

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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February 26, 2009

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 case file for the above-referenced site including the most recently submitted document entitled, "*Quarterly Groundwater Monitoring Report, Second Quarter 2008*" dated September 15, 2008. The Quarterly Monitoring Report, which was prepared by Cook Environmental Services, Inc., presents the results of groundwater sampling conducted on June 28, 2008. The report includes recommendations to prepare a Remedial Investigation/Feasibility Study to evaluate remedial options for soil and groundwater at the site and a recommendation to implement free-phase product removal from an interceptor trench as an interim remedial action.

We have no objection to preparation of a Feasibility Study to evaluate additional remedial alternatives for the site. However, the results from soil excavation, free product recovery, and confirmation soil sampling that was conducted in July 2008, must be reviewed in order to evaluate future remedial activities. To date, we have not received results from the July 2008 soil excavation, free product recovery, and confirmation soil sampling.

In correspondence dated May 16, 2008, ACEH concurred with implementation of the tank upgrade and soil excavation activities proposed as an interim remedial action in the "*Revised Corrective Action Plan*," dated May 7, 2008. In the May 16, 2008 correspondence, ACEH also indicated that additional corrective actions beyond those proposed in the May 7, 2008 Revised CAP are expected to be necessary to meet cleanup goals for site closure. ACEH also requested that you submit the Tank Removal and Remediation Activities Report no later than September 26, 2008. To date, we have not received the Tank Removal and Remediation Activities Report. This report is now several months late. Please submit the Tank Removal and Remediation Activities Report **no later than April 3, 2009**. If these results are not received by April 3, 2009, we will issue a Notice of Violation.

We request that you address the following technical comments, perform the proposed work, and send us the reports requested below.

TECHNICAL COMMENTS

1. **Free Product Recovery from Interceptor Trench.** The "*Quarterly Groundwater Monitoring Report, Second Quarter 2008*" dated September 15, 2008 recommends installing a pneumatic pump in the riser pipe connected to the interceptor trench to remove free product. Contaminated groundwater and free product would be pumped to an oil/water separator and then granular active carbon canisters before testing and discharge to the sanitary sewer under permit to East Bay Municipal Utility District. We have no objection to the proposed recovery from the interceptor trench provided that

sufficient free product is captured in the interceptor trench to justify installation of the proposed system. Please present the observations and data to support the proposed installation of equipment for free product recovery in the Interim Free Product Recovery Monitoring and Operations Plan requested below. Please include a description of the system along with plans for monitoring and operations.

2. **Groundwater Monitoring.** Semi-annual groundwater monitoring during the first and third quarters is to be implemented for the existing wells at the site. Please present the results in the Groundwater Monitoring Reports requested below.
3. **Site Figures.** Site figures in the "*Quarterly Groundwater Monitoring Report, Second Quarter 2008*" dated September 15, 2008 do not appear to show the locations of all USTs and dispensers. In addition, the extent of excavation does not appear to be consistent with the most recent excavation in July 2008. In future reports, please accurately show all relevant site features including current and former USTs, dispensers, truck scale, buildings, and extent of excavations on the site plans.
4. **Figure 3 in Groundwater Monitoring Report.** Figure 3 in the "*Quarterly Groundwater Monitoring Report, Second Quarter 2008*" dated September 15, 2008 is entitled "*TPH-d Concentrations,*" but posts data for MTBE and has the same contours as Figure 6 - "*MtBE Concentrations.*"
5. **Concentration Contours on Figures 3 through 6.** Well MW-1 is outside of all concentration contours shown on Figures 3 through 6. However, free product is present in well MW-1. In future groundwater concentration maps, please label MW-1 clearly as containing free product to more accurately show the distribution of groundwater contamination.
6. **Geotracker EDF Submittals.** A review of the SWRCB Geotracker website indicates not all required data and reports have been submitted to Geotracker for your site. Please note that analytical data for all samples collected, water level and elevation data, monitoring well survey data, and copies of reports in PDF format are required. Pursuant to CCR Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, submitted in a report to a regulatory agency as part of the LUFT program, must be transmitted electronically to the SWRCB Geotracker website via the internet. Additionally, beginning January 1, 2002, all permanent monitoring points utilized to collect groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level and latitude and longitude accurate to within 1-meter accuracy, using NAD 83, and transmitted electronically to the SWRCB Geotracker website. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). In order to remain in regulatory compliance, please upload all analytical data (collected on or after September 1, 2001), monitoring well and groundwater elevation data, and a copy, in PDF format, of all reports prepared after July 1, 2005

TECHNICAL REPORT REQUEST

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

- **April 3, 2009** – Tank Removal and Remediation Activities Report
- **April 30, 2009** – Interim Free Product Recovery Monitoring and Operations Plan
- **May 29, 2009** – Semi-annual Groundwater Monitoring Report – First Quarter 2009
- **May 29, 2009** – Feasibility Study
- **October 29, 2009** – Semi-annual Groundwater Monitoring Report – Third Quarter 2009

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.

Mr. Nissan Saidian
RO0000085
February 26, 2009
Page 4

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

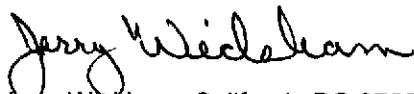
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

Mr. Nissan Saidian
RO0000085
February 26, 2009
Page 5

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032

Tom Henderson, Matriks Corporation, 321 Court Street, Woodland, CA 95695

Tim Cook, Cook Environmental Services, Inc., 3080 Hilltop Mall Road, Richmond, CA 94806

David Allen, 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

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: December 16, 2005
	PREVIOUS REVISIONS: October 31, 2005
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

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.

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 Alicia Lam-Finneke.
- 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 at 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)