptable, provided the new location of the monitoring wells are as close as practicable to the sidewalk at each location. Additionally, MW-11 must be located approximately midway between SB-5 and SB-6 and as close to the sidewalk as feasible.

We request that Thrifty immediately pursue any off-site access agreements that may be required to complete the proposed investigation activities. In the event that access for monitoring well installation on adjacent properties becomes an issue, ACEH will mail a letter

to neighboring property owners detailing the need for access to sites where the proposed offsite investigation activities will take place.

3. **Site Conceptual Model (SCM).** ACEH agrees with the recommendations suggested by Thrifty to update the SCM, including activities to identify and address data gaps, evaluate site hydrogeology and prepare hydrogeologic cross sections, prepare site maps detailing plume trajectory and TPH concentrations and evaluate potential risks to sensitive receptors. Please prepare an updated SCM according to the schedule outlined below.
4. **Quarterly Groundwater Monitoring.** Review of groundwater monitoring data presented in the first quarter of 2007 from onsite monitoring wells MW-2R, MW-4R and RW-1R detected high concentrations of TPHg up to 117,000 µg/L, 211,000 µg/L and 164,000 µg/L respectively. While data collected during the second quarter of 2007 detected concentrations of TPHg up to 896 µg/L in well MW-2R, 13,000 µg/L in well MW-4R and 13,000 µg/L in RW-1R. Comparison of first and second quarter 2007 dissolved phase TPHg data demonstrate a conspicuous fluctuations of TPHg concentrations of up to two orders of magnitude. ACEH is concerned that improper groundwater sampling methods, labeling or other problems may be resulting in spurious groundwater analytical results. Please explain the inconsistency between groundwater monitoring data collected during the first and second quarter of 2007 and present the results of your evaluation in the Site Conceptual Model required below.

#### **TECHNICAL REPORT REQUEST**

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

- **November 15, 2007** – Preferential Pathway Study
- **January 15, 2008** – Soil and Groundwater Investigation and Monitoring Well Installation Report
- **February 15, 2007** – Updated Site Conceptual Model

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.

#### **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 be aware that you may be eligible for reimbursement of the costs of investigation from the California Underground Storage Tank Cleanup Fund (Fund). In some cases, a deductible amount may apply.

However, 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) 383-1767.

Sincerely,



Steven Plunkett  
Hazardous Materials Specialist

cc: Richard Blackmer  
Equipoise Corporation  
1401 N. El Camino Real, Suite 107  
San Clemente, CA 92672

Donna Drogos, ACEH  
Steven Plunkett, ACEH  
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