



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

January 21, 2016

Richard Peckham
Alta Properties, LLC
c/o Westside Building Material – Oakland
745 50th Avenue
Oakland, CA 94601
(Sent via E-mail to: dpeckham@westsidebmc.com)

Subject: Review of Site Management Plan for Site Cleanup Program Case No. RO0002746 and GeoTracker Global ID SL0600186350, AAA Equipment, 745 50th Avenue, Oakland, CA 94601

Dear Mr. Peckham:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the most recently submitted document entitled, "*Site Management Plan for the Westside Building Material Facility (Former AAA Equipment Company Property and Flag Lot) at 745 50th Avenue, Oakland, California 94601*," dated October 14, 2015 (SMP) and received by ACEH on November 30, 2015. The SMP, which was prepared on your behalf by Tetra Tech, Inc., presents site management requirements for an existing cap which consists of concrete and asphalt surfaces and building foundations. Maintenance of the cap is required to prevent exposure to hazardous substances in the subsurface at the site. The SMP applies to property parcel APN 34-2293-2-5, which has been referred to as the Flag Lot and APN 34-2293-2-9, which is the former AAA Equipment Company. The SMP is in support of a request for case closure for APN 34-2293-2-9.

Based on our review, we request that the SMP be revised to include the additions and revisions identified in the Technical Comments below. Please address the Technical Comments below and submit the Revised SMP by March 12, 2016. Following review and approval of the revised SMP by ACEH, an Environmental Covenant and Restriction on Property is to be executed for APN 34-2293-2-9.

Public participation is a requirement for the case closure process. Upon approval of the revised SMP, ACEH will distribute the attached *Invitation to Comment - Potential Case Closure* to the addresses shown on the attached mailing list in order to notify potentially affected members of the public of the potential case closure. If you are aware of any other residents, landowners, or other interested persons, corporations, or government agencies that are not on the mailing list but may have an interest in this case, please provide their names and addresses as soon as possible. The attached *Invitation to Comment - Potential Case Closure* requests that landowners or residents submit any comments or questions to ACEH regarding potential case closure. ACEH will consider all comments from the public prior to potential case closure.

TECHNICAL COMMENTS

1. **Section 1.0 Introduction.** Please include a paragraph referencing and describing the Covenant and Environmental Restriction on Property which is to be executed and recorded for the property following approval of the SMP and completion of the public notification process.

2. **Section 1.5 SMP Approach.** Please include the following two additional bullet items
 - Procedures for notifications regarding disturbances to the cap.
 - Inspection and monitoring of the cap.
3. **Section 5.0 Chemicals of Potential Concern.** Please correct the reference to PCB congeners. A PCB congener is a single, well-defined chemical compound in the PCB category. There are 209 identified PCB congeners. Aroclor 1254 and Aroclor 1260 are commercial mixtures that include numerous PCB congeners.
4. **Section 7.0 Cap Maintenance.** Minor cap maintenance activities are to be described in the annual inspection report. Any modifications to the cap including major maintenance activities will require review and approval by ACEH prior to implementation. Please revise Section 7.0 to include these items.
5. **Section 8.0 Cap Inspections.** Please include a description of the other responsibilities of the Tenant representative or designee, which are to include:
 - Being familiar with site conditions and the requirements for the cap.
 - Evaluating work orders to determine if work will affect the cap or potentially impacted soils.
 - Requiring that work be conducted in accordance with this SMP.
 - Communicating with ACEH as necessary.
 - Conducting or supervising the annual inspections.
 - Reviewing and signing annual inspection reports
 - Ensuring that workers who potentially may encounter impacted soils are properly trained and have knowledge of site conditions and the cap.
 - Reviewing and submitting reports on intrusive activities or cap maintenance.
6. **Section 9.0 Excavation-Related Notifications.** Please revise Section 9.0 to indicate that activities that modify or disturb the cap will require review and approval by ACEH prior to implementation. The notifications are to be submitted 10 days ahead of the planned activity and are to include a description of the work to be completed, locations of the activities, and reasons for the modifications or disturbances.
7. **Section 10.0 Excavation-Related COPC Field Monitoring and Screening Criteria.** Please revise Section 10.0 to indicate that additional field monitoring and screening criteria may be required by ACEH upon review of the specific proposed activities.
8. **Section 11.0 Excavation-Related Monitoring Personnel and Procedures.** Please revise Section 11.0 to indicate that additional monitoring and dust control procedures may be required by ACEH upon review of the specific proposed activities.
9. **Section 13.0 Excavation-Related Impacted Soil Handling Procedures.** Please revise Section 13.0 to indicate that additional soil handling procedures may be required by ACEH upon review of the specific proposed activities.

