

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**

AGENCY

ALEX BRISCOE, Director



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November 28, 2011

Pat Cullen  
State Water Resources Control Board  
Division of Financial Assistance  
1001 I Street  
Sacramento, CA 95814  
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Robert Trommer  
State Water Resources Control Board  
Division of Financial Assistance  
1001 I Street  
Sacramento, CA 95814  
(Sent via E-mail to  
[RTrommer@waterboards.ca.gov](mailto:RTrommer@waterboards.ca.gov))

Subject: Response to UST Cleanup Fund Five Year Review for Fuel Leak Case No. RO0000359 and GeoTracker Global ID T0600100431, Dave's Station, 2250 Telegraph Avenue, Oakland, CA 94612

Dear Mr. Cullen & Mr. Trommer:

Alameda County Environmental Health (ACEH) received the Second 5-Year Review Summary Reports dated October 20, 2010 from the Underground Storage Tank Cleanup Fund (Fund) for the site listed below. This letter is an effort to document our response. The Summary Report represents the Preliminary 5-year review of ACEH Local Oversight Program cases by the Fund. The Fund correspondence requests that ACEH respond to the Fund correspondence within 45 days of the date of the letter. Responses to the Fund recommendations for the site, are presented below. ACEH staff has reviewed the contents of the correspondence in the context of the appropriateness of recommendations. However, ACEH staff has not reviewed the reports for accuracy of all information presented.

USTCF Recommendations from October 17, 2011 Review Summary:

The First USTCUF review recommended the following:

- The UST Fund staff recommends the LOP remind the claimant that all analytical and project documentation be uploaded to GeoTracker. Reports mentioned in the most recent quarterly (monitoring report) have not been uploaded nor has the analytical data been uploaded.
- The UST Fund staff recommends considering this Site for closure with restrictions that when it is redeveloped, the contaminated soil be removed that remains beneath the building. The consultant has demonstrated the soil vapor and groundwater are not migrating due to tight soils beneath the Site.

Updated – October 2011, the recent investigation confirmed that residual petroleum hydrocarbons are present in the soil and groundwater but are declining. After 17 years of monitoring, the groundwater

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plume is limited in size. Analytical data indicate that WQOs have been achieved in down gradient wells. Groundwater within the source area will likely remain above WQOs for years. Therefore, the Fund continues to recommend this Site be considered for closure.

ACEH Response: **ACEH is not in agreement with this recommendation.** The recent investigation confirmed that hydrocarbons were moving off-site but also the soil vapor survey indicates that TPHg is present above the commercial and residential exposure levels. Also soil contamination was left in place in the areas near the waste-oil UST. The RP submitted a corrective action plan, dated 11/22/2011, to address these issues and be able to close the site for future development. ACEH holds that while the RP is actively cleaning up the site and wants to remediate, we should allow all reasonable cleanup efforts.

**ACEH respectfully requests the UST fund staff revise the recommendation to consider the site for closure to the following:** The UST Fund staff requests that the responsible party implement the corrective action plan to cleanup the site in preparation for redevelopment.

Thank you for providing ACEH with the opportunity to comment on the subject sites. Please contact me if you have any questions regarding the above responses.

Sincerely,

Barbara J. Jakub, P.G.  
Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations  
Electronic Report Upload (ftp) Instructions

cc: Donna Drogos (sent via electronic mail to [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))  
Barbara Jakub (sent via electronic mail to [barbara.jakub@acgov.org](mailto:barbara.jakub@acgov.org))  
eFile, GeoTracker