



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

January 28, 2009

Stacie Harting-Frerichs  
Chevron Corporation  
6111 Bollinger Canyon Rd, RM 3596  
San Ramon, CA 94583

Hai Pham  
3530 Macarthur Blvd Gas Station, Inc.  
3530 Macarthur Boulevard  
Oakland, CA 94619

Subject: Fuel Leak Case No. RO0000405 and GeoTracker Global ID T0600101790, Chevron #9-8341, 3530 Macarthur Boulevard, Oakland, CA 94619

Dear Ms. Harting-Frerichs and Mr. Pham:

Alameda County Environmental Health (ACEH) staff has received (via email) a correspondence entitled, "Request for Time Extension" dated March 19, 2009 and submitted on your behalf by Conestoga-Rovers & Associates. Your March 19, 2009 correspondence requested a time extension to prepare a Site Conceptual Model (SCM), preferential pathway study and source area characterization work plan from March 30, 2009 to April 30, 2009. The proposed schedule extension is acceptable. Please submit the SCM, preferential pathway study and work plan, which was previously requested in a directive letter dated January 28, 2009 correspondence, by April 30, 2009.

Based on ACEHD staff review of the documents referenced above, we request that you address the following technical comments and send us the reports described below.

#### **TECHNICAL REPORT REQUEST**

Please submit technical reports to ACEH (Attention: Steven Plunkett), according to the following schedule:

- **April 30, 2009** – SCM & Data Gap Work Plan

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\\_rmmts.shtml](http://www.swrcb.ca.gov/ust/electronic_submittal/report_rmmts.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.

Should you have any questions, please contact me at (510) 383-1767 or send me an electronic mail message at [Steven.Plunkett@acgov.org](mailto:Steven.Plunkett@acgov.org).

Stacie Harting-Frerichs and Hai Pham  
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Sincerely,



Steven Plunkett  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: James P. Kiernan, Conestoga Rovers & Associates, 2000 Opportunity Drive, Suite 110,  
Roseville, CA 95678  
Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA  
94612-2032  
Donna Drogos, Steven Plunkett, File