



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

November 9, 2010

Ms. Rita Sullins
Don Sul, Inc.
187 North L Street
Livermore, CA 94550

Ms. Jennifer Sedlacheck (Sent via E-mail to: jennifer.c.sedlachek@exxonmobil.com)
Exxon Mobil
4096 Piedmont, #194
Oakland, CA 94611

Subject: Fuel Leak Case No. RO0000394 and Geotracker Global ID T0600100116, Arrow Rentals, 187 North L Street, Livermore, CA 94550

Dear Ms. Sullins and Ms. Sedlacheck:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site. In correspondence entitled, "*Corrective Action Plan – Implementation Extension Request*," and dated March 13, 2009, a schedule extension of one year was requested for implementation of the approved Corrective Action Plan for the site. More than one year has passed since the March 2009 correspondence and we now request that the Corrective Action Plan for the site be implemented. Please provide a schedule for implementation of the CAP that includes remediation system start-up no later than April 29, 2011. The schedule should include detailed steps necessary to complete the planning, permitting, subcontracting, construction, and testing of the remediation system. Please include one groundwater sampling event in the proposed schedule to establish baseline conditions prior to initiation of cleanup.

We request that you submit the proposed schedule **no later than December 17, 2010**.

TECHNICAL REPORT REQUEST

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

- **December 17, 2010** – Detailed Project Schedule
- **April 29, 2011** – Remediation System Start-Up
- **June 2, 2011** – Remediation System Start-Up Report
- **July 20, 2011** – Groundwater Monitoring and Remediation System Operations Report (2Q 2011)

Responsible Parties
RO0000394
November 9, 2010
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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

Attachments: Correspondence from Geological Technics, Inc. dated March 13, 2009
Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Danielle Stefani, Livermore Pleasanton Fire Department, 3560 Nevada St, Pleasanton, CA 94566
(Sent via E-mail to: dstefani@lpfire.org)

Cheryl Dizon (QIC 8021), Zone 7 Water Agency, 100 North Canyons Pkwy, Livermore, CA 94551
(Sent via E-mail to: cdizon@zone7water.com)

Eric Uranga, City of Livermore, Economic Development, 1052 S. Livermore Ave., Livermore, CA 94550 (Sent via E-mail to: ejuranga@ci.livermore.ca.us)

Tamora Bryant, Geological Technics, Inc., 1172 Kansas Avenue, Stockton, CA 95351
(Sent via E-mail to: TamoraB@gtienv.com)

Heidi Timken, Timken, Johnson, Hwang, 500 Ygnacio Valley Road, Suite 360, Walnut Creek, CA 94596

Christa Marting, ETIC Engineering, Inc., 2285 Morello Avenue, Pleasant Hill, CA 94523 (Sent via E-mail to: cmarting@eticeng.com)

Donna Drogos, ACEH (Sent via E-mail to: donna.drogos@acgov.org)

Jerry Wickham, ACEH (Sent via E-mail to: jerry.wickham@acgov.org)

GeoTracker, File

1172 Kansas Avenue
Modesto, CA 95351
209.522.4119
209.522.4227 (fax)
gti@gtienv.com

March 13, 2009

Project No.: 1262.2
Project Name: Sullins Property (L St.)

Mr. Jerry Wickham
Alameda County Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Re: Corrective Action Plan (CAP) – Implementation Extension Request
Arrow Rentals, 187 North L Street, Livermore, CA

Dear Mr. Wickham:

The purpose of this letter is to respectfully request, on behalf of our client, a further extension for the implementation of the Corrective Action Plan. This request is based on financial hardships posed by the Underground Storage Tank Cleanup Fund's (USTCF) current situation. Up until the present, the project has been moving forward to implement the CAP. Recently our client, Ms. Rita Sullins of Don Sul Inc., has indicated that they are in a position of extreme financial hardship and are unable to proceed with the financial burden associated with further implementation of the CAP without timely reimbursement from the USTCF.

GTI has been moving forward with the implementation of the CAP, and as outlined in previous correspondence, we have been coordinating with PG&E to have temporary power installed on site for the remediation system. It is my understanding that on February 27, 2009 the additional infrastructure required for PGE to supply the temporary service was installed. Our shared primary goal with Ms. Sullins and Alameda County Environmental Health Services is to address the source of contamination in a timely manner, thereby protecting California's groundwater.

As you may know, during the State Water Resources Control Board Workshop *Underground Storage Tank Cleanup Fund Discussion of Fund Condition, Delay in Reimbursements, and Suspension of Letters of Commitment* that was held on March 9, 2009 in Sacramento, it was reiterated that Class B payments will be delayed 18 months. The Workshop primarily disseminated information on the current fund status and gave opportunity for comments and recommendations. Any relief from or for the USTCF will require time to implement, and will not assist our client or the approximately 2,000 other Class B site responsible parties in the near future.

Geological Technics Inc.

1172 Kansas Avenue
Modesto, CA 95351
209.522.4119
209.522.4227 (fax)
gti@gtienv.com

Faced with this situation, limited resources, and little hope of the SWRCB being able to restore health to the USTCF in the short or intermediate term, we are asking for assistance and understanding from Alameda County Environmental Health Services to keep this site in compliance and eligible to receive grant money from the USTCF.

Our client currently has four outstanding reimbursement requests dating back to September 11, 2008. Due to their financial hardship they are not able to proceed with the costs associated with the remediation system equipment, installation, monitoring, operation and maintenance costs without the timely assistance of the USTCF.

At this time, we would like to respectfully request a 12 month extension of the CAP (to May 1, 2010), in the hope that the USTCF issues will be addressed in the coming months, and the project may be able to proceed with reimbursements in a timely manner. Again, I would like to reiterate that we have proceeded with implementation of the CAP as previous correspondence has discussed. It is our client's goal, and GTI's on behalf of them, to remain in compliance and address the source of contamination in a timely manner.

Further information on the financial hardships faced by our client can be provided at your request. I expect that you will be receiving similar letters from other consultants and their clients, and want to thank you for your consideration in this matter. I sincerely hope that we can work together to find a reasonable solution that allow the site to remain in compliance so that the remediation system can be implemented, and allow our client to remain solvent and in business.

Please let me know if you have any questions or need further information.

Thank you,



Tamorah Bryant, P.E.
Project Manager

cc: Tony & Rita Sullins
Chris Davidson – City of Livermore

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.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml).

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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: March 27, 2009
	PREVIOUS REVISIONS: December 16, 2005, October 31, 2005
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

- 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 My Le Huynh.
 - 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 @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.