

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

February 22, 2007

Ms. Steffi Zimmerman
Ronald S. Zimmerman Estate
6330 Swainland Road
Oakland, CA 94611

Subject: Fuel Leak Case No. RO0002936, 3442 Adeline Street, Oakland, CA 94608

Dear Ms Zimmerman:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the above referenced site including the reports entitled, "Phase II Subsurface Investigation," dated August 17, 2006 and "Underground (UST) Closure Report" dated March 21, 2000 prepared by Clearwater Group Inc. The Phase II report summarizes results from four soil borings advanced at the site on June 23, 2006. The soil borings were located adjacent to the former UST in the sidewalk on the northeast corner of the property. Petroleum hydrocarbons were detected in soil and groundwater samples collected from each of the four soil borings. Total petroleum hydrocarbons (TPH) as gasoline, TPH as diesel and benzene were detected in soil at concentrations up to 1,200 milligrams per kilogram (mg/kg), 850 mg/kg and 1.3 mg/kg, respectively. Additionally, TPHg, TPHd and benzene were detected in groundwater at concentrations up to 120,000 micrograms per liter ($\mu\text{g/L}$), 40,000 $\mu\text{g/L}$ and 7,000 $\mu\text{g/L}$, respectively.

Based on the concentrations of TPH detected in soil and groundwater, and considering that the Phase II investigation was confined to the area immediately adjacent to the former UST an additional investigation is required to determine the extent of soil and groundwater contamination in the vicinity of the former UST. We recommend that your investigation incorporate expedited site assessment techniques to collect soil samples, and depth-discrete groundwater samples prior to the installation of groundwater monitoring wells. Other options for additional investigation or remediation may also be appropriate at your site. We request that you immediately pursue any off-site access agreements that you may need to complete your investigation activities.

Please submit a work plan detailing your proposal to define the extent of soil and groundwater contamination by **March 30, 2007**.

TECHNICAL REPORT REQUEST

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

- **March 30, 2007** – Work Plan for Soil and Groundwater Investigation

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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

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.

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 the 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. Additionally, the active or primary responsible party is required to forward to ACEH a complete mailing list of all record fee title holders to the site.

UNDERGROUND STORAGE TANK CLEANUP FUND

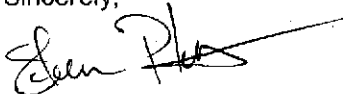
Please be aware that you may be eligible for reimbursement of the costs of investigation from the California Underground Storage Tank Cleanup Fund (Fund). In some cases, a deductible amount may apply. If you believe you meet the eligibility requirements, we strongly encourage you to call the Fund for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

cc: Robert Nelson
Clearwater Group
229 Tewksbury Avenue
Point Richmond, CA 94801

Donna Drogos, ACEH
Steven Plunkett, ACEH
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