



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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FAX (510) 337-9335

February 23, 2011

Huynh Cheng Family Living Trust
c/o Mr. Kevin Huynh
1501 Darius Court
San Leandro, CA 94577

Subject: Conditional Work Plan Approval for SLIC Case No. RO0002959 and GeoTracker Global ID SLT19761201, Regal #404/Huynh Property, 5901 MacArthur Blvd., Oakland, CA 94605

Dear Mr. Huynh:

Alameda County Environmental Health (ACEH) staff has reviewed the fuel leak case file for the subject site including the recently submitted document entitled, "*Work Plan for Well Installation and Additional Shallow Soil Sampling, 5901 MacArthur Blvd., Oakland, CA,*" dated February 11, 2011 (Work Plan). The Work Plan, which was prepared on your behalf by OTG Envrioenengineering Solutions, Inc., presents plans for installing nine monitoring wells and advancing five shallow soil borings.

In correspondence dated January 12, 2011, ACEH indicated that the potential for vapor intrusion to indoor air must be assessed prior to residential development of the site. To address this data gap, ACEH requested that the responsible parties submit a Work Plan to conduct soil vapor sampling in areas of potential shallow soil sources such as the UST tank pits, dispensers, and product lines. The February 11, 2011 Work Plan does not include soil vapor sampling and is therefore, incomplete. Assessing the potential for vapor intrusion to indoor air is a requirement for this site.

We understand that time constraints related to funding issues are in place for this site. Therefore, in order to allow the case to move forward in a timely manner, we will provide conditional approval of the proposed well installations and shallow soil borings at this time. However, this conditional approval of the limited scope of work should in no way be taken as an indication that an assessment of the potential for vapor intrusion is not needed for this site. You will be required to submit a Work Plan Addendum to conduct the soil vapor sampling at a future date.

The proposed well installations and shallow soil borings may be implemented provided that the technical comments below are addressed and incorporated during the proposed investigation. Submittal of a revised Work Plan is not required unless an alternate scope of work outside that described in the Work Plan and technical comments below is proposed. We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

Mr. Kevin Huynh
RO0002959
February 23, 2011
Page 2

TECHNICAL COMMENTS

1. **Proposed Shallow Soil Borings.** The Work Plan currently proposes five shallow soil borings to be advanced with continuous sampling to a depth of 10 feet bgs with soil samples collected for laboratory at depths of 2, 5, and 10 feet bgs. We request that the number of shallow soil borings be increased from five to ten as shown on the attached Figure 3. To more directly address potential human health risks from direct exposure, we request that you advance each of the borings only to four feet bgs rather than 10 feet bgs with soil samples collected for laboratory analysis from 0.5 to 1.0 and 3.5 to 4.0 feet bgs. Please analyze each of the soil samples for TPHd and TPHmo using EPA Method 8015. The results are to be presented in the Site Investigation Report requested below.

TECHNICAL REPORT REQUEST

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

- **June 24, 2011** – Site Investigation Report

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at jerry.wickham@acgov.org.

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Attachments: Figure 3 with Additional Shallow Soil Boring Locations
Responsible Party(ies) Legal Requirements/Obligations
Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (Sent via E-mail to: lgriffin@oaklandnet.com)

