



July 14, 2017

Ms. Carryl MacLeod
Chevron Environmental Management Co.
6001 Bollinger Canyon Road
San Ramon, CA 94583
(Sent via electronic mail to:
CMacleod@chevron.com)

WestMac LLC
1842 21st Avenue
San Francisco, CA 94122
(Sent via electronic mail to:
gathconstruc@aol.com) and
sokaneconst@hotmail.com)

Mr. Itgel Buyandalai
787 Marlesta Road
Pinole, CA 94564
(Sent via electronic mail to:
teamspirit74@yahoo.com)

Subject: Path to Redevelopment; Fuel Leak Case No. RO00002438; Chevron #9-2029 (Global ID #T0600173887), 890 MacArthur Blvd, Oakland, CA 94608

Dear Ms. MacLeod, WestMac LLC, and Mr. Buyandalai:

Thank you for attending the working meeting on June 13, 2017 in our office. The meeting was convened in order to identify a path forward at the site relative to the (1) collection of requisite data to close the offsite vapor intrusion data gap, (2) the requirements for submittal of a vapor mitigation system design to support the residential redevelopment, and (3) remedial actions to remove residual petroleum contamination in soil at the site.

As a result of the meeting, Chevron Environmental Management Company's (CEMC) consultant, Stantec Consulting Services, Inc, (Stantec) has provided a draft set of meeting notes for Alameda County Department of Environmental Health (ACDEH) staff review. Our review indicates the meeting notes captures the strategy for site remediation and redevelopment discussed in the meeting. It is the understanding of ACDEH that the finalized notes will be uploaded to the ACDEH ftp site and to Geotracker to document the results of discussions in the meeting.

In order to additionally communicate the results of the meeting, and to formalize the deliverable dates, ACDEH provides this letter, and requests the submittal of the following requested items by the identified dates. The following technical reports are required for site redevelopment.

With the provision that these documents are submitted and ACDEH concurs with the reports or future modifications, ACDEH will concur that the implementation of proposed measures will prevent future exposure to construction workers and site occupants of the proposed redevelopment project from residual contamination at the site.

TECHNICAL REPORT / WORK REQUESTS

I. Prior to Building Occupancy

- 1. Baseline Project Schedule** – Prior to the start of building construction a Baseline Project Schedule (BPS) is requested for ACDEH review and approval. The BPS will provide details on construction measures and sequencing events including utility installation, vapor barrier installation, tasks identified in the Meeting Notes, and actions designed to protect groundwater monitoring wells and the vapor barrier during site redevelopment activities. As discussed further below, additional project schedule items that must be submitted prior to building occupancy include a Construction Soil & Groundwater Management Plan (CSGMP), Source Removal Documentation, Vapor Mitigation System (VMS) Basis of Design Report (BOD), including a VMS Construction Quality Assurance (CQA) Plan and a VMS Operations & Maintenance (O&M) Plan, an Institutional Controls Plan (ICP), VMS Record Report of Construction (RRC), and a Land Use Covenant (LUC), as well as an appropriate length of time for ACDEH to review each submittal.

Additional submittals for offsite groundwater and vapor intrusion assessment include a vapor intrusion work plan and groundwater monitoring and delineation.

2. **Construction Soil & Groundwater Management Plan (CSGMP)** – Prior to the start of building construction, a CSGMP is requested for ACDEH review and approval. The purpose of the CSGMP is two-fold: 1) to provide communication primarily with contractors who will be conducting targeted residual source removal on the southern and western property boundaries, and 2) with contractors constructing the building. The CSGMP is to provide details for the targeted removal of residual source material beneath the site and sidewalk, and location and protection of existing monitoring wells, protocols should unexpected additional contamination be encountered, protocols for handling potentially impacted soil and groundwater, and regulatory notification procedures. The CSGMP is expected to include such details, among other items, as dust control measures, haul routes, stockpile or direct loading details associated with remedial excavation.

Please note that ACDEH is in partial disagreement with the figure notes included on Figures 2 to 4 that were attached to the meeting notes. ACDEH is in disagreement with the extent of excavation, specifically the phrase "...to the extent that the City of Oakland will allow." As agreed in the meeting, the general extent of the excavations have been defined by existing analytical data, and the final extent of the excavations is to be determined by PID, odor, and visual means, including potentially beneath the full extent of the sidewalk. ACDEH requests a minimum of 48-hour advanced notification be incorporated into the CSGMP in order for ACDEH to be present at the time of the remedial excavation.

3. **Source Removal Excavation Report** – Prior to construction of the VMS and the building foundation, a Source Removal Excavation Report is to be submitted to ACDEH for review and approval. The report is to document the basis of the extent of excavation, waste management, waste manifests, and the environmental quality of any soil required for imported for backfill purposes. Notification of the review and approval of the report by ACDEH must be received prior to the start of construction of the foundation and the VMS by project proponents.
4. **VMS Basis of Design (BOD) Report** - Prior to construction of the building foundation and the VMS, a BOD Report is to be submitted to ACDEH for review and approval. The BOD Report is to include a narrative outlining the vapor barrier design methodology, material selection justification (i.e., Liquid Boot versus Geo-Seal vapor barrier, etc.), appropriate engineering calculations, detailed construction drawings and specifications. Prior to construction a copy of the City of Oakland approved building plans incorporating the VMS must be submitted to ACDEH.
 - a. **VMS Construction Quality Assurance (CQA) Plan** – A CQA plan is to be submitted to ACDEH, as a standalone appendix to the BOD Report, for review and approval. The CQA plan will specify the appropriate qualifications and experience necessary for contractors and inspectors involved in the construction of the vapor barrier, and will provide procedures for construction monitoring and documentation, including responsibility and authority, construction inspections (i.e., smoke-testing, etc.), and as-built documentation.
 - b. **VMS Operations and Maintenance (O&M) Plan** – An O&M Plan must be submitted prior to ACDEH, as a standalone appendix to the BOD Report, for review and approval. The O&M Plan will be an element of long-term site management and is to include a discussion of environmental conditions and the mitigation elements, including the targeted residual source removal and vapor barrier. Additionally, the O&M Plan is to include general procedures for health and safety, soil and groundwater management, and notification and documentation requirements for subsurface work or activities that have the potential to breach the vapor barrier. The SMP is to include as-built drawings of the VMS, specifications, VMS photo documentation, responsible party information, details of required activities, emergency contacts and protocols in case of the discovery of an unreported breach to the VMS. The O&M Plan shall be maintained at the site address by the property manager or designated representative and will be recorded at the Alameda County Clerk - Recorder's Office as a part of the LUC.

