

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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March 5, 2007

Ms. Mary Kranz
10106 Coronado Ave., NE
Albuquerque, NM 87122

Ms. Luella Penserga
387 Orange Street #2
Oakland, CA 94610

Mr. Michael Raganal
387 Orange Street #2
Oakland, CA 94610

Mr. Sethreh Serrafan
387 Orange Street #2
Oakland, CA 94610

Subject: Fuel Leak Case No. RO0002921, Ulibarri Property, 387 Orange Street, Oakland, CA –
Work Plan Approval

Dear: Mmes. Kranz and Penserga; Messrs. Raganal and Serrafan

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above-referenced site and the document entitled, "Soil and Groundwater Investigation Work Plan," dated January 31, 2007 and submitted on your behalf by Stellar Environmental Solutions, Inc. The scope of work in the Work Plan proposes the installation of three soil borings, with one soil boring immediately adjacent to and possibly down gradient of the former Underground Storage Tank (UST), and two additional soil boring will be installed in the apparent up gradient direction of the former UST. ACEH generally agrees with the proposed scope of work as stated in the Work Plan, provided the following technical comments are addressed prior to the implementation of the 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 COMMENTS

- 1. Soil Boring Locations and Soil Sampling.** At present, no down gradient investigation has been conducted to determine extent of petroleum hydrocarbon impacts to soil and groundwater down gradient of the site. Our review of regional hydrogeologic data indicates a variable groundwater gradient toward the southwest/southeast. ACEH recommends the installation of two additional offsite soil borings, one soil boring is to be installed on Orange Street approximately 15 to 20 feet south west of the former UST location, while the second soil boring is to be installed on Orange Street approximately 15 to southeast of the former UST location. These two additional soil-boring locations should help define the extent of soil and groundwater contamination immediately down gradient of the site.

In addition, during soil boring installation any interval where staining, odor, or elevated PID readings occur a soil sample is to be collected and submitted for laboratory analysis. If no staining, odor, or elevated PID readings are observed, soil sample are to be collected from each boring at the capillary fringe, where groundwater is first encountered, changes in lithology, and at the total depth of the boring. All soil samples collected during the investigation are to be analyzed for TPHd by EPA Method 8015M or 8260, BTEX, EDB, EDC, MtBE, TAME, ETBE, DIPE, TBA and EtOH by EPA Method 8260. Please present the results from the soil sampling in the Soil and Groundwater Investigation Report requested below.

2. **Groundwater Sampling and Analysis.** All groundwater samples collected during the investigation are to be analyzed for TPHd by EPA Method 8015M or 8260, BTEX, EDB, EDC, MtBE, TAME, ETBE, DIPE, TBA and EtOH by EPA Method 8260. Please present the results from the soil and groundwater sampling in the Soil and Groundwater Investigation Report requested below.

TECHNICAL REPORT REQUEST

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

- **May 1, 2007 – 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

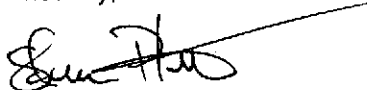
Please be aware that you may be eligible for reimbursement of the costs of investigation from the California Underground Storage Tank Cleanup Fund (Fund). In some cases, a deductible amount may apply. If you believe you meet the eligibility requirements, I strongly encourage you to call the Fund for 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 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.

Sincerely,



Steven Plunkett
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

Mary Kranz
March 2, 2007
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cc: Richard Makdisi
Stellar Environmental Solutions, Inc.
2198 Sixth Street, Suite 201
Berkeley, CA 94502-6577

Donna Drogos, ACEH
Steven Plunkett, ACEH
File