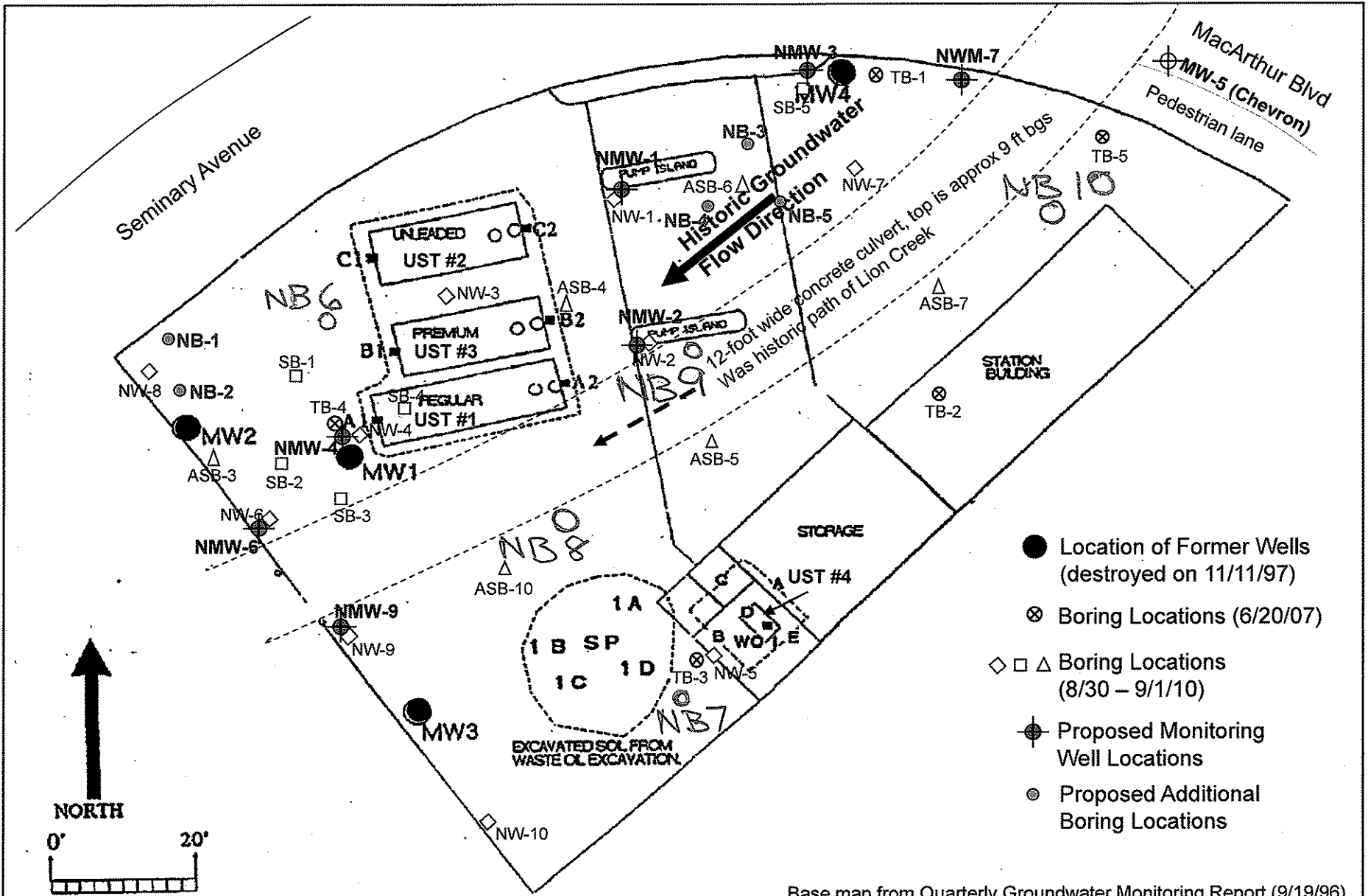
Xinggang Tong, OTG EnviroEngineering Solutions, Inc. 7700 Edgewater Drive, Suite 260, Oakland, CA 94621 (Sent via E-mail to: xtong@otgenv.com)

Janice Hansen, SWRCB/USTCF, 1001 "I" Street, Sacramento, CA 95814 (Sent via E-mail to: jhansen@waterboards.ca.gov)

Donna Drogos, ACEH (Sent via E-mail to: donna.drogos@acgov.org)
Jerry Wickham, ACEH (Sent via E-mail to: jerry.wickham@acgov.org)

GeoTracker, File

Additional Shallow Soil Boring Locations



- Location of Former Wells (destroyed on 11/11/97)
- ⊗ Boring Locations (6/20/07)
- ◇ □ △ Boring Locations (8/30 – 9/1/10)
- ⊕ Proposed Monitoring Well Locations
- ⊙ Proposed Additional Boring Locations

Base map from Quarterly Groundwater Monitoring Report (9/19/96)
By Western Geo-Engineers

February 11, 2011

PROJECT # 10HCT02	5901 MacArthur Blvd Oakland, CA	SITE PLAN & PROPOSED BORING & WELL LOCATIONS	FIGURE 3
OTG EnviroEngineering Solutions, Inc.			

Attachment 1
Responsible Party(ies) Legal Requirements/Obligations

REPORT REQUESTS

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) require submission of reports in electronic form. The electronic copy replaces paper copies 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 all 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, these same reporting requirements were added to Spills, Leaks, Investigations, and Cleanup (SLIC) sites. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites is required in GeoTracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml).

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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	REVISION DATE: July 20, 2010
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

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.

REQUIREMENTS

- **Please do not submit reports as attachments to electronic mail.**
- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection.**
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- **Signature pages and perjury statements must be included and have either original or electronic signature.**
- **Do not password protect the document.** Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:

RO#_Report Name_Year-Month-Date (e.g., RO#5555_WorkPlan_2005-06-14)

Submission Instructions

- 1) Obtain User Name and Password
 - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
 - i. Send an e-mail to dehloptoxic@acgov.org
 - b) In the subject line of your request, be sure to include **"ftp PASSWORD REQUEST"** and in the body of your request, include the **Contact Information, Site Addresses**, and the **Case Numbers (RO# available in Geotracker) you will be posting for.**
- 2) Upload Files to the ftp Site
 - a) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
 - i. Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) Click on Page located on the Command bar on upper right side of window, and then scroll down to Open FTP Site in Windows Explorer.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
 - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
 - a) Send email to dehloptoxic@acgov.org notify us that you have placed a report on our ftp site.
 - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name @acgov.org. (e.g., firstname.lastname@acgov.org)
 - c) The subject line of the e-mail must start with the RO# followed by **Report Upload.** (e.g., Subject: RO1234 Report Upload) If site is a new case without an RO#, use the street address instead.
 - d) If your document meets the above requirements and you follow the submission instructions, you will receive a notification by email indicating that your document was successfully uploaded to the ftp site.