



October 30, 2018

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Subject: Conditional Work Plan Approval; Fuel Leak Case No. RO0000151 and GeoTracker Global ID T0600100196, City Blue Print, 1700 Jefferson St., Oakland, CA 94612

Dear Messrs. Westbrook and Grimes:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the *Plume Delineation Investigation Work Plan*, dated September 13, 2018. The work plan was prepared and submitted on your behalf by Applied Water Resources Corporation (AWR) in part based on the results of a series of recent meetings. These meetings were requested by ACDEH staff to continue project coordination, timing of the work, and incorporation of the input, and evaluation of technical comments from multiple technical teams representing onsite and offsite property owners prior to finalization of the work product. ACDEH has also reviewed the document entitled *Memorandum*, dated October 9, 2018, prepared by Terraphase Engineering (Terraphase) on behalf of Jefferson Court Commercial Ventures that owns the adjacent offsite residential property that has been affected by the subject release. During previous meetings an associated timeline for action items was identified. Modifications to the timeline are included below.

The AWR work plan proposed an extensive set of soil bores for the collection of soil, groundwater, and soil vapor in the block surrounding the subject site in an effort to gather sufficient data to define the lateral extent of contamination associated with the release. The work plan was a comprehensive attempt to fill a number of data gaps associated with the site. The Terraphase *Memorandum* articulated a more limited alternative data collection approach. The *Memorandum* also appears to contain several incorrect assumptions that should be addressed. The *Memorandum* incorrectly stated that ACDEH posted the referenced work plan to Geotracker and has essentially been preferentially working with AWR to develop an extensive work plan.

One role ACDEH fills under contract at the Geotracker website is the review and acceptance of documents, including work plans that have been posted to the website by others. Documents are cleared automatically on Geotracker at 30 days after the uploaded submittal, unless accepted by an agency prior to the 30 day mark. In this instance, ACDEH accepted the report prior to the 30 day mark in order for it to be available on a publicly accessible database for all interested parties on a timely basis, and did not actively upload or post the document by a preferred consultant.

In regards to working preferentially with one consultant, ACDEH has consistently communicated in multiple meetings, that the department is receptive to the input from all interested parties, their representatives, and consultants. Thus ACDEH has been in communication with both AWR and Terraphase separately and together to discuss various concerns or aspects of the case. However, the work products cited above were fully a product of the respective interested party and their consultants.

ACDEH is in partial agreement that additional delineation and data collection is appropriate; however, the primary emphasis must be initiation of corrective actions at the site and vicinity as discussed in multiple meetings. The primary intent of the additional delineation and data collection at this time must largely be in defining the extent of the contamination requiring corrective actions; however, an ancillary consideration is efficiently utilizing costs incurred for this field collection of data, for other data collection that is expected

to help move a case forward. As time and funds allow, additional lateral delineation is likely to be required; however, ACDEH has identified corrective actions as the primary focus at this time.

In general, at this time ACDEH's preference is a substantially more limited scope of work than proposed. As discussed below, ACDEH identifies an alternative path and requests changes to the proposed scope of work.

Based on ACDEH staff review of the work plan, and these documents, 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. Once field work is approved, please provide 72-hour advance written notification to this office (e-mail preferred to: [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org)) as well as Terraphase prior to the start of field activities.

### **TECHNICAL COMMENTS**

**1. Work Plan Comments** – The referenced work plan proposes actions which ACDEH is generally in agreement of undertaking; however, ACDEH requests a series of changes to the scope of work as discussed below. Please submit a site investigation data and subsequently a report by the date identified in previous communications, and cited below.

**a. Identification of Remaining Unknown Vicinity Foundation Depths** – An important component relative to the health and safety of vicinity occupants and residents is in determining the depth of foundations at three properties (other properties are known), and the consequent effect of the contamination on those properties, especially in regards to soil vapor intrusion. These are:

- i. 579 18<sup>th</sup> Street,
- ii. 1825 San Pablo Avenue, and
- iii. 609 – 611 18<sup>th</sup> Street (reported with partial basement).

ACDEH requests, and will assist if required, that the property owners of these parcels be contacted and that the depth of the foundations, and the presence of any elevator or subterranean occupied structures, be determined. If attempts have been made, please inform ACDEH of the dates and ACDEH will undertake further attempts.

Additional delineation of the plume for the purpose of corrective action purposes may be required depending on the findings of this effort.

**b. Lateral Extent of Plumes East of 581 18<sup>th</sup> Street** – As was discussed in the July 2018 technical meeting, and further elucidated in the Terraphase *Memorandum*, an important data gap for soil, groundwater, and soil vapor analytical data, is present east of 581 18<sup>th</sup> Street, especially beneath the parcel associated 579 18<sup>th</sup> Street. This is based on elevated soil, groundwater, and soil vapor concentrations at bore D8 and SV21, including a likelihood of Non Aqueous Phased Liquids (NAPL) in soil at D8.

Consequently ACDEH requests an attempt at the installation of two soil bores for the collection of soil and groundwater grab samples and the installation of a minimum of one semi-permanent soil vapor well five feet below the depth of the foundation(s) of the building on that parcel. Review of the site on Google Images indicates that potentially two appropriately spaced bores can be located on the parcel; however, an alternative option is for a grab groundwater sample on the south side of 18<sup>th</sup> Street as is contained in the referenced work plan. The installation of at least one well on the parcel is a preferred option, but may or may not, be acceptable to the property owners.

