

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

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April 10, 2007

Ms. Cathy Greenwold
EmeryBay Commercial Association
100 Bush St., 26th Floor
San Francisco, CA 94104

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

Dear Ms. Greenwold:

Subject: Toxics Case RO0002799 & Global ID SLT2O05561, Garrett Freight Lines / Bay Center, 64th & LaCoste, Emeryville, CA 94608

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the subject site including the March 7, 2007 Notification of Soil Excavation Jamba Juice Tenant Improvement Project and the March 30, 2007 Construction Implementation and Semi-Annual Operations Report Free-Phase Hydrocarbon Product Remediation System reports prepared by PES Environmental. We have also spoke with consultants representing prospective buyers of Phase II and the office buildings of this site. They have inquired about the pathway to closure and the potential separation of parcels for this site. The County is not prepared to properly address these questions because we do not have all the reports for this site and only recently was the County requested to solely oversee the site by the Water Board. We request that you provide electronic copies of all historic reports to the County website. Please include copies of the parcel maps, which indicate the tracts referenced in your deed restriction. Please also explain whether it is possible to separate the parcels into separate sites.

TECHNICAL REPORT REQUEST

Please submit the following technical reports according to the following schedule:

- May 11, 2007- Reports of all historical reports and communications. Please refer to Appendix A Environmental Document List in PES March 7, 2007 Jamba Juice Tenant Improvement Project report, et al
- May 11, 2007- Parcel maps & discussion of potential for parcel separation

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. 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).

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at barney.chan@acgov.org.

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.

Ms. Greenwold
April 10, 2007
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If you have any questions, please call me at (510) 567-6765.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: files, D. Drogos
Mr. Carl Michelsen, PES Environmental, Inc., 1682 Novato Blvd., Suite 100,
Novato, CA 94947-7021

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