



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

August 6, 2013

Alice Ng Lim and May Lee Lim
C/o Russell Lim
(Sent via E-mail to: rulim@comcast.net)
3111 Diablo Road
Lafayette, CA 94549

Subject: Case File Review for Fuel Leak Case No. RO0000479 and GeoTracker Global ID T0600100535, Lim Family Property, 250 8th Street, Oakland, CA 94607

Dear Mr. Lim:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the most recently submitted document entitled, "*Semi-Annual Groundwater Monitoring Report, June 2013 Groundwater Sampling*," dated July 29, 2013. The Report, which was prepared by Aqua Science Engineers, discusses groundwater sampling results from a sampling event conducted on June 18, 2013.

In correspondence dated March 25, 2013 (attached), ACEH requested that you submit a Remediation Systems Operations and Monitoring Report no later than July 30, 2013. ACEH also requested that the cost-effectiveness of continued operation of the remedial systems be evaluated. The Report does not meet the requirements established in our March 25, 2013 directive letter for the following reasons:

- No information is presented on remedial system operation. The most recent reporting on remedial system operation was presented in the "*Ozone Sparging and Vapor Extraction Remediation Systems Semi-Annual Operation Report and Groundwater Monitoring Report*," dated February 11, 2013 and discussed operations up to November 2012.
- An evaluation of the cost-effectiveness of continued remedial systems operation is not presented.
- The analytical results table presented in the Report does not include the June 2013 results. The table appears to be the same table presented in the previous February 11, 2013 report.

Based on the above reporting deficiencies of the "*Semi-Annual Groundwater Monitoring Report, June 2013 Groundwater Sampling*," dated July 29, 2013, this fuel leak case is out of compliance with directives from this agency. We request that you submit a revised and expanded report that addresses the technical comments below in order to return the case to compliance.

TECHNICAL COMMENTS

1. **Remedial System Operation.** Remedial system operation, maintenance, and monitoring activities since November 2012 must be fully reported in the Remediation System Operations and Monitoring Report requested below. This reporting is to include both text that summarizes remediation systems operation and monitoring as well as tables presenting operation parameters, system monitoring results, influent vapor sampling measurements, laboratory analytical results, and estimated extraction rates.

2. **Evaluation of Cost-Effectiveness of Continued Remedial System Operation.** Please include an evaluation of the cost-effectiveness of continued remedial systems operation in the Remediation System Operations and Monitoring Report requested below.
3. **Presentation of Analytical Results.** The June 2013 analytical results appear only as laboratory reports in an appendix to the Report. Table Two entitled, "*Summary of Chemical Analysis of Groundwater Samples*," only includes results up to December 13, 2012 and appears to be the same table presented in the previous February 11, 2013 report. The most recent groundwater sampling results must be included in a table presented in the Remediation System Operations and Monitoring Report requested below. We request that the most recent analytical results also be presented on a map of the site.
4. **Comparison to Low-Threat Closure Policy Criteria.** In the Remediation System Operations and Monitoring Report requested below, please include a comparison of site conditions to the State Water Resources Control Board Low-Threat Closure Policy criteria.

TECHNICAL REPORT REQUEST

Please upload technical reports to ACEH ftp site (Attention: Jerry Wickham), and to the State Water Resources Control Board's GeoTracker website, in accordance with the specified naming convention below, according to the following schedule:

- **September 23, 2013** – Remediation System Operations and Monitoring Report
File to be named: REM_GWM_R_yyyy-mm-dd

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.

If you have any questions, please call me at 510-567-6791 or send me an electronic mail message at jerry.wickham@acgov.org. Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Alice Ng Lim and May Lee Lim
RO0000479
August 6, 2013
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Attachments: ACEH Correspondence dated March 25, 2013
Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 2032 (*Sent via E-mail to: lgriffin@oaklandnet.com*)

David Allen, Aqua Science Engineers, Inc., 55 Oak Ct., Suite 220, Danville, CA 94526 (*Sent via E-mail to: dallen@aquascienceengineers.com*)

Robert Kitay, Aqua Science Engineers, Inc., 55 Oak Ct., Suite 220, Danville, CA 94526 (*Sent via E-mail to: rkitay@aquascienceengineers.com*)

Janice Nishita, State Water Resources Control Board, UST Cleanup Fund, P.O. Box 944212, Sacramento, CA 94244-2120 (*Sent via E-mail to: jnishita@waterboards.ca.gov*)

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, eFile



ENVIRONMENTAL HEALTH SERVICES
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March 25, 2013

Alice Ng Lim and May Lee Lim
C/o Russell Lim
(Sent via E-mail to: rulim@comcast.net)
3111 Diablo Road
Lafayette, CA 94549

Subject: Case File Review for Fuel Leak Case No. RO0000479 and GeoTracker Global ID T0600100535, Lim Family Property, 250 8th Street, Oakland, CA 94607

Dear Mr. Lim:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site including the most recently submitted document entitled, "*Ozone Sparging and Vapor Extraction Remediation Systems Semi-Annual Operation Report and Groundwater Monitoring Report*," dated February 11, 2013. The Report, which was prepared by Aqua Science Engineers, presents results from operation and monitoring of the SVE and sparging systems and groundwater monitoring results.

