

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

March 12, 2008

Mr. Dinesh Maniar
Diversified Investment and Management Corporation
400 Oyster Point Blvd., Suite 415
South San Francisco, CA 94080

Mr. Nelson Tsui
Oakland International Trade Center
633 Hegenberger Road
Oakland, CA 94621

Subject: Fuel Leak Case No. RO0000226 and Geotracker Global ID T0600100990, Oakland International Trade Center, 625 Hegenberger Road, Oakland, CA 94621

Dear Mr. Maniar and Mr. Tsui:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the documents entitled, "*Risk Evaluation and Closure Report, 625 Hegenberger Road, Oakland, California,*" dated March 28, 2003 and "*Groundwater Treatment and Closure Summary Report, 625 Hegenberger Road, Oakland, California,*" dated May 3, 2002. Both reports were prepared by AEI Environmental Consultants.

Case closure was requested on behalf of Diversified Investment and Management Corporation in the report entitled, "*Risk Evaluation and Closure Report, 625 Hegenberger Road, Oakland, California,*" dated March 28, 2003. The technical comments below identify two concerns that require additional information or investigation to evaluate whether the levels of residual contamination at the site pose a risk to human health or the environment. Specifically, the potential for soil vapor intrusion to indoor air must be evaluated as discussed in technical comment 1. In addition, groundwater sampling of existing monitoring wells is necessary to evaluate whether contaminant concentrations have rebounded following the cessation of remedial activities at the site. This information is required in order to complete an evaluation for case closure.

This decision is subject to appeal to the State Water Resources Control Board (SWRCB), pursuant to Section 25299.39(b) of the Health and Safety Code (Thompson-Richter Underground Storage Tank Reform Act - Senate Bill 562). Please contact the SWRCB Underground Storage Tank Program at (916) 341-5851 for information regarding the appeal process

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

REQUEST FOR INFORMATION

The ACEH case file for this site can be viewed online at the following website: <http://ehqis.acgov.org/dehpublic/dehpublic.jsp>. Please review the list of reports in the case file. We request that you submit a copy of any other reports available to you that are not listed in the case file and that document investigation activities or other environmental work related to this site, including any Phase I or Phase II investigation reports completed as part of a potential property transfer.

TECHNICAL COMMENTS

1. **Potential Vapor Intrusion.** Benzene was detected in confirmation soil samples collected from the bottom of the remedial excavation conducted in 1996 at concentrations up to 16 milligrams per kilogram. During the last four groundwater sampling events between December 2001 and September 2002, benzene was detected in groundwater at concentrations up to 2,000 micrograms per liter. Based on the elevated concentrations of benzene detected in soil and groundwater at the site, the potential for vapor intrusion to indoor air must be evaluated for future site development. Please propose soil vapor sampling in the Work Plan requested below to evaluate the potential for vapor intrusion.
2. **Groundwater Sampling of Existing Monitoring Wells.** A groundwater treatment program was initiated in June 2001. The system operated from June 2001 through February 2002 and supplemental treatment took place from July to September 2002. The last groundwater sampling event occurred on September 11, 2002. In order to assess whether contaminant concentrations have increased (rebounded) since the cessation of groundwater remediation, we request that you sample the existing monitoring wells. Please present plans in the Work Plan requested below to conduct a minimum of one groundwater sampling event using the existing groundwater monitoring wells.
3. **Geotracker EDF Submittals.** A review of the SWRCB Geotracker website indicates that no data or reports have been submitted to Geotracker for your site. Pursuant to CCR Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, 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) and a copy, in PDF format, of all reports prepared after July 1, 2005.

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TECHNICAL REPORT REQUEST

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

- **Work Plan – May 30, 2008**

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

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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

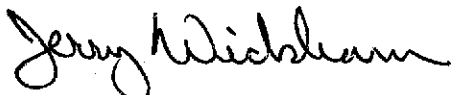
Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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

cc: Peter McIntyre
AEI Consultants
2500 Camino Diablo, Suite 100
Walnut Creek CA 94597

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

Leroy Griffin, OAKLAND FIRE