10. **Section 14.0 Excavation-Related Confirmation Soil Sampling and Analyses.** Please revise Section 14.0 to indicate that additional confirmation sampling and analyses may be required by ACEH upon review of the proposed activities.
11. **Section 17.0 Documentation.** Please revise Section 17.0 to indicate that the Excavation Completion Report will be submitted to ACEH within 90 days of completing the excavation and confirmation sampling activities or will be completed within a schedule agreed upon by ACEH.
12. **GeoTracker Compliance** – A review of the State Water Resources Control Board's (SWRCB) GeoTracker website indicates that only two reports have been uploaded to GeoTracker for this site with the most recent report uploaded July 14, 2011. Several reports prepared for this site have not been uploaded to GeoTracker as required. No electronic data files for laboratory analytical data or other required files have been uploaded. Because this is a state requirement, ACEH requests that all technical reports be uploaded to GeoTracker by the date identified below. 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. Also, beginning January 1, 2002, all permanent monitoring points utilized to collect groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level and latitude and longitude to sub-meter accuracy using NAD 83. A California licensed surveyor may be required to perform this work. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs, including SLIC programs. Additionally, pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3893, 3894, and 3895, beginning July 1, 2005, the successful submittal of electronic information (i.e. report in PDF format) shall replace the requirement for the submittal of a paper copy. Please upload all required submittals to GeoTracker. Electronic reporting is described below on the attachments.

Additional information regarding the SWRCB's GeoTracker website may be obtained online at http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/ and http://www.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml) or by contacting the GeoTracker Help Desk at geotracker@waterboards.ca.gov or (866) 480-1028.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACEH ftp site (Attention: Jerry Wickham), and to the State Water Resources Control Board's GeoTracker website according to the following schedule and file-naming convention:

- **March 12, 2016** – Revised Site Management Plan
File to be named: SMP_ADEND_R_yyyy-mm-dd RO2746

Responsible Parties
RO0002746
January 21, 2016
Page 4

I will be retiring from ACEH on January 22, 2016 and Ms. Anne Jurek will be the case worker responsible for this case after January 22, 2016. Therefore, if you have any questions in the future regarding this case, please call Anne Jurek at (510) 567-6721 or send her an electronic mail message at anne.jurek@acgov.org.

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Attachments: Draft Invitation to Comment
Mailing List for Invitation to Comment
Responsible Party(ies) Legal Requirements/Obligations

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Thomas Chandler, Ramboll Environ, 18100 Von Karman Avenue, Suite 600, Irvine, CA 92612 (*Sent via E-mail to: TChandler@Ramboll.com*)

Jon Lovegreen, Tetra Tech, Inc., 17885 Von Karman Avenue, Irvine, CA 92614 ACEH (*Sent via E-mail to: jon.lovegreen@tetratech.com*)

Anne Jurek, ACEH (*Sent via E-mail to: anne.jurek@acgov.org*)
Jerry Wickham, ACEH (*Sent via E-mail to: jerry.wickham@acgov.org*)
GeoTracker, eFile



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INVITATION TO COMMENT – POTENTIAL CASE CLOSURE

**AAA EQUIPMENT
745 50TH AVENUE
OAKLAND, CA 94601
SITE CLEANUP PROGRAM CASE RO0002746
GEOTRACKER GLOBAL ID SL0600186350**

