

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

COLLEEN CHAWLA, Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP)
For Hazardous Materials Releases
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July 31, 2018

Kay & Merkle, LLP
c/o Mr. Walter Merkle
100 The Embarcadero,
Penthouse
San Francisco, CA 94105
(Sent via electronic mail to:
wmerkle@kmlaw100.com)

Mr. Chris Freise
6655 Hollis Owner LLC
222 Kearny St, Suite 600
San Francisco, CA 94108
(Sent via electronic mail to:
chris@liftrp.com)

Shirley J Davini & Dorothy D McGuire
Address Unknown

Mr. David Davini
Loretta A McGrath Family Trust
Address Unknown

Mr. Jon Braden
McGrath Steel Company
Address Unknown

Subject: Conditional Work Plan Approval; Fuel Leak Case No. RO0000063; (Global ID # T0600102099); McGrath Steel Company, 6655 Hollis Street, Emeryville, CA 94608

Dear Ladies and Gentlemen:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file for the subject site, including the *Sub-Slab Investigation Results*, dated July 10, 2018, the *Groundwater Monitoring Report, First Semiannual Sampling, 2018*, dated July 18, 2018, and the *Work Plan for Temporary Well Installations*, dated July 23, 2018. The reports were prepared and submitted on your behalf by Weiss Associates. Thank you for submitting the reports. ACDEH will provide comments relative to the *Interim Remedial Action Plan*, dated June 25, 2018, in a separate letter.

The *Sub-Slab Investigation Results* documented the removal of the concrete floor and the installation of an additional six shallow soil bores in the southeastern corner of the warehouse in an effort to identify the presence, if any, of surficial staining below the concrete, and determine the depth at which concentrations of total petroleum hydrocarbons in shallow soil are first encountered at. The work was proposed due to the previous documentation of concentrations of Total Petroleum Hydrocarbons as gasoline (TPHg), TPH as diesel (TPHd), benzene, ethylbenzene, toluene, and total xylenes (BTEX), and naphthalene in soil and groundwater that were detected in soil and groundwater generally deeper than approximately 6 feet below grade surface (bgs), and which appeared to increase with depth, to the total explored depth of 10.5 feet bgs.

The referenced work plan proposed the installation of two temporary wells at general locations discussed in a meeting with 6655 Hollis Owner LLC and their consultant, Weiss Associates on July 18, 2017. The locations were discussed as options in helping determine the path forward at the site in order to determine the potential for a southwesterly groundwater flow component and for further isolating hydrocarbon contamination documented at greater than approximately six feet in the southeastern corner of the site as discussed above.

Based on ACDEH staff review of the work plan, the proposed scope of work is conditionally approved for implementation provided that the technical comments below are incorporated during the proposed work. Submittal of a revised work plan or a work plan addendum is not required unless an alternate scope of work outside that described in the work plan or these technical comments is proposed. We request that you address the following technical comments, perform the proposed work, and send us the report described below. Please provide 72-hour advance written notification to this office (e-mail preferred to: mark.detterman@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Conditional Work Plan Approval** – The referenced site assessment work plan proposes actions with which ACDEH is in general agreement of undertaking; however, ACDEH requests several modifications to the approach. Please submit the results of the investigation in a report by the date identified below.

- a. **Use of Temporary Wells** – The work plan proposes to install temporary wells and to destroy them after surveying, development, and sampling have occurred. Because the usefulness of the well southwest of the former documented underground storage tank (UST) location, in defining the groundwater plume, has not yet been determined, ACDEH is not in agreement with this recommendation; however, recognizes that wells that quickly and effectively define the extent of groundwater contamination may not be necessary. Therefore, ACDEH will make a determination in the future on the necessity of this well and the appropriateness of destruction, based on the results of the investigation. With regards to the well to the northeast of the southern area of documented contamination, ACDEH is in agreement with the installation of a temporary well.
- b. **Well Screen Interval** – The work plan proposed to install a pre-pack screen up to 1 foot above the groundwater interval encountered during drilling. For the “permanent” well, due to the strong probability that the depth of groundwater will be suppressed during drilling, ACDEH is not in agreement with placement of a limited screen interval above first encountered groundwater. Such a design may not be capable of detecting sheen or free phase product should it be present, and is not capable of ensuring the screen interval remains higher than groundwater over time, if needed, and as documented by historic depth to groundwater measurements from the site since 1996. Thus ACDEH requests the screen be placed a minimum of three to four feet above the level of groundwater to ensure groundwater analytical data collected from the well remains valid for the duration of the life of the well.

