

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
9-18-06

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

September 15, 2006

Mr. Wilred Garfinkle
c/o Dr. Jay Garfinkel
352 Capetown Drive
Alameda, Ca 94501

Ms. Janet Koike
Cal Vita Limited Liability CX
2237 Prince Street
Berkeley, CA 94705

Subject: Fuel Leak Case No. RO0002513, Clamp Swing, 2515 Blanding Avenue, Alameda CA

Dear Mr. Garfinkle:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the subject site and the document entitled, "Revised Work Plan," dated August 17, 2006, which was prepared on your behalf by W.A. Craig Inc. This Work plan presents responses to ACEH technical comments (dated July 5, 2005) on the previous Work Plan entitled, "Site Investigation Work Plan" dated March 1, 2006 and prepared by W.A. Craig Inc. The "Revised Workplan," dated August 15, 2006, adequately incorporates or addresses the technical comments in our July 5, 2006 correspondence. ACEH concurs with the Response to Agency Comments and Revised Work Plan.

We request that you perform the proposed work, and send us the reports described below. Please provide 72-hour advance written notification to this office (e-mail preferred to steven.plunkett@acgov.org) prior to the start of field activities.

TECHNICAL REPORT REQUEST

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

- **60 Days After Completion of Investigation** – Soil and Groundwater Investigation Report

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

Effective **January 31, 2006**, 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. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

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. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for 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 monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

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

Mr. Wilred Garfinkle
September 15, 2006
Page 3

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.

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Steven Plunkett
Hazardous Materials Specialist

cc: Mr. Fred Muller
W.A. Craig Inc.
6940 Tremont Rd.
Dixon, CA 95620

Donna Drogos, ACEH
Steven Plunkett, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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

July 5, 2006

Mr. Wilred Garfinkle
c/o Dr. Jay Garfinkel
352 Capetown Drive
Alameda, Ca 94501

Ms. Janet Koike
Cal Vita Limited Liability CX
2237 Prince Street
Berkeley, CA 94705

Subject: Fuel Leak Case No. RO0002513, Clamp Swing, 2515 Blanding Avenue, Alameda CA

Dear Mr. Garfinkle:

I was recently assigned as the case worker for the above referenced site. Please send future correspondence for this site to my attention. Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site and the document entitled, "Site Investigation Work Plan," dated February 1, 2006. The Work Plan proposes to advance five soil borings to 25 feet below ground surface to define the lateral and vertical extent of petroleum hydrocarbons in soil and groundwater. Based on our review of the case file and the Investigation Work Plan, we request some revisions to the work plan, which are described in the technical comments below. Therefore, we request that you address the technical comments below and submit a revised work plan to ACEH by **August 15, 2006**.

TECHNICAL COMMENTS

1. **Proposed Sampling Locations.** ACEH agrees with the proposed soil boring locations B1 through B5. During field screening of soil samples with the photo-ionization detector (PID), ACEH suggest using the head space volatilization test to accurately measure the volatile organic compound (VOC) concentration in the soil. This screening method provides a higher level of accuracy than the direct screening of the soil core.
2. **Soil Sampling and Analysis.** We request that soil samples be collected from the capillary fringe in each boring and from any interval where staining, odor, elevated PID readings or distinct changes in lithology are observed. If no staining, odor, elevated PID readings or changes in lithology occur, the proposed depths for soil sampling are acceptable. All soil samples are to be analyzed for the following constituents; TPHg, TPHd, BTEX, MTBE, TAME, ETBE, DIPE, TBA, EtOH, EDB, EDC and Total Lead. Please present the results of the soil and groundwater investigation in the report requested below.

- 3. Depth-discrete Groundwater Sampling.** ACEH requests that prior to the collection of groundwater samples, soil boring data be used to select intervals for groundwater sampling. After evaluation of the soil boring data is complete and the groundwater sampling intervals are chosen, potential water-bearing layers below first encountered groundwater are to be targeted for groundwater sampling. All groundwater samples are to be analyzed for the following constituents; TPHg, TPHd, BTEX, MTBE, TAME, ETBE, DIPE, TBA, EtOH, EDB, EDC and Total Lead. Please present the results of the groundwater sampling in the soil and groundwater investigation report requested below.

It is unclear from the Work Plan if grab groundwater samples are to be collected from the same boring as the soil samples. ACEH suggests a new boring be advanced adjacent to the soil boring location allowing depth discrete grab groundwater samples to be collected without interruption. Please clarify your grab groundwater sampling methodology before the implementation of the proposed sampling activities and present your approach for depth discrete groundwater sampling in the revised work plan requested below.

