



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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July 31, 2015

Gordon L. Linden Trust
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Helen C. Connell Trust et al., W. A. Connell Trust C,
Estate of W. A. Connell
101 Gleneden Avenue
Oakland, CA 94611

George C. and Kay T. Hill et al. Trust
305 Sheridan Avenue
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3093 Broadway Holdings LLC
c/o Sean Burton
10877 Wilshire Boulevard, Suite 1200
Los Angeles, CA 90024

Hawthorne Broadway LLC
150 La Salle Avenue
Piedmont, CA 94610-1233

Subject: Corrective Action Plan (CAP) Approval for Fuel Leak Case No. RO0000199 and GeoTracker
Global ID T0600100406, Connell Oldsmobile, 3093 Broadway, Oakland, CA 94611

Ladies and Gentlemen:

Alameda County Environmental Health (ACEH) staff has reviewed the case file in conjunction with the proposed corrective actions and proposed site redevelopment plans dated October 3, 2014 for the subject site presented in the following documents prepared by Langan Treadwell Rollo (Langan) on behalf of the 3093 Broadway Holdings LLC.

- *Draft Feasibility Study and Corrective Action Plan* (Draft FS/CAP), dated March 26, 2015. The Draft FS/CAP presents an evaluation and comparison of three remedial alternatives for addressing groundwater, soil, and soil vapor impacts at the site and a proposed corrective action plan for implementation of the selected alternative (Alternative 3, enhanced bioremediation) which will be implemented by emplacement of a slow-release electron acceptor, corrective action maintenance and performance monitoring, and long-term site management and institutional controls (IC's). A vapor mitigation system has also been included as a contingency measure in the recommended corrective action, depending on the outcome of a risk assessment.
- *Groundwater Sampling and enhanced Bioremediation Pilot Study Work Plan* dated April 17, 2015. The purpose of the Work Plan was to obtain additional design parameters and demonstrate the implementability of the proposed groundwater corrective action.
- *Draft Enhanced Bioremediation Pilot Study Report and Full Scale Implementation Plan*, dated July 2, 2015. The Draft Pilot Study summarizes the methods and results of the field investigation and monitoring well installation, reports on the pilot study implementation, and presents the full-scale corrective action plan.

The above referenced documents present recommendations and proposed corrective actions to remediate site impacts in order to progress to site closure and facilitate site redevelopment as a multi-use residential/commercial project at 3093 Broadway in Oakland, California.

Based on our review of these documents and the discussions during the meetings with representatives from Langan and CityView, ACEH conditionally concurs with the proposed corrective action plan concept and implementation plan presented in the FS/CAP and as modified by the *Draft Enhanced Bioremediation Pilot Study Report and Full Scale Implementation Plan*.

Public participation is a requirement for the Corrective Action Plan process. A Fact Sheet was mailed to potentially affected stakeholders who live or own property in the surrounding area on May 27, 2015 providing notification of the proposed corrective actions described in the Draft FS/CAP. Following the thirty day public comment period (ending June 30, 2015), no comments were received, therefore the draft CAP was finalized.

TECHNICAL REPORT/WORK REQUEST

Therefore, at this juncture, please implement the approved Corrective Action Plan. Additional tasks to be performed to progress the site to closure and facilitate site redevelopment as a multi-use residential/commercial project are outlined below. "Date to be Determined" notation will be finalized in a subsequent Directive Letter and will be based on the date(s) proposed in the Revised Project Schedule.

- **August 3, 2015** – Start of Implementation of Enhanced Anaerobic Bioremediation
- **August 7, 2015** – Revised Project Schedule
- **Date to be Determined** – Groundwater Monitoring, Soil Sampling, and Soil Vapor Sampling
- **Date to be Determined** – Well Decommissioning Report
- **Date to be Determined** – Final Construction Soil and Groundwater Management Plan
- **Date to be Determined** – Letter from Geotechnical Engineer Regarding Remediation Borings
- **Date to be Determined** – Petroleum Vapor Intrusion Risk Assessment
- **Date to be Determined** – Vapor Mitigation System Design (If applicable)
- **Date to be Determined** – Soil Management Plan
- **Date to be Determined** – Approved Building Plans and Letter from Langan Certifying that Building Plans Incorporate approved VMS Design
- **Date to be Determined** – Remedial Progress Monitoring Reports during Site Demolition, Grading, Site Work, and Foundation and VMS Construction
- **Date to be Determined** – Corrective Action Implementation Completion Report
- **Date to be Determined** – Post Construction Well Installation, Development, and Groundwater Monitoring

- **Date to be Determined** – Case Closure Request and Well Abandonment Work Plan

If you have any questions, please call me at (510) 567-6708 or send me an electronic mail message at karel.detterman@acgov.org

Sincerely,

Karel Detterman, PG
Hazardous Materials Specialist

cc: Stephen Siri, CityView, (Sent via electronic mail to: ssiri@cityview.com)
Christina Rain, Langan Treadwell Rollo, (Sent via electronic mail to: crain@Langan.com)
Robert Schultz, Langan Treadwell Rollo, (Sent via electronic mail to: rschultz@Langan.com)
Annie Lee, Langan Treadwell Rollo, (Sent via electronic mail to: alee@Langan.com)
Karel Detterman, ACEH, (Sent via electronic mail to: karel.detterman@acgov.org)
Dilan Roe, ACEH, (Sent via electronic mail to: dilan.roe@acgov.org)
Electronic File, GeoTracker

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/).

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: May 15, 2014
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 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 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 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.