

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



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September 5, 2007

Salisbury Ave. Associates LLC
Mr. Peter Robertson
2917 MacArthur Blvd., #3F
Oakland, CA , 94602

Ms. Maria Campos
1424 Fruitvale Ave.
Oakland, CA 94601

Mr. and Mrs. John Madler
1030 Dutton Ave.
San Leandro, CA 94577

Dear Ladies and Gentlemen:

Subject: Fuel Leak Case RO0002945 & Global ID # T0619778840, Chevron
#9-8861, 2145 35th Ave., Oakland, CA 94601

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the subject site including the March 2007 Underground Storage Tank Removal Confirmation Report prepared by Brighton Environmental Consulting. Four borings were drilled at locations near the former underground fuel tanks. Soil and grab groundwater samples were collected and analyzed. Up to 2100 ppm (parts per million) total petroleum hydrocarbons as gasoline, (TPHg), 1200 ppm TPH as stoddard solvent, (TPHss), 360 ppm total petroleum hydrocarbons as diesel (TPHd) and 27 ppm total petroleum hydrocarbons as motor oil (TPHmo) was detected in soil samples from boring B1. The grab groundwater sample from boring B1 detected 87, 000 parts per billion, (ppb), TPHg, 71,000 ppb TPHss, 69,000 ppb TPHd, 1800 ppb TPHmo and 250 ppb benzene. Based upon these results a release of petroleum has occurred from the former underground storage tank has occurred, the extent of which must be determined in soil and groundwater.

We request that you prepare and submit a work plan for the Soil and Water Investigation by that addresses each of the following technical comments.

TECHNICAL COMMENTS

1. Conduit Study

The purpose of the conduit study is to locate potential migration pathways and potential conduits and determine the probability of the plume encountering preferential pathways and conduits that could spread the contamination. Of particular concern is the identification of abandoned wells and improperly-destroyed wells that can act as conduits to deeper water bearing zones.

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

We request that you perform a conduit study that details the potential migration pathways and potential conduits (utilities, storm drains, etc.) that may be present in the vicinity of the site. Provide a map showing the location and depth of all utility lines and trenches including sewers and storm drains within and near the plume area.

The conduit study shall include a detailed well survey of all wells (monitoring and production wells: active, inactive, standby, destroyed (sealed with concrete), abandoned (improperly destroyed); and dewatering, drainage, and cathodic protection wells) within a ¼ mile radius of the subject site. As part of your detailed well survey, please perform a background study of the historical land uses of the site and properties in the vicinity of the site. Use the results of your background study to determine the existence of unrecorded/unknown (abandoned) wells, such as old deep agricultural wells, that can act as pathways for migration of contamination at and/or from your site. Please review historical maps such as Sanborn maps, aerial photos, etc., when performing the background study. Provide a map(s) showing the location of all wells identified in your study, use data tables to report the data collected as part of your survey, and include prints of historic aerial photos used as part of your study.

Using the results of your conduit study and data from previous investigations at the site you are to develop the initial three-dimensional conceptual model of site conditions. You are to use this initial conceptual model to determine the appropriate configuration for sampling points in the Soil and Water Investigation phase of work at this site propose these in the work plan. Discuss your analysis and interpretation of the results of the conduit study (including the detailed well survey) and report your results in the Work Plan. Describe your initial conceptual model of site conditions and explain your rationale for the configuration of sampling points in the work plan requested below.

2. Contaminant Plume Definition

The purpose of contaminant plume definition is to determine the three-dimensional extent of contamination (MTBE, petroleum products, and associated blending compounds and additives) in soil and groundwater from the unauthorized release at your site.

The three-dimensional extent of contamination in soil and groundwater at your site is undefined. Therefore, we request that you perform a detailed, expedited site assessment using depth discrete sampling techniques on borings installed along transects to define and quantify the full three-dimensional extent of Total Petroleum Hydrocarbons, Benzene, and other contamination in groundwater.

A substantial part of your plume(s) should be defined with one mobilization by using expedited site assessment techniques at your site. The appropriately-qualified professionals performing field work at your site will be using the data obtained from the field work to refine the initial three-dimensional conceptual model of site conditions developed during the conduit study and review of background information. Using expedited site assessment techniques, the appropriately-qualified professionals are to analyze the field data as it is collected,

refine the conceptual model as new data is produced and evaluated, and modify the sampling and analysis program as needed, filling data gaps and resolving anomalies prior to demobilization.

Expedited site assessment tools and methods are a scientifically valid and cost-effective approach to fully define the three-dimensional extent of the plume. Technical protocol for expedited site assessments are provided in the U.S. Environmental Protection Agency's (EPA) "Expedited Site Assessment Tools for Underground Storage Tank Sites: A Guide for Regulators" (EPA 510-B-97-001), dated March 1997.

Discuss your proposal for performing this work in the work plan requested below. Report the results of your investigation in the Soil and Water Investigation (Results of Expedited Site Assessment) Report requested below.

3. Characterization of Local Hydrogeology and Groundwater Flow Conditions

The purpose of this characterization is to understand the physical and geochemical characteristics of the subsurface, which may affect groundwater flow, the breakdown (fate), migration (transport), and the distribution of contaminants through the subsurface. Additionally, factors such as water level fluctuations, gradient changes, local hydrogeology, groundwater extraction, and groundwater recharge activities (natural and artificial) can significantly alter groundwater flow conditions.

We request that you properly characterize the hydrogeology and groundwater flow conditions in the vicinity of your site. During SWI activities, we request that you gather detailed lithologic information using borings, dual tube expedited site assessment methods, or cone penetrometer together with other methods to understand the hydrogeology at your site. The use of methods to understand the hydrogeology, such as pumping tests, geophysical methods, etc., may be proposed. We recommend that you continuously core borings at this site and prepare detailed boring logs. We require that you prepare the following: detailed cross-sections, fence diagrams, structural contours, isopachs, and rose diagrams for groundwater gradient. The rose diagram shall be plotted on groundwater contour maps and updated in all future reports submitted for your site. Include plots of the contaminant plumes on your maps, cross-sections, and diagrams.

We also request that you evaluate local groundwater flow conditions and establish a site-specific localized flownet that is dependent on geologic conditions and is reflected on detailed geologic cross-sections and fence diagrams. Additional piezometers and/or monitoring wells/well clusters may be required to understand local groundwater flow conditions. Report your results in the Soil and Water Investigation (Results of Expedited Site Assessment) Report and the Soil and Water Investigation Completion Report requested below.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health, according to the following schedule:

- October 19, 2007 - Work Plan for completion of Soil and Water Investigation with results of completed conduit study with detailed well survey
- 90 days from Work Plan Approval – Soil and Water Investigation (Results of Expedited Site Assessment) 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 Donna Drogos at (510) 567-6721

Sincerely,



Barney M. Chan
Sr. Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

C: files, D. Drogos

Mr. Bob Roat, Brighton Environmental Consulting, 3815 Brighton Ave., Oakland,
CA, 94602

James & Elizabeth Carver, address unknown

Plez Middleton, Trustee, address unknown

David Lervan, Trustee, address unknown

9_4_07 techrq 2145 35th Ave