- 4. Conduit Study.** The purpose of the conduit study is to locate and determine the probability of the dissolved hydrocarbons encountering preferential pathways and conduits that could spread contamination off site. Please evaluate the potential for dissolved fuel hydrocarbons to migrate along the utility trenches (including sewers, storm drains, trench backfill, pipelines, etc). Please submit map(s) and cross sections indicating the location and depth of utility lines and trenches within and near the site. Please include these results in the Soil and Groundwater Investigation Report requested below.

TECHNICAL REPORT REQUEST

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

- **August 15, 2006 – Revised Work Plan**
- **September 30, 2006 – Soil and Groundwater Investigation Report**

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) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy 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 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, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

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.

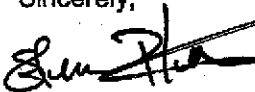
AGENCY OVERSIGHT

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.

If you have any questions, please call me at (510) 383-1767.

Wilfred Garfinkle
July 5 2006
Page 4

Sincerely,



Steven Plunkett
Hazardous Materials Specialist

cc: Mr. Fred Muller
W.A. Craig Inc.
6940 Tremont Rd.
Dixon, CA 95620

Donna Drogos, ACEH
Steven Plunkett, ACEH
File

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: May 31, 2006
	PREVIOUS REVISIONS: October 31, 2005, December 16, 2005
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

Effective **January 31, 2006**, 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: **ftp Site Coordinator**.
 - 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 at 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)

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
9-3-04

September 2, 2004

Mr. Wilfred and Ms. Wilma Garfinkle
2938 Northwood Drive
Alameda, CA 94501

Cal Vita Limited Liability CX
c/o Ms. Janet Koike
2237 Prince Street
Berkeley, CA 94705

Ladies and Gentlemen:

Subject: Late Letter for Fuel Leak Investigation, Site No. RO0002513, Clamp Swing, 2515 Blanding Avenue, Alameda, CA

The work plan requested in Alameda County Environmental Health (ACEH) correspondence dated April 4, 2003, has not been received by the requested due date of May 4, 2003. Your work plan is currently 16 months late. Your fuel leak site is not in compliance with ACEH directives. You are requested to submit the work plan by **November 2, 2004**.

If the report is not submitted by the requested due date, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement follow up. Enforcement follow up may include administrative action or monetary penalties of up to \$10,000 per day for each day of violation of the California Health and Safety Code, Section 25299.76.

Please note that further 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 to reimburse you for the cost of cleanup.

LANDOWNER NOTIFICATION REQUIREMENTS

Pursuant to California Health & Safety Code Section 25297.15, the active or primary responsible party for a fuel leak case must inform all current property owners of a site of cleanup actions or requests for closure. Furthermore, ACEH may not consider any cleanup proposals or requests for case closure without assurance that this notification requirement has been met. ACEH hereby requires that you:

1. Notify all current record owners of fee title to the site of the proposed action;
2. Submit a letter to ACEH which certifies that the notification requirement in 25297.15(a) of the Health and Safety Code has been met;
3. Forward to ACEH a copy of your complete mailing list of all record fee title holders to the site; and
4. Update your mailing list of all record fee title holders, and repeat the process outlined above prior to submittal of any additional *Corrective Action Plan* or your *Request for Case Closure*.

Your written certification to ACEH should state, at a minimum, the following:

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

1. In accordance with section 25297.15(a) of the Health & Safety Code, I, (name of primary responsible party), certify that I have notified all responsible landowners of the enclosed proposed action. (Check space for applicable proposed action(s)):

- cleanup proposal (Corrective Action Plan)
 site closure proposal (Request for Case Closure)
 local agency intention to make a determination that no further action is required
 local agency intention to issue a closure letter

- OR -

2. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (name of primary responsible party), certify that I am the sole landowner for the above site.

(Note: Complete item 1 if there are multiple site landowners. If you are the sole site landowner, skip item 1 and complete item 2.)

It appears that the subject site has been sold recently. ACEH has not been notified of this record fee title holder change as required by the above referenced code. We request that you send us the notification requested above by **September 16, 2004**.

PERJURY STATEMENT

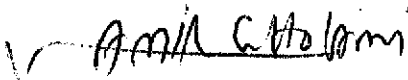
All work plans, technical reports, or technical documents submitted to this office must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document 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

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.

If you have any questions, please call me at (510) 567-6876.

Sincerely,



Amir K. Gholami
Hazardous Materials Specialist, REHS

cc: City of Alameda, Building & Planning Department, 2263 Santa Clara Ave, Alameda 94501
D. Drogos, A. Gholami

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



sent
10-5-04

October 4, 2004

Mr. Wilfred and Ms. Wilma Garfinkle
2938 Northwood Drive
Alameda, CA 94501

Cal Vita Limited Liability CX
c/o Ms. Janet Koike
2237 Prince Street
Berkeley, CA 94705

Ladies and Gentlemen:

Subject: Workplan for Fuel Leak Investigation, Site No. RO0002513, Clamp Swing, 2515 Blanding Avenue, Alameda, CA

Alameda County Environmental Health (ACEH) is in receipt of your letter dated September 13, 2004, regarding a workplan submittal concerning the above subject site. Please be advised that 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 recommendations, be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, it must be 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. AS previously stated in September 2, 2004, you are required to submit a work plan by **November 2, 2004**.