ACDEH is also not in agreement with the installation of wells of similar length as existing wells due to the increased probability of intra-well flow between more granular zones. ACDEH requests that the well be designed and installed to the base of any granular water-bearing zones and, as requested above, three to four feet above groundwater. Thus ACDEH requests well screen intervals no longer than 10 to 12 feet in length, as based on site specific considerations.

- c. **Well Completion** – Please ensure the use of a flush-mounted traffic-rated surface completion well box for the “permanent” well located southwest of the former UST location.
- d. **Soil Sample Selection** – Rather than to select soil samples at predetermined depths as proposed, ACDEH requests the collection and analysis of a minimum of two soil samples in the 0 to 5 foot depth interval, and a soil sample in the 5 to 10 foot depth interval from each bore hole, all at signs of contamination, including photoionization detector (PID) responses, olfactory indications, staining, or discoloration of the soils. This is requested to address the requirements of the Low Threat Closure Policy (LTCP) for sampling in the 0 to 5 and 5 to 10 foot depth intervals with respect the documented releases at the site, and is expected to help address the Direct Contact Media-Specific Criteria, and important aspects of the Vapor Intrusion to Indoor Air Media-Specific Criteria beneath and upgradient of the building for the subject site with respect to the release.
- e. **Soil and Groundwater Sample Analytical Suite** – ACDEH requests the soil samples be submitted for analysis for Total Petroleum Hydrocarbons as gasoline (TPHg), for TPH as diesel (TPHd), benzene, toluene, ethylbenzene, total xylenes, (BTEX), methyl tert butyl ether (MTBE), and naphthalene.
- f. **Well Survey** – Please ensure the survey of the new well is surveyed to Geotracker standards and is uploaded to Geotracker before, or at the time, the report is submitted.

2. Groundwater Monitoring – The subject site is on a semi-annual groundwater monitoring status. ACDEH requests the continuation of groundwater monitoring at the site and the submittal of reports by the dates identified below.

a. Chlorinated Volatile Organic Compounds – As the referenced groundwater monitoring report indicates the detection of chlorinated Volatile Organic Compounds (VOCs) might be expected for the area; however, ACDEH will require confirmation that the subject site is not a source of chlorinated VOCs. This may require trend analysis of the VOCs across the site, and / or the installation of upgradient bores or wells, to collect grab or representative groundwater samples for analysis.

To help build the site data base, ACDEH requests the continuation of the use of a full scan Method 8260 analysis in future groundwater samples at the site, until further notice. At a minimum, please include a separate table for non-petroleum VOCs in future groundwater monitoring reports in order to help build and track the data base.

3. Electronic Report and Data Upload Compliance – A review of the case file and the State's Geotracker database indicates that the site is not in compliance with previous directive letters. Compliance is also a State requirement. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the UST or LUST program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs, including SLIC programs. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites was required in GeoTracker.

At present missing data includes, but may not be limited to recent EDF submittals (last uploaded May 2017), recent GEO_MAPS (last uploaded March 2017), recent bore logs (last uploaded August 2016), and GEO_WELLS (last uploaded March 2017). ACDEH requests notification of, and a list of, the documents uploaded to Geotracker. Please upload all submittals to GeoTracker by the date specified below.

TECHNICAL REPORT REQUEST

Please submit the following technical reports and deliverables to the State Water Board's Geotracker website and notify your case worker by electronic mail (mark.detterman@acgov.org), in accordance with the following specified file naming convention and schedule, as provided below, and in the Responsible Party(ies) Legal Requirements/Obligations which is included as Attachment 1. Please note ACDEH no longer accepts reports on the ftp site.

- **August 31, 2018** – Geotracker Compliance
File to be named: RO63_SWI_R_YYYY-mm-dd
- **October 10, 2018** – Site Investigation and Data Gap Work Plan
File to be named: RO63_SWI_WP_R_YYYY-mm-dd
- **February 1, 2019** – Second 2018 Semi-Annual Groundwater Monitoring Report
File to be named: RO63_GWM_R_YYYY-mm-dd

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.

