

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
ENVIROSTOR

20 28 43

CHURCH'S FRIED CHICKEN (01540002)

1766 7TH STREET
 OAKLAND, CA 94607
 ALAMEDA COUNTY
SITE TYPE: VOLUNTARY CLEANUP

PROJECT MANAGER:
SUPERVISOR:
OFFICE:

JACINTO SOTO
 MARK PIROS
 BERKELEY

Site Information

CLEANUP STATUS
 CERTIFIED AS OF 12/27/2005

SITE TYPE: VOLUNTARY CLEANUP
NATIONAL PRIORITIES LIST: NO
ACRES: 0.3 ACRES
APN: 6-37-18
CLEANUP OVERSIGHT AGENCIES:
 DTSC - SITE CLEANUP PROGRAM - LEAD

ENVIROSTOR ID: 01540002
SITE CODE: 200353
SPECIAL PROGRAM: VOLUNTARY CLEANUP PROGRAM
FUNDING: SITE PROPONENT
ASSEMBLY DISTRICT: 16
SENATE DISTRICT: 09

Regulatory Profile

PAST USE(S) THAT CAUSED CONTAMINATION
 RETAIL - SERVICE STATION

POTENTIAL CONTAMINANTS OF CONCERN
METALS
PETROLEUM
VOLATILE ORGANICS (8260B VOCS)

POTENTIAL MEDIA AFFECTED
 SOIL

*CORRES -
 2005-12-27*

Site History

This property is part of Cypress Reconstruction Project. A fast food restaurant operated on the site from 1983 to 1994. A service station operated on the site between 1964 to 1983. The site contained five underground tanks used for gasoline and waste oil. A portion of the site was converted into 7th Street.

Completed Activities

	<u>DOCUMENT TYPE</u>	<u>DATE COMPLETED</u>	<u>COMMENTS</u>
[VIEW DOCS]	Certification	12/27/2005	RA Certification approved.
[VIEW DOCS]	Remedial Investigation Report	6/21/2004	Submittal of Soil Investigation Report.
[VIEW DOCS]	Amendment - Order/Agreement	8/15/2002	Amendment to the 5/10/1994 VCA to amend Section 3.16, "Payment" and Section 3.35, "Time Periods". The removal action consisted of excavation and off-site disposal of approximately 2,480 cubic yards of soil contaminated with petroleum hydrocarbons (as gasoline, diesel and total hydrocarbons), benzene, toluene, ethyl benzene, xylenes, lead, nickel and arsenic. The soil was excavated down to 10 feet below ground surface where groundwater was encountered and excavation was stopped.
[VIEW DOCS]	Remedial Action Completion Report	8/2/2001	
[VIEW DOCS]	Amendment - Order/Agreement	1/7/1999	Amendment to the May 10, 1994 VCA, which allows work to continue under Chapter 6.5 of the Health and Safety Code.
[VIEW DOCS]	Design/Implementation Workplan	1/19/1996	DES approved for soil removal and groundwater monitoring network.
[VIEW DOCS]	Remedial Action Plan	8/14/1995	RAP required hotspot soil removed and groundwater monitored.

[MEW DOCS]	Remedial Investigation / Feasibility Study	7/3/1995	RIFS approved. Site investigation activities, performed prior to the 5/10/1994 VCA, were reported in the ♦ Site Investigation Report ♦ Area 2 ♦ dated August 1992. The RIFS was approved on July 3, 1995 when the Remedial Action Plan Was approved for public review.
[MEW DOCS]	Remedial Investigation Report	12/7/1994	Approval of Remedial Action Options Report, dated December 27, 1994. The purpose of this investigation was to address the DTSC concerns regarding the November 1993 PEA which include: (1) confirmation of the removal of 5 underground storage tanks and associated piping; (2) assessment of the presence of contaminants in the soils in the area of the former waste oil tank; and (3) assessment of contaminants in the ground water beneath the site. Additional soil and groundwater samples confirmed similar levels and types of contaminants.
[MEW DOCS]	Voluntary Cleanup Agreement	5/10/1994	VCA signed with Caltrans. This project is part of the Cypress Reconstruction Project. In entering into this Agreement, it is the objective of the Parties to conduct Preliminary Endangerment Assessments, removal actions, necessary implementation, risk assessment, design review and/or a Remedial Action Plan as required on a site by site evaluation.
[MEW DOCS]	Preliminary Endangerment Assessment Report	11/22/1993	Approval of PEA, dated May 1993. Soil and groundwater contamination found.

[Conditions of Use](#) | [Privacy Policy](#)

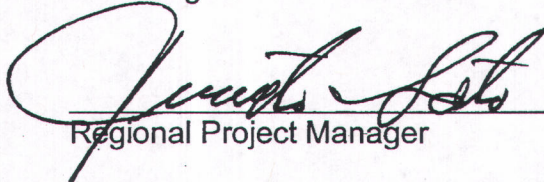
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REMEDIAL ACTION CERTIFICATION
CHURCH'S FRIED CHICKEN
1766 7TH STREET, OAKLAND, ALAMEDA COUNTY, CALIFORNIA

1. **Certification of Remedial Action:**

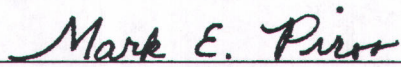
I hereby certify that the following information is true and correct to the best of my knowledge.



Regional Project Manager

12/23/2005

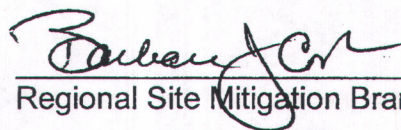
Date



Regional Site Mitigation Unit Chief

12/27/2005

Date



Regional Site Mitigation Branch Chief

12/27/2005

Date

2. **Certification Statement:** Based upon the information which is currently and actually known to the Department of Toxic Substances Control (DTSC),

DTSC has determined that all appropriate response actions have been completed, that all acceptable engineering practices were implemented and that no further removal/remedial action is necessary.

DTSC has determined, based upon a remedial investigation or site characterization that the site poses no significant threat to public health, welfare or the environment and therefore implementation of removal/remedial measures is not necessary.

DTSC has determined that all appropriate removal/remedial actions have been completed and that all acceptable engineering practices were implemented; however, the site requires ongoing operation and maintenance (O&M) and monitoring efforts. The site will be deleted from the "active" site list following (1) a trial operation and maintenance period and (2) execution of a formal written settlement between DTSC and the responsible parties, if appropriate. However, the site will be placed on DTSC's list of sites undergoing O&M to ensure proper monitoring of long-term clean-up efforts.

3. Site Name and Location:

Church's Fried Chicken
1766 7th Street
Oakland, Alameda County, California 94607

A. List any other names that have been used to identify sites:

Cypress Reconstruction

B. Address of site if different from above:

C. Assessor's Parcel Numbers: 6-37-18

4. Responsible Party:

California Department of Transportation

Relationship to Site: Current Property Owner

5. Brief Description and History of the Site:

The site is located in the City of Oakland, California at the northwest corner of the intersection of Wood Street and 7th Street. The site was formerly operated as a gasoline service station and most formerly as a restaurant known as Church's Fried Chicken. The California Department of Transportation (Caltrans) purchased the site as part of the 7th Street re-alignment project. Thus, the majority of the site is within the 7th Street alignment. A Remedial Investigation conducted in 1992 revealed the presence in soil of Total Recoverable Petroleum Hydrocarbons (TRPH) at concentrations of up to 1,500 milligrams per kilograms (mg/kg), Total Petroleum Hydrocarbons as gasoline (TPH-g) at concentrations of up to 5