Should you have any questions, please do not hesitate to call me at (510) 567-6876.

Sincerely,

Amir K. Gholami
Hazardous Materials Specialist, REHS

cc: City of Alameda, Building & Planning Department, 2263 Santa Clara Ave,
Alameda 94501
D. Drogos, A. Gholami

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

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



04-0403

April 4, 2003

RO0002513

Mr. Wilfred Garfinkle
2938 Northwood Dr
Alameda, CA 94501

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

Re: Fuel Leak Investigation, Site No. RO0002513, Clamp Swing, 2515 Blanding Ave.,
Alameda, CA 94501

Dear Mr. Garfinkle:

Alameda County Environmental Health (ACEH) staff reported a release from your former gasoline underground storage tank (UST) system removed from your property on September 12, 2002. This office subsequently listed the subject site on our database of fuel leak sites. Our office acts as the lead agency to oversee the investigation and cleanup of petroleum hydrocarbon releases. We have recently reviewed the information in our file and determined that up to 1,450 ppm TPHG, 105 ppm TPHD were left in place in soil, up to 8,910 ppb TPHG and 22,000 ppb TPHD were detected in groundwater, petroleum odors were noted from the tank excavation, and that a soil and groundwater investigation is necessary at this site to progress toward case closure.

Please define the extent of soil and groundwater at your site. This type of investigation usually involves drilling one or more soil borings and collecting soil samples for chemical analyses. Groundwater monitoring wells may be needed and groundwater sampled to properly characterize groundwater contamination. Other options for additional investigation may be appropriate to define contamination at your site.

Please submit a work plan detailing your proposal to define the extent of soil and groundwater contamination by **May 4, 2003**. This report is being requested pursuant to the Regional Water Quality Control Board's (Regional Board) authority under Section 13267 of the California Water Code.

REQUEST FOR INFORMATION

ACEH's files for the subject site contains one report documenting UST removal activities, dated September 27, 2002, prepared by Golden Gate Tank Removal, Inc. It appears that additional work was performed at this site however; report(s) documenting this work have not been submitted to us. We request that you submit copies of any other reports you have documenting additional investigation activities or other work related to this UST system/site by **May 4, 2003**.

AB 681 (MACHADO) CHAPTER 255, STATUTES OF 1998

AB 681 (Machado) Chapter 255, Statutes of 1998, has made legislative changes to Chapters 6.7 and 6.75 of the Health and Safety Code adding new requirements to landowner notification and participation requirements for fuel leak investigations. These legislative changes require the active or primary responsible party for a fuel leak case to ensure that all current property owners of the site are informed of cleanup actions or requests for closure and to forward to ACEH a complete mailing list of all record fee title holders to the site so that we can ensure that they are listed as responsible parties and kept informed about cleanup and closure decisions.

Additionally, the primary or active responsible party must certify in writing that the notification requirement of Health and Safety Code, Section 25297.15, has been met and provide a mailing list of all record fee title owners to the local agency. This certification shall be included with a perjury statement in the cover letter transmitting reports, work plans, and requests for closure.

UST CLEANUP FUND

Please be advised that you might be eligible for reimbursement of the costs of investigation from the California UST Cleanup Fund (Fund). In some cases, a deductible amount may apply. Enclosed is a fact sheet concerning the Fund. If you believe you meet the eligibility requirements, I strongly encourage you to call the Fund for an application.

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 follow up. Enforcement follow up may include administrative action or monetary penalties of up to \$10,000 per day for each day of violation of the California Health and Safety Code, Division 20, Chapter 6.75.

Should you have any questions, please do not hesitate to call me at (510) 567-6876.

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist

Enclosure: USTCF Fact Sheet

C: Law Office of Robert Lane 3657 Grand Ave, Oakland, 94610

D. Drogos, A. Gholami

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



03-06-03

March 4, 2003

RO0002513

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 587-6700
FAX (510) 337-9335

Mr. Wilfred Garfinkle
2938 Northwood Dr
Alameda, CA 94501

RE: Clamp Swing, 2515 Blanding Ave., Alameda, CA 94501

LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS

Dear Mr. Garfinkle:

This letter is to inform you of new legislative requirements pertaining to cleanup and closure of sites where an unauthorized release of hazardous substance, including petroleum, has occurred from an underground storage tank (UST). Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code requires the primary or active responsible party to notify all current record owners of fee title to the site of: 1) a site cleanup proposal, 2) a site closure proposal, 3) a local agency intention to make a determination that no further action is required, and 4) a local agency intention to issue a closure letter. Section 25297.15(b) requires the local agency to take all reasonable steps to accommodate responsible landowners' participation in the cleanup or site closure process and to consider their input and recommendations.