5. **Institutional Control Plan (ICP)** – An ICP is to be submitted to ACDEH for review and approval. The ICP is to provide an overview of the legal and administrative controls and methods for dissemination of information to minimize risk during property development, future below-ground construction and maintenance, and long-term site use. The ICP is to set forth the general requirements and necessary controls dictated by property restrictions or contractual agreements (e.g. leases) and shall include activities to maintain the integrity of the remedy, ongoing O&M, and record compliance with the ICs. The ICP is to be developed in consultation with ACDEH. The ICs are to be implemented prior to building occupancy. An example of an ICP will be forwarded separately.
6. **VMS Record Report of Construction (RRC)** - Following construction of the vapor barrier, a RRC is to be submitted to ACDEH for review and approval. The report is to include as-built drawings, waste manifest for disposal of soil that is removed during targeted residual source removal or construction of the system, copies of permits, specifications, VMS photo documentation, and other information relevant to the installation of the system.
7. **LUC Generation and Recordation** – The model Alameda County LUC will be forwarded as a MS Word document under separate cover for review and draft modification. Proposed language is to be returned to ACDEH in MS Word format for review, acceptance, and likely modification. A copy of the final wording will be returned for your final review and acceptance. Upon acceptance by all parties, the LUC is to be signed by the Responsible Parties and the Director of Environmental Health and subsequently recorded at the County Clerk – Recorder's Office. The recorded document will be returned to ACDEH upon recording by the County Clerk – Recorder's Office for eventual incorporation into the case closure documentation.

II. Prior to Site Closure

8. **Offsite Vapor Intrusion and Groundwater Data Gap Work Plan** – As identified in the meeting, the offsite data gap work plan is pending the results of the requested groundwater monitoring event. Please submit a report by the date identified below.
9. **Groundwater Monitoring** – Please submit the groundwater monitoring report by the date identified below.

SUBMITTAL ACKNOWLEDGEMENT STATEMENT

Please note that ACDEH has updated Attachment 1 with regard to report submittals to ACDEH. ACDEH will now be requiring a Submittal Acknowledgement Statement, replacing the Perjury Statement, as a cover letter signed by the Responsible Party (RP). The language for the Submittal Acknowledgement Statement is as follows:

I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to ACDEH's FTP server and the SWRCB's Geotracker Website.

Please make this change to your submittals to ACDEH.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACDEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with Attachment 1 and the following specified file naming convention and schedule. The submittal compliance dates for reports with a To Be Determined (TBD) notation will be finalized in a subsequent directive letter and will be based on the dates proposed in the Baseline Project Schedule.

- **August 4, 2017** – Baseline Project Schedule
File to be named: RO2438_SCH_L_yyyy-mm-dd

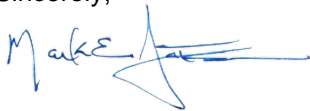
- **August 11, 2017** – First Semi-Annual 2017 Groundwater Monitoring Report
File to be named: RO2438_GWM_R_YYYY-mm-dd
- **TBD** – Interim Remediation Construction Soil & Groundwater Management Plan
File to be named: RO2438_IRAP_R_YYYY-mm-dd
- **TBD** – Long-Term Site Management Plan
File to be named: RO2438_SMP_R_YYYY-mm-dd
- **TBD** – VMS Basis of Design Report
File to be named: RO2438_CAP_R_YYYY-mm-dd
- **TBD** – VMS CQA Plan
File to be named: RO2438_CQA_R_YYYY-mm-dd
- **TBD** – Institutional Control Plan
File to be named: RO2438_SMP_R_YYYY-mm-dd
- **TBD** – Interim Remediation & VMS Record Report of Construction
File to be named: RO2438_REM_L_YYYY-mm-dd
- **TBD** – LUC Recordation and Return

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.

Thank you for your cooperation. 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,



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: Travis Flora, Stantec Consulting Services, Inc, 15575 Los Gatos Blvd, Bldg C, Los Gatos, CA 95032 (Sent via electronic mail to: Travis.Flora@Stantec.com)

Dan McGue, Paragon Real Estate Group, 1400 Van Ness Avenue, San Francisco, CA 94109
(Sent via electronic mail to: DanMcGue@paragon.re.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

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

Alameda County Department of Environmental Health's (ACDEH) Environmental Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) 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 File Transfer Protocol (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 SCP 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 (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/) for more information on these requirements.

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 ACDEH's FTP server and the SWRCB's GeoTracker website." 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 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. 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 case meet this requirement. 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

Please note that delays in investigation, late 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 SCP)	REVISION DATE: December 1, 2016
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010; May 15, 2014, November 29, 2016
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions


The Alameda County Environmental Cleanup Oversight Programs (LOP and SCP) 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) Open File Explorer using the Windows  key + E keyboard shortcut.
 - i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) On the address bar, type in ftp://alcoftp1.acgov.org.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive)
 - d) Click Log On.
 - e) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - f) 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.