

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

April 30, 2007

ENVIRONMENTAL HEALTH SERVICES

ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250

Alameda, CA 94502-6577

TEL (510) 567-6700

FAX (510) 337-9335

Ms. Ami Ebright
Green City Lofts, LLC
c/o Monterey Bay Resources
4601 W. Walnut Street
Soquel, CA 95703

Mr. Terry Turner
Dunne Quality Paints
707 Glenside Circle
Lafayette, CA 94599

Mr. and Mrs. Edward Kozel
20 Oak Knoll Drive
Healdsburg, CA 95448-3108

Mr. Robert Kovalak
ICI Paints
16651 W. Sprague Rd.
Strongsville, OH 44136

Ms. Deborah Castles
McGrath Properties
130 Webster St., Suite 200
Oakland, CA, 94607

Dear Ms. Ebright and Castles, Messrs. Turner and Kovalak and Mr. and Mrs. Kozel :

Subject: Fuel Leak Case No. RO0000079, Oakland National Engravers (ONE),
1001 42nd St., Oakland 94608 and Fuel Leak Case No. RO0000073,
Former Dunne Quality Paints, 1007 41st St., Oakland, CA 94608

Alameda County Environmental Health (ACEH) staff has received and reviewed the April 19, 2007 Workplan Addendum for Offsite Groundwater Investigation Former Dunne Quality Paints 1007 41st Street Oakland, CA 94608 submitted by Bureau Veritas, responding to the County's March 29, 2007 letter. The addendum incorporates the two additional requested soil vapor sampling points, however, requests that any additional borings along the north-south transect up-gradient of the Ennis property be put on hold pending the results of the other investigation components. Although do not require that the additional borings be done concurrently with the other investigations, we still believe that this information is necessary prior to site closure consideration. Since mineral spirits has migrated significant distances from the former source areas, regardless of whether it is detected in well samples, the extent of its migration must be known as well as what might be left in-place. The presence or lack of presence of risk also will not affect the need to delineate the extent of contamination. Please note the following technical comment below when performing the proposed work.

TECHNICAL COMMENT

1. Chemical Analysis- The following analytical methods should be run for the samples collected during this investigation: soil and groundwater: TPH extractables (including diesel & mineral sprits) and VOCs by EPA Method 8260 and soil vapor: TO3 and TO15 for the similar respective compounds.

TECHNICAL REPORT REQUEST

Please submit the following technical report according to the following schedule:

- May 15, 2007- Schedule for Monitoring Well Installations and Soil Vapor Sampling
- 60 days after Well Installations and Soil Vapor Sampling- Soil, Groundwater and Soil Vapor Report and Work Plan for Additional Soil and Groundwater Sampling

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

Effective **January 31, 2006**, 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. 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 at ([http://www.swrcb.ca.gov/ust/cleanup/electronic reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at barney.chan@acgov.org.

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

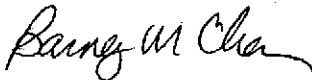
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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) 567-6765.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: files, D. Drogos, A. Levi
Other interested parties by e mail attachment