DATE OF DISTRIBUTION

The above referenced site is a Site Cleanup Program (SCP) case that is under the regulatory oversight of Alameda County Environmental Health (ACEH) for the investigation of soil and groundwater contamination beneath the site. The site is currently occupied by a building materials supply yard doing business as Westside Building Material. The site was formerly used as a batch asphalt plant that included two underground storage tanks, a pipe painting facility, and for storage of used machinery, parts, and scrap metal. Petroleum hydrocarbons, polychlorinated biphenyls, and polycyclic aromatic hydrocarbons have been detected in soil beneath the site. Petroleum hydrocarbons and volatile organic compounds have been detected in groundwater beneath the site. Site investigation activities have been completed and it appears that the soil and groundwater contamination does not pose a risk for the current buildings and land use provided that the existing cap of concrete and asphalt is maintained at the site. ACEH is considering closure of the case with site management requirements to maintain the cap and prevent potential future exposure. The site management requirements would not allow construction, redevelopment, or other types of subsurface disturbance without the review and approval of ACEH.

This notice is being sent to the current occupants and landowners of surrounding properties and known interested parties for this site. The public is invited to review and comment on the potential closure of the case. The entire case file can be viewed over the Internet on the ACEH website (<http://www.acgov.org/aceh/lop/ust.htm>) or the State of California Water Resources Control Board GeoTracker website (<http://geotracker.waterboards.ca.gov>). Please send written comments to Jerry Wickham at ACEH, 1131 Harbor Bay Parkway, Alameda, CA 94502; all comments will be forwarded to the responsible parties. Comments received within 30 days of the date of this Invitation to Comment will be considered and responded to prior to a final determination on the proposed case closure.

If you have comments or questions regarding this site, please contact the ACEH caseworker, Jerry Wickham at 510-567-6791 or by email at jerry.wickham@acgov.org. Please refer to ACEH case RO0002746 in any correspondence.

