



California Regional Water Quality Control Board

San Francisco Bay Region

RO1176



Terry Tamminen
Secretary for
Environmental
Protection

1515 Clay Street, Suite 1400, Oakland, California 94612
(510) 622-2300 • Fax (510) 622-2460
<http://www.swrcb.ca.gov/rwqcb2>

Closed LOP
(11/04/1994)

Arnold Schwarzenegger
Governor

Date: August 20, 2004
File No. 01S-0607 (RDB)

Alameda County
AUG 24 2004
Environmental Health

Mercy Housing
ATTN: Randi Gerson
1360 Mission Street
San Francisco, CA 94103

SUBJECT: Conditional Approval of Proposed Mitigation Measures and Request For Technical Reports, 16450 Kent Avenue, San Leandro, Alameda County

Dear Ms. Gerson:

This letter responds to your August 17, 2004, request that our office review and comment on mitigation measures proposed for redevelopment of the former Kent Nursery site at 16450 Kent Avenue in San Leandro. I understand that the property is to be redeveloped as a low-income senior housing complex. Based on your letter, approval from our office regarding soil and groundwater mitigation measures proposed by your consultant is needed as a condition for HUD approval of the project. **As discussed below, I concur with the proposed mitigation measures on the condition that a deed restriction be recorded to prohibit the installation of water supply wells on the property and that a technical report that describes specific mitigation measures to be implemented at the site be submitted to my office for review and approval following finalization of redevelopment plans.**

The site must also be formally enrolled in my office's Spills Leaks Investigations and Cleanup (SLIC) cost recovery program.

Background

A summary of site use and environmental investigations carried out on the property is provided in a Phase I Environmental Assessment report dated June 28, 2004. The 2.5 acre property was used as a nursery from 1978 to 2002. Prior to that time, the property was undeveloped. The site is currently vacant. Nursery operations involved the storage and use of pesticides. A 2,000 gallon underground storage tank (UST) was also used for the storage of diesel fuel. The UST was excavated and removed from the site in 1990. A small volume of petroleum-contaminated soil was also removed. No impacts to groundwater were identified. Alameda County Health Care Services Agency granted closure of the UST case in 1994 and no further action was required.

Recent Investigations

Additional environmental investigations were carried out in 2002 and 2004 to evaluate pesticide impacts to shallow soil and groundwater at the site. Low concentrations of the pesticides

chlordane (maximum 0.123 mg/kg), DDT (total, maximum 0.091 mg/kg), and dieldrin (maximum 0.340 mg/kg) were reported in shallow soil samples collected in former planter and mixing areas. A Health Risk Evaluation and Mitigation Report prepared for the site and dated January 29, 2003, concludes that while the reported levels of pesticides in soil do not pose a significant risk to human health, future landscaped areas should be scraped and covered with clean fill material and landscaping materials to further reduce potential exposure concerns. Initially scraped areas will be resampled to determine the need for further soil removal prior to the installation of landscaping. Remaining "hot spots," defined as soil where the cumulative risk to human health exceeds an excess cancer risk of one-in-one-hundred thousand, will be removed.

Three grab samples of groundwater were also collected at the site using temporary well points. The collection and analysis of groundwater samples from the borings is discussed in a report dated April 2, 2004. Low levels of chlordane (maximum 0.016 ug/L), DDE (maximum 0.017 ug/L) and dieldrin (maximum 0.21 ug/L) were reported in the groundwater samples. The reported concentrations exceed drinking water standards for each of these chemicals as well as surface water standards for potential impacts to aquatic habitats.

The property is connected to the local municipal water supply system and shallow groundwater is not used as a drinking water supply. In addition, the site is not located in the vicinity of a sensitive body of surface water. The June 24, 2004, letter report prepared for the site concludes that impacted groundwater does not pose a risk to human health or aquatic habitats provided that shallow groundwater is not used as a water supply in the future or inadvertently discharged to a body of surface water during future redevelopment.

Conditions For Approval

I concur with the assessment of soil conditions at the site and the proposed mitigation measures on the condition that a detailed, final mitigation report be submitted to my office for review and approval once final redevelopment plans have been prepared. The report must include maps of planned open areas, specific plans for soil scraping, resampling and landscaping actions and details on the planned future use of those areas. The report must also specify criteria to guide issues such as reuse versus offsite disposal of scraped soil, including screening levels for targeted pesticides. In addition, the depth of scraping and thickness of clean fill material to be applied to landscaped areas, utility corridors and other areas that may be accessed in the future could vary based on the potential future use of these areas. This must be discussed with my office and included in the detailed mitigation plan and approved by my office.

I concur with the assessment of groundwater impacts at the site on the condition that a formal deed restriction be prepared and recorded prior to start of construction that prohibits the installation of water supply wells on the property in the future without further evaluation and concurrence from my office. A template deed restriction should be obtained from my office and steps for completion of the document discussed my staff.

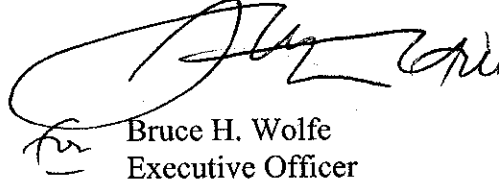
This request for technical reports is made pursuant to Water Code Section 13267, which allows the Board to require technical reports from persons whose activities may have an impact on

water quality. You may be subject to administrative civil liability of up to \$1,000 per day pursuant to Water Code Section 13268 if you fail to respond, respond late, or submit an inadequate response. Any extension in the above deadline must be confirmed in writing by Board staff.

As a final condition, you will be required to enter into our office's SLIC cost-recovery program for oversight of work to be done at the site in the future. A package of information will be sent to you under separate cover for your review and signature.

If you have any questions concerning this letter, please contact Roger Brewer of my staff at (510) 622-2374 [e-mail rdb@rb2.swrcb.ca.gov].

Sincerely,



Bruce H. Wolfe
Executive Officer

cc: Roger Brewer

AEI Consultants
ATTN: Peter McIntyre
2500 Camino Diablo, Suite 200
Walnut Creek, CA 94597

✓ Alameda County Health Agency
Division of Environmental Protection
ATTN: Donna Drogos
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502

City of San Leandro
ATTN: Mr. Michael Bakaldin
835 E. 14th Street
San Leandro, CA 94577