



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

December 21, 2011

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

Subject: Review of Site Investigation Report 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 documents entitled, *"Monitoring Well Installation & Additional Soil Investigation Report, 5901 MacArthur Blvd., Oakland, CA,"* dated October 17, 2011 (Report) and received by ACEH on October 28, 2011. The Report, which was prepared on your behalf by OTG Enviroengineering Solutions, Inc., presents results from well installation soil and groundwater sampling conducted in March and April 2011. During the April 2011 sampling of the seven newly installed monitoring wells, total petroleum hydrocarbons (TPH) as gasoline and TPH as diesel were detected in groundwater samples at concentrations up to 5,700 and 2,500 micrograms per liter ( $\mu\text{g/L}$ ), respectively. TPH as diesel and TPH as motor oil were detected in shallow soil samples at concentrations up to 400 and 1,800 micrograms per kilogram ( $\text{mg/kg}$ ), respectively.

Based on the investigation results and historic soil and groundwater sampling results, we request that you address the technical comments below, perform the requested work, and send us the reports requested below.

#### **TECHNICAL COMMENTS**

1. **Groundwater Monitoring Wells.** We concur with the Report recommendation to sample the seven newly installed monitoring wells quarterly for a period of one year. The groundwater samples are to be analyzed for TPH as diesel using EPA Method 8015 and TPH as gasoline using EPA Method 8015 or 8260. The groundwater samples are also to be analyzed for BTEX, fuel oxygenates, ethylene dibromide, and 1,2-dichloroethane using EPA Method 8260. Please present the results in the quarterly groundwater monitoring reports requested below.
2. **Potential for Vapor Intrusion.** Based on the extent of residual contamination at the site, the potential for vapor intrusion to indoor air must be assessed. Potential shallow soil sources such as the UST tank pits, dispensers, and product lines should specifically be targeted for soil vapor sampling. In addition, soil vapor samples are also to be collected from the other areas with highest concentrations of residual soil and/or groundwater contamination. Please include plans to conduct soil vapor sampling in the Work Plan requested, below.

Mr. Kevin Huynh  
RO0002959  
December 21, 2011  
Page 2

3. **TPH as Diesel and TPH as Motor Oil in Shallow Soils.** As noted in the Report, the concentration of TPH as diesel in shallow soil exceeded the screening level for commercial land use at one sampling location (NB-8-1). The concentration of TPH as motor oil at sampling location NB-8-1 exceeded the screening level for residential land use. The source of the TPH as diesel and TPH as motor oil in shallow soils in the area of NB-8-1 is not apparent. We request that you include plans to collect no less than three shallow soil samples in the area surrounding location NB-8-1. The shallow soil samples are to be analyzed for TPH as diesel, TPH as motor oil, metals, and PCBs.

### **TECHNICAL REPORT REQUEST**

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

- **March 15, 2012** – Work Plan
- **15 days following end of quarter** – Quarterly Groundwater Monitoring 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](mailto:jerry.wickham@acgov.org). Case files can be reviewed online at the following website: <http://www.acgov.org/aceh/index.htm>. If your email address does not appear on the cover page of this notification ACEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

Sincerely,

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

Attachment: 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](mailto: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](mailto:xtong@otgenv.com))

Donna Drogos, ACEH (Sent via E-mail to: [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))

Jerry Wickham, ACEH (Sent via E-mail to: [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org))

GeoTracker, File

## 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.waterboards.ca.gov/water\\_issues/programs/ust/electronic\\_submittal/](http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)).

#### 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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>REVISION DATE:</b> July 20, 2010
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> 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 [deh.loptoxic@acgov.org](mailto:deh.loptoxic@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 [deh.loptoxic@acgov.org](mailto:deh.loptoxic@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.