

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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November 7, 2007

Mr. Nissan Saidian
5733 Medallion Court
Castro Valley, CA 94522

Subject: Fuel Leak Case No. RO0000085 and Geotracker Global ID T0600101487, Oakland Truck Stop, 8255 San Leandro Street, Oakland, CA 94621

Dear Mr. Saidian:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the recently submitted document entitled, "Remedial Action Plan Addendum, Oakland Truck Stop, 8255 San Leandro Street, Oakland, California," dated October 19, 2007 and received by ACEH on October 22, 2007. The report was prepared on your behalf by Aqua Science Engineers and presents responses to ACEH comments contained in correspondence dated September 11, 2007. The Remedial Action Plan Addendum is a supplement to a document entitled, "Revised Remedial Action Plan for Underground Storage Tank and Dispenser Removal and Soil and Groundwater Remediation," dated August 16, 2007. The Revised RAP proposes site remediation through excavation, dewatering, and product removal activities. These activities are proposed in conjunction with UST and dispenser removal.

The responses contained in the "Remedial Action Plan Addendum," dated October 19, 2007 are acceptable. Therefore, the corrective action proposals in the "Revised Remedial Action Plan for Underground Storage Tank and Dispenser Removal and Soil and Groundwater Remediation," dated August 16, 2007 as supplemented by the "Remedial Action Plan Addendum," dated October 19, 2007 are approved by ACEH for public comment.

Public participation is a requirement for the Corrective Action Plan (CAP) process. Therefore, ACEH will notify potentially affected members of the public who live or own property in the surrounding area of the proposed remediation described in the Remedial Action Plan (RAP) and Addendum to the RAP. Public comments on the proposed remediation will be accepted for a 30-day period. We anticipate that the public comment period will extend from November 16, 2007 to December 17, 2007. After the public comments have been reviewed and addressed, ACEH may request responses to the comments with revisions to the RAP or may provide approval for installation and operation of the proposed remediation system.

TECHNICAL REPORT REQUEST

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

- 45 days after end of each quarter - Quarterly Monitoring Reports

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.

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

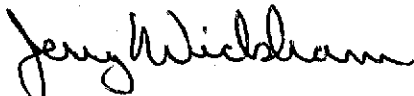
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: David Allen, Aqua Science Engineers, Inc., 55 Oak Ct., Suite 220
Danville, CA 94526

Robert Kitay, Aqua Science Engineers, Inc., 55 Oak Ct., Suite 220
Danville, CA 94526

Joseph Zadik, Tenant, Oakland Truck Stop, 8255 San Leandro Street, Oakland, CA 94621

Donna Drogos, ACEH
Jerry Wickham, ACEH
File