| Parcel_APN | Name | StreetAddress | Unit | City | Zip | Zip_4 |
|--------------|--|---------------------|------|------------------|-------|-------|
| 34-2293-4-1 | 4800 COLISEUM WAY LLC | PO BOX 6716 | | OAKLAND CA | 94603 | 0716 |
| 34-2269-5 | 49TH AVENUE LLC | 4200 PARK BLVD | 286 | OAKLAND CA | 94602 | 1312 |
| 34-2295-20-9 | A W POTTERY USA INC | 184 HAZEL DR | | PLEASANT HILL CA | 94523 | 2916 |
| 34-2293-2-9 | ALTA PROPERTIES LLC | PO BOX 711 | | ANAHEIM CA | 92815 | 0711 |
| 34-2287-7-2 | AVENDANO ALVARO L & HILDA TRS | 1235 WILLIAMSON RD | | MANTECA CA | 95337 | 8672 |
| 34-2295-16-5 | COLISEUM MOTEL LLC | 128 STANYAN ST | | SAN FRANCISCO CA | 94118 | 4220 |
| 34-2269-2 | COLLINS FRANCIS & CATHERINE TRS | PO BOX 8685 | | EMERYVILLE CA | 94662 | 0685 |
| 34-2341-10 | DODG CORPORATION | PO BOX 14663 | | OAKLAND CA | 94614 | 2663 |
| 34-2287-6 | FOREMAN PAUL S TR | 1437 MORTON ST | H | ALAMEDA CA | 94501 | |
| 34-2295-16-7 | GILMORE WINIFRED M TR & MCELHINNEY WILLIAM G | 3250 PTARMIGAN DR | 1B | WALNUT CREEK CA | 94595 | 3146 |
| 34-2290-9-1 | J T B PROPERTIES LLC | 750 HIGH ST | | OAKLAND CA | 94601 | 4402 |
| 34-2295-20-2 | KHINOO MAE TR | 809 RUNYAN DR | | TURLOCK CA | 95382 | 2621 |
| 34-2271-7-2 | KRUG RODNEY I & KARLIN M TRS | 1655 VIEW DR | | SAN LEANDRO CA | 94577 | 5342 |
| 34-2293-2-5 | LEARNER INVESTMENT CO | 47 PARSIPPANY RD | | WHIPPANY NJ | 07981 | 1422 |
| 34-2287-1-5 | MAYORGA DANILO TR | 5305 E 12TH ST | | OAKLAND CA | 94601 | 5622 |
| 34-2293-4-2 | MOORE GREGORY C & SANDRA L TRS | P.O. BOX 4067 | | OAKLAND CA | 94614 | 4067 |
| 34-2287-5-1 | NAN FANG DISTRIBUTION GROUP INC | 2100 WILLIAMS ST | | SAN LEANDRO CA | 94577 | 3225 |
| 34-2269-2 | OCCUPANT | 4701 SAN LEANDRO ST | | OAKLAND CA | 94601 | |
| 34-2287-5-1 | OCCUPANT | 5101 E 8TH ST | | OAKLAND CA | 94601 | |
| 34-2341-11 | OCCUPANT | 5050 COLISEUM WAY | | OAKLAND CA | 94601 | |
| 34-2295-20-9 | OCCUPANT | 601 50TH AVE | | OAKLAND CA | 94601 | |
| 34-2269-5 | OCCUPANT | 851 49TH AVE | | OAKLAND CA | 94601 | |
| 34-2295-20-2 | OCCUPANT | 4911 COLISEUM WAY | | OAKLAND CA | 94601 | |
| 34-2287-6 | OCCUPANT | 5105 E 8TH ST | | OAKLAND CA | 94601 | |
| 34-2271-7-2 | OCCUPANT | 809 50TH AVE | | OAKLAND CA | 94601 | |
| 34-2293-9-2 | OCCUPANT | 717 50TH AVE | | OAKLAND CA | 94601 | |
| 34-2287-1-5 | OCCUPANT | 5095 E 8TH ST | | OAKLAND CA | 94601 | |
| 34-2271-6-4 | OCCUPANT | 835 50TH AVE | | OAKLAND CA | 94601 | |
| 34-2293-2-5 | OCCUPANT | 768 46TH AVE | | OAKLAND CA | 94609 | |
| 34-2293-2-9 | OCCUPANT | 745 50TH AVE | | OAKLAND CA | 94601 | |
| 34-2295-16-7 | OCCUPANT | 4901 COLISEUM WAY | | OAKLAND CA | 94601 | |
| 34-2341-10 | OCCUPANT | 750 50TH AVE | | OAKLAND CA | 94601 | |
| 34-2271-13-3 | OCCUPANT | 800 49TH AVE | | OAKLAND CA | 94601 | |
| 34-2295-16-5 | OCCUPANT | 4831 COLISEUM WAY | | OAKLAND CA | 94601 | |
| 34-2293-4-1 | OCCUPANT | 4800 COLISEUM WAY | | OAKLAND CA | 94601 | |
| 34-2293-4-2 | OCCUPANT | 4700 COLISEUM WAY | | OAKLAND CA | 94601 | |

| | | | | | | |
|--------------|---|----------------------|-------|------------------|-------|------|
| 34-2293-2-2 | OCCUPANT | 768 46TH AVE | | OAKLAND CA | 94609 | |
| 34-2293-3 | OCCUPANT | 4600 COLISEUM WAY | | OAKLAND CA | 94601 | |
| 34-2287-7-2 | OCCUPANT | 5115 E 8TH ST | | OAKLAND CA | 94601 | |
| 34-2293-9-2 | P G & E CO 135-1-7C-1 | PO BOX 770000 | | SAN FRANCISCO CA | 94177 | 0001 |
| 34-2271-6-4 | PETROELJE LLOYD R & HENRIETTE TRS | 2833 SANTA CLARA AVE | | ALAMEDA CA | 94501 | 3048 |
| 34-2295-20-8 | SRK MOTEL INC | 4919 COLISEUM WAY | | OAKLAND CA | 94601 | 5011 |
| 34-2271-13-3 | WEGSTEIN RONALD L & KAREN G TRS | 812 49TH AVE | | OAKLAND CA | 94601 | 5136 |
| | SAN FRANCISCO BAY REGIONAL WATER QUALITY CO | 1515 CLAY STREET | SUITE | OAKAND CA | 94612 | |

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.