



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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July 22, 2011

David D. and Wendy Lin
5 Pine Tree Lane
Orinda, CA 94563

Henrietta Larson
c/o Mark Cederborg Esq.
1300 Clay St., Suite 500
Oakland, CA 94612

Subject: Fuel Leak Case No. RO0000338 and Geotracker Global ID T0600100635, General Transportation, 3211 Wood Street, Oakland, CA 94608

Dear Mr. and Mrs. Lin and Ms. Larson:

I am the new case worker at Alameda County Environmental Health (ACEH) and have reviewed the referenced case file, including the June 1992 *Report of UST Closure Activities, 3211 Wood Street Oakland, California* prepared by Eisenberg, Olivieri and Associates (EOA Inc.). The report indicates that on May 13, 1992 four underground storage tanks were removed from the site (two 8,000-gallon, one each for diesel and leaded gasoline, and two 500-gallon, one each for waste oil and solvent). Large holes and separated seams were reported for the solvent tank. Visibly impacted soil was left in one sidewall adjacent to a structure. Contaminant levels remaining in the soil were reported up to 26,000 milligrams per kilogram (mg/kg) total petroleum hydrocarbons (TPH) as diesel (d), 5,100 mg/kg, TPH gasoline (g), 1,400 mg/kg benzene, and 29 micrograms per kilogram (ug/kg) acetone. A total of 180 cubic yards of soil were removed from the tank pit. Groundwater in the tank exaction was documented to contain 12,000 micrograms per liter (ug/L) of TPHd 190 ug/L TPHg and acetone at 30 ug/L. A thin film of product was observed on the tank pit groundwater. Lead, nickel and zinc were detected in the excavation water at 23.6, 80.5, and 61.3 ug/L, respectively.

In 1994 Caltrans purchased a portion of the property for the Interstate 880 Cypress Replacement Project. The Caltrans purchase, a strip along the western property margin, did not include the former USTs locations. Caltrans performed investigation and mitigation of their site under the regulatory oversight of Department of Toxic Substances Control. As the former USTs were outside of the Caltrans purchase, Caltrans work did not address the tank area at your site.

Due to the detection of contamination at your site a soil and groundwater investigation is necessary to progress toward case closure.

Therefore, we request that you address the following technical comments and submit the reports requested listed below.

TECHNICAL COMMENTS

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1. **Soil and Groundwater Investigation**—Please investigate the extent of the soil and groundwater contamination at your site. This type of investigation usually involves driving one or more soil borings and collecting soil and groundwater samples for chemical analysis. Please submit a plan for this work by the by the date identified below.
2. **Request for Information**— ACEH's case file for the subject site contains only the electronic files listed on our website at <http://www.acgov.org/aceh/lop/ust.htm>. You are requested to submit copies of all other reports, data, correspondence, etc. related to environmental investigations for this property (including Phase I reports) not currently contained in our case file.

TECHNICAL REPORT REQUEST

- **September 22, 2011**—Request for Information (reports, data, etc.)
- **October 22, 2011**—Soil and Groundwater Investigation Work Plan

As your email address does not appear on the cover page of this notification ACEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case. Please note that ACEH respects your privacy. Your email address will remain confidential and will not be provided to any third party.

Thank you for your cooperation. Should you have any questions regarding this correspondence or your case, please call me at (510) 567-6764 or send an electronic mail message at keith.nowell@acgov.org.

Sincerely,

Keith Nowell, PG, CHG
Hazardous Materials Specialist

Enclosure: Responsible Party(ies) Legal Requirements/Obligations
ACEH Electronic Report Upload (ftp) Instructions

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA
94612-2032 (Sent via E-mail to: lgriffin@oaklandnet.com)
Jonathan Lin (Sent via Email to: Johnathan.limex@gmail.com)
Donna Drogos, ACEH (Sent via E-mail to: donna.drogos@acgov.org)
Keith Nowell, ACEH (Sent via E-mail to keith.nowell@acgov.org)
GeoTracker
File

Attachment 1

Responsible Party(ies) Legal Requirements/Obligations

REPORT REQUESTS

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.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/).

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.

Attachment 1

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	REVISION DATE: July 20, 2010
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

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

- **Please do not submit reports as attachments to electronic mail.**
- Entire report including cover letter must be submitted to the ftp site as **a single portable document format (PDF) with no password protection.**
- 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)

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 deh.loptoxic@acgov.org
 - 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, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) Click on Page located on the Command bar on upper right side of window, and then scroll down to Open FTP Site in Windows Explorer.
 - 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 deh.loptoxic@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 @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) If site is a new case without an RO#, use the street address instead.
- d) If your document meets the above requirements and you follow the submission instructions, you will receive a notification by email indicating that your document was successfully uploaded to the ftp site.