Depending on the results of the foundation depth study, ACDEH may require the concurrent installation of a sub-slab vapor point; however, based on existing data for the subject parcel closer to the source, this currently does not appear to be warranted. ACDEH recognizes that these requests will require repeated access to the property, and as communicated above is willing to assist in communicating this request for access.

Prior to initiating drilling, ACDEH requires the submittal of a data package, by the date identified below, including foundational details and proposed bore locations.

- c. Lateral Extent of Plumes West of 581 18<sup>th</sup> Street** – The documentation of substantial concentrations in the grab groundwater sample from bore D12 indicates the potential for contaminant migration towards the west in some manner at the location, and indicates the potential for the risk of vapor intrusion to the adjacent commercial building, and to residential homes further to the west, which are documented to contain partial basements of unknown depths, at a minimum.

Consequently ACDEH requests the installation of a groundwater monitoring well and the installation of a semi-permanent soil vapor well five feet below the depth of the foundation of the commercial building on that parcel, and within approximately five to ten feet of the location of D12. Depending on the depth of the foundation for the residence at 609 – 611 18<sup>th</sup> Street, reported with a partial basement, ACDEH may require the concurrent installation of a semi-permanent soil vapor well, five feet below the depth of the foundation of the residential building. Additional actions may be required depending on the results.

Additionally, depending on the results of the foundation depth(s), ACDEH may require the concurrent installation of a sub-slab vapor point at the commercial building; however, based on existing data for the subject parcel closer to the source, this currently does not appear to be a warranted step.

- 2. Public Notification** - The referenced draft FS/CAP document also presents a series of potentially viable remedial options and can be noticed for public comment. Consequently ACDEH will forward under separate cover samples of public notification documents for mockup. The samples will be in Word document format. Please modify them and return to ACDEH by email in Word format for final modifications, by the date identified below. This date is also intended to incorporate comments and thoughts generated at the planned October 4, 2018 meeting.

### **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](mailto: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.

- **November 1, 2018** – Draft Public Participation Form to Alameda County (Word Document)
- **November 2, 2018** – Final FS/CAP and Pilot Test Work Plan  
(File to be named RO151\_FS/CAP\_R\_YYYY-MM-DD)
- **November 5, 2018 to December 5, 2018** – Public Participation Period
- **December 3, 2018** – Foundational Data Package and Proposed Bore Locations  
(File to be named RO151\_WP\_ADEND\_L\_YYYY-MM-DD)
- **December 1 - 8, 2018** – Sub-Slab and Indoor Air Sampling (581 18<sup>th</sup> Street), Foundational Data Package and Proposed Bore Locations; File to be named RO151\_WP\_ADEND\_L\_YYYY-MM-DD)

- **December 17, 2018** – Potential Two Week Public Response Comment Period (if required)
- **December 2018** - Five Day Pilot Test (can be concurrent with potential two week response period)
- **January 30, 2019** – Pilot Test and Sub-Slab and Indoor Air Data Distribution
- **February 6, 2019, 1:00 – 3:00 p.m.** - Comment Meeting All Interested Parties
- **February 28, 2019 (Revised)** – Corrective Action Implementation Plan with Recent Data (CAIP; 3<sup>rd</sup> Party Reviewed); (File to be named RO151\_CAIP\_R\_yyyy-mm-dd)
- **March to April 2019** – CAIP Approval and CAP Field Implementation

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.

Should you have any questions or concerns regarding this correspondence or your case, please call me at (510) 567-6876 or send me an electronic mail message at [mark.determan@acgov.org](mailto:mark.determan@acgov.org).

Sincerely,



Mark E. Determan, PG 4799, CEG 1788  
Senior Geologist  
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 - Responsible Party(ies) Legal Requirements/Obligations & ACDEH Electronic Report Upload (ftp) Instructions

cc: Steven Michelson, Applied Water Resources Corporation, 2363 Mariner Square Drive, Suite 245, Alameda, CA 94501; (Sent via electronic mail to: [smichelson@awrcorp.net](mailto:smichelson@awrcorp.net))

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Electronic File; GeoTracker

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> December 14, 2017
	<b>ISSUE DATE:</b> July 25, 2012
	<b>PREVIOUS REVISIONS:</b> September 17, 2013, May 15, 2014, December 12, 2016
<b>SECTION:</b> ACDEH Procedures	<b>SUBJECT:</b> 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, Division3, 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/](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 values<sup>1</sup> 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
<b>2016 Subsurface Investigation Report</b>	2016 S1	✓	✓	Effluent	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
<b>2012 Site Assessment Work Plan</b>	2012	✓	✓			<input type="checkbox"/>				
<b>2010 GW Investigation Report</b>	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	✓	✓	✓	✓	✓

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

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> NA
	<b>ISSUE DATE:</b> December 14, 2017
	<b>PREVIOUS REVISIONS:</b> September 17, 2013, May 15, 2014, December 12, 2016
<b>SECTION:</b> ACDEH Procedures	<b>SUBJECT:</b> 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/](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.