

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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June 20, 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 and the recently submitted report entitled, "Work Plan Addendum for Additional Subsurface Investigation and Migration Control," dated May 23, 2007 and prepared by the Clearwater Group Inc (Clearwater). The scope of work in the Work Plan recommends the installation of nine soil borings either adjacent to or downgradient of the former UST location.

We request that you respond to the technical comments discussed below and 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 Gas Sampling.** Clearwater recommends the installation of four soil vapor sample locations (paragraph 1, page 6) inside the warehouse, adjacent to the downgradient residence. However, Clearwater identifies five soil vapor samples, V-1 through V-5, (paragraph two, page 6) be collected using Macro-Core sampling techniques. Additionally, Figure 4 identifies only four soil vapor locations, V-1 through V4. ACEH requires four soil vapor sample points, and sample V4 shall be moved from its current position and relocated adjacent to soil boring S7. The soil gas sampling method (TO-17) recommended by Clearwater is acceptable. Please present the results from soil vapor sampling in the Soil and Groundwater Investigation report requested below.
- 2. Soil Boring Locations and Analysis.** ACEH generally agrees with the proposed soil boring locations as recommended by Clearwater. However, please remove soil boring S12 as a proposed soil boring location. ACEH generally agrees with the soil sample analysis as recommended by Clearwater; however, since the following fuel oxygenates (TAME, ETBE, DIPE and TBA) were not submitted for laboratory analysis they must be included as analytes during this phase of investigation. Please present the results from soil sampling in the SWI report requested below.
- 3. Groundwater Sampling and Analysis.** ACEH generally agrees with the groundwater sample analysis as recommended by Clearwater with the addition of TAME, MtBE, ETBE,

DIPE, and TBA. Please present the results from soil sampling in the SWI report requested below.

TECHNICAL REPORT REQUEST

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

- **May 15, 2007** – Revised Work Plan for Soil and Groundwater Investigation

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

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

Donna Drogos, ACEH, Steven Plunkett, ACEH, File