Between June 2012 and January 2013, operation of the remedial system has removed an estimated 10.15 gallons of gasoline in vapor phase. Influent vapor concentrations have decreased significantly since December 2011. The July 23, 2012 Report recommends continued operation of the remediation system for a minimum period of 12 months. Continued operation of the remediation system is acceptable at this time. We request that you submit a Remediation System Operations and Monitoring Report no later than July 30, 2013. At that time, the cost effectiveness of continued operation of the remedial system is to be evaluated and the site will be reviewed under the State Water Resources Control Board Low-Threat Closure Policy.

TECHNICAL REPORT REQUEST

Please upload technical reports to ACEH ftp site (Attention: Jerry Wickham), and to the State Water Resources Control Board's GeoTracker website, in accordance with the specified naming convention below, according to the following schedule:

- **July 30, 2013** – Remediation System Operations and Monitoring Report
File to be named: REM_GWM_R_yyyy-mm-dd

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.

Alice Ng Lim and May Lee Lim
RO0000479
March 25, 2013
Page 2

If you have any questions, please call me at 510-567-6791 or send me an electronic mail message at jerry.wickham@acgov.org. Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Attachment: Responsible Party(ies) Legal Requirements/Obligations

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Robert Kitay, Aqua Science Engineers, Inc., 55 Oak Ct., Suite 220, Danville, CA 94526 (*Sent via E-mail to: rkitay@aquascienceengineers.com*)

Janice Nishita, State Water Resources Control Board, UST Cleanup Fund, P.O. Box 944212, Sacramento, CA 94244-2120 (*Sent via E-mail to: jnishita@waterboards.ca.gov*)

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, eFile

Attachment 1

Responsible Party(ies) Legal Requirements/Obligations

REPORT/DATA REQUESTS

These reports/data are being requested pursuant to Division 7 of the California Water Code (Water Quality), Chapter 6.7 of Division 20 of the California Health and Safety Code (Underground Storage of Hazardous Substances), and Chapter 16 of Division 3 of Title 23 of the California Code of Regulations (Underground Storage Tank Regulations).

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (Local Oversight Program [LOP] for unauthorized releases from petroleum Underground Storage Tanks [USTs], and Site Cleanup Program [SCP] for unauthorized releases of non-petroleum hazardous substances) require submission of reports in electronic format pursuant to Chapter 3 of Division 7, Sections 13195 and 13197.5 of the California Water Code, and Chapter 30, Articles 1 and 2, Sections 3890 to 3895 of Division 3 of Title 23 of the California Code of Regulations (23 CCR). Instructions for submission of electronic documents to the ACEH FTP site are provided on the attached "Electronic Report Upload Instructions."

Submission of reports to the ACEH FTP site is in addition to requirements for electronic submittal of information (ESI) to the State Water Resources Control Board's (SWRCB) Geotracker website. In April 2001, the SWRCB adopted 23 CCR, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1 (Electronic Submission of Laboratory Data for UST Reports). Article 12 required electronic submittal of analytical laboratory data submitted in a report to a regulatory agency (effective September 1, 2001), and surveyed locations (latitude, longitude and elevation) of groundwater monitoring wells (effective January 1, 2002) in Electronic Deliverable Format (EDF) to Geotracker. Article 12 was subsequently repealed in 2004 and replaced with Article 30 (Electronic Submittal of Information) which expanded the ESI requirements to include electronic submittal of any report or data required by a regulatory agency from a cleanup site. The expanded ESI submittal requirements for petroleum UST sites subject to the requirements of 23 CCR, Division, 3, Chapter 16, Article 11, became effective December 16, 2004. All other electronic submittals required pursuant to Chapter 30 became effective January 1, 2005. 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, 7835, 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, late 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 SCP)	REVISION DATE: July 25, 2012
	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 (petroleum UST and SCP) 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 .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 <://alcoftp1.acgov.org>
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 - 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 .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.

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 - a) Send email to .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.
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