Online case files are available for review 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, ACDEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

Ladies and Gentlemen
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If you have any questions, please call me at (510) 567-6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,

A handwritten signature in blue ink that reads "Mark E. Detterman". The signature is stylized with a long horizontal stroke extending to the right.

Mark E. Detterman, PG, CEG
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations and Electronic Report Upload (ftp) Instructions

cc: Tom Fojut, Weiss Associates, 2000 Powell Street, Suite 925, Emeryville, CA 94608; (Sent via electronic mail to: tjf@weiss.com)

Joyce Adams, Weiss Associates, 2000 Powell Street, Suite 925, Emeryville, CA 94608; (Sent via electronic mail to: jea@weiss.com)

Markus Niebanck, Amicus Strategic Environmental Consulting, 580 Second Street, Oakland, CA 94609; (Sent via electronic mail to: markus@amicusenv.com)

Dilan Roe, ACDEH, (Sent via electronic mail to: dilan.roe@acgov.org)

Paresh Khatri, ACDEH; (Sent via electronic mail to: paresh.khatri@acgov.org)

Mark Detterman, ACDEH, (Sent via electronic mail to: mark.detterman@acgov.org)

Electronic File; GeoTracker

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: December 14, 2017
	ISSUE DATE: July 25, 2012
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: Responsible Party(ies) Legal Requirements / Obligations

REPORT & DELIVERABLE REQUESTS

Alameda County Department of Environmental Health (ACDEH) Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) require submission of all reports in electronic form to the State Water Board's (SWB) GeoTracker website in accordance with California Code of Regulations, Chapter 30, Division 3, Title 23 and Division 3, Title 27.

Leaking Underground Fuel Tank (LUFT) Cases

Reports and deliverable requests are 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 (RP) in conjunction with an unauthorized release from a petroleum underground storage tank (UST) system.

Site Cleanup Program (SCP) Cases

For non-petroleum UST cases, reports and deliverables requests are pursuant to California Health and Safety Code Section 101480.

ELECTRONIC SUBMITTAL OF REPORTS

A complete report submittal includes the PDF report and all associated electronic data files, including but not limited to GEO_MAP, GEO_XY, GEO_Z, GEO_BORE, GEO_WELL, and laboratory analytical data in Electronic Deliverable Format™ (EDF). Additional information on these requirements is available on the State Water Board's website (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)

- Do not upload draft reports to GeoTracker
- Rotate each page in the PDF document in the direction that will make it easiest to read on a computer monitor.

GEOTRACKER UPLOAD CERTIFICATION

Each report submittal is to include a GeoTracker Upload Summary Table with GeoTracker valid values¹ as illustrated in the example below to facilitate ACDEH review and verify compliance with GeoTracker requirements.

GeoTracker Upload Table Example

Report Title	Sample Period	PDF Report	GEO_MAPS	Sample ID	Matrix	GEO_Z	GEO_XY	GEO_BORE	GEO_WELL	EDF
2016 Subsurface Investigation Report	2016 S1	✓	✓	Effluent	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
2012 Site Assessment Work Plan	2012	✓	✓			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2010 GW Investigation Report	2008 Q4	✓	✓	SB-10	W	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				SB-10-6	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				MW-1	WG	✓	✓	✓	✓	✓
				SW-1	W	✓	✓	✓	✓	✓

¹ GeoTracker Survey XYZ, Well Data, and Site Map Guidelines & Restrictions, CA State Water Resources Control Board, April 2005

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: NA
	ISSUE DATE: December 14, 2017
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: Responsible Party(ies) Legal Requirements / Obligations

ACKNOWLEDGEMENT STATEMENT

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to the State Water Board's GeoTracker website." This letter must be signed by the Responsible Party, or legally authorized representative of the Responsible Party.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6731, 6735, and 7835) 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 licensed or certified professional and include the professional registration stamp, signature, and statement of professional certification. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

UNDERGROUND STORAGE TANK CLEANUP FUND

For LUFT cases, RP's non-compliance with these regulations may result in ineligibility to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse the cost of cleanup. Additional information is available on the internet at: https://www.waterboards.ca.gov/water_issues/programs/ustcf/

AGENCY OVERSIGHT

Significant delays in conducting site assessment/cleanup or report submittals may result in referral of the case to the Regional Water 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.