For purposes of implementing these sections, you have been identified as the primary or active responsible party. Please provide to this agency, within twenty (20) calendar days of receipt of this notice, a complete mailing list of all current record owners of fee title to the site. You may use the enclosed "list of landowners" form (sample letter 2) as a template to comply with this requirement. If the list of current record owners of fee title to the site changes, you must notify the local agency of the change within 20 calendar days from when you are notified of the change.

If you are the sole landowner, please indicate that on the landowner list form. The following notice requirements do not apply to responsible parties who are the sole landowner for the site.

LANDOWNER NOTIFICATION

Re: 2515 Blanding Ave., Alameda

March 4, 2003

Page 2 of 2

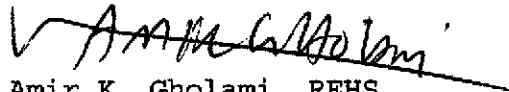
In accordance with Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code, you must certify to the local agency that all current record owners of fee title to the site have been informed of the proposed action before the local agency may do any of the following:

- 1) consider a cleanup proposal (corrective action plan)
- 2) consider a site closure proposal
- 3) make a determination that no further action is required
- 4) issue a closure letter

You may use the enclosed "notice of proposed action" form (sample letter 3) as a template to comply with this requirement. Before approving a cleanup proposal or site closure proposal, determining that no further action is required, or issuing a closure letter, the local agency will take all reasonable steps necessary to accommodate responsible landowner participation in the cleanup and site closure process and will consider all input and recommendations from any responsible landowner.

Please call me at (510) 567-6876 if you have any questions about the content of this letter.

Sincerely,



Amir K. Gholami, REHS
Hazardous Materials Specialist

cc: Reger Breweer, RWQCB

Attachments: Sample letter 2 and Sample letter 3, which must be filled out by the Responsible Party and mailed to Alameda County.

Alameda County Health care Services Agency
Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

**"List of Landowners" form
(Sample Letter 2)**

**SUBJECT: CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR (Site
name and address)
(to be filled in by the primary responsible party and mailed to
Alameda County)**

(Note: Fill out item 1 if there are multiple site landowners. If
you are the sole site landowner, skip item 1 and fill out item 2)

1. In accordance with section 25297.15(a) of Chapter 6.7 of
the Health & Safety Code, I, (name of primary responsible
party), certify that the following is a complete list of
current record fee title owners and their mailing addresses
for the above site:

2. In accordance with section 25297.15(a) of Chapter 6.7 of
the Health & Safety Code, I, (name of primary responsible
party), certify that I am the sole landowner for the above
site.

Sincerely,

Signature of primary responsible party

Name of primary responsible party

Alameda County Health care Services Agency
Environmental Health Services
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

**"Notice of Proposed Action" form
(Sample Letter 3)**

SUBJECT: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY FOR
(site name and address)
(to be filled in by the primary responsible party and mailed to
Alameda county)

In accordance with section 25297,15(a) of Chapter 6.7 of the
Health & Safety Code, I, *(name of primary responsible party)*,
certify that I have notified all responsible landowners of the
enclosed proposed action. Check space for applicable proposed
action(s):

- cleanup proposal (corrective action plan)
- site closure proposal
- local agency intention to make a determination that no
further action is required
- local agency intention to issue a closure letter

Sincerely,

Signature of primary responsible party

Name of primary responsible party

cc: Names and addresses of all record fee title owners

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



202513

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

October 24, 2002

SR 0003017

Willfred & Wilma Garfinkle
2938 Northwood Drive
Alameda, California 94501

RE: Underground storage tank removal, 2515 Blanding Avenue, Alameda CA 94501

Dear Mr. & Mrs. Garfinkle:

The office has received and reviewed the tank closure report prepared by Tracy Wallace, of Golden Gate Tank Removal, Inc. The report identifies petroleum constituents outside of the tank and in the subsurface. Based on field observations during the removal process this office is requesting additional investigation to more clearly define the extent of contamination.

Please direct your consultant to perform a scope of work that will accomplish the following tasks:

1. Resample soil in the former excavation at a similar depth,
2. Excavate down to groundwater and grab a groundwater sample.

All samples will be properly handled under chain of custody and analyzed for the same constituents as initially analyzed with the addition of chlorinated solvents. Your consultant shall notify this office at least 48 hours in advance of the fieldwork so that we may be present to direct the sampling.

Please contact me at (510) 567-6781 should you have any questions.

Sincerely,

Robert Weston
Sr. Hazardous Materials Specialist

cc: Tracy Wallace, GGTR
Janet Koike, 2237 Prince Street, Berkeley CA 94705
Susan Hugo, Manager, ACDEH