



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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(510) 567-6700
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March 13, 2009

Mr. John Weber
ICONCO
P.O. Box 304
Diablo, CA 94528-304

Subject: SLIC Case No. RO0002995 and Geotracker Global ID T10000000883, 4600-4700 Coliseum Way, Oakland, CA 94601

Dear Mr. Weber:

Alameda County Environmental Health (ACEH) staff has reviewed the Spills, Leaks, Investigation, and Cleanup (SLIC) case file for the subject site including the most recent document entitled, "*Corrective Action Plan, 4600-4700 Coliseum Way, Oakland, California*," dated September 23, 2008 (CAP). The CAP summarizes the results of previous environmental investigations at the site and proposes excavation of VOC-affected soil in the northern portion of the property. Based on existing data, the proposed soil excavation and confirmation soil sampling appears generally adequate to address the area of VOC-affected soils and may be implemented as proposed.

Historic reports in the case file report elevated concentrations of metals in an area of red-stained surface soil in the northern portion of the site. The historic reports also indicate that a soil removal action took place apparently in the area of red-stained soil. However, the investigation of the area and documentation of the removal action are inadequate to evaluate whether the area with elevated concentrations of metals was sufficiently delineated and cleaned up. As discussed in the technical comments below, we request that you submit a Work Plan to conduct additional confirmation soil sampling in the excavation area of red-stained soil in the northern portion of the site.

TECHNICAL COMMENTS

- 1. Cleanup Goals and Land Use Restrictions.** The proposed cleanup goals for soil are Environmental Screening Levels (ESLs) for shallow soil in a commercial/industrial setting. The specific cleanup goals proposed for VOCs listed in Table 2 of Appendix B in the CAP, are ESLs that are based on leaching from soil to groundwater. For the three VOCs of concern, the ESLs for leaching from soil to groundwater are the same for both residential and commercial land use. In future reports, please show ESLs for both residential and commercial land use in order to help evaluate whether future land use restrictions may be necessary.
- 2. Elevated Concentrations of Metals in Soil.** Elevated concentrations of lead and zinc were detected in four soil samples collected on May 6, 2003 from an area with red-stained surface soil. Zinc concentrations were elevated in all four soil samples. Shallow soil was excavated apparently in the area of red-stained soil in June 2003. Two reports were prepared to present confirmation soil sampling results from the excavation (Kleinfelder, June 26, 2003 and W.A. Craig, June 26, 2003). However, neither report provides adequate documentation of the removal or confirmation soil sampling. The Kleinfelder (2003) "Confirmation Soil Samples Results," report indicates that four soil samples were collected, "in the same general area where W.A. Craig had previously collected their

TECHNICAL REPORT REQUEST

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

- **June 20, 2009** – Well Decommissioning 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) 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/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

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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 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

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341
Oakland, CA 94612-2032

Mark Gomez, City of Oakland, 250 Frank H. Ogawa Plaza, Ste. 5301
Oakland, CA 94612-2034

Peter McIntyre, AEI Consultants, 2500 Camino Diablo, Suite 100, Walnut Creek CA 94597

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

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

Effective January 31, 2006, 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

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- 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)

Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

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
 - or
 - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of Alicia Lam-Finneke.
- 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 and Firefox browsers will not open the FTP site.
- b) Click on File, then on Login As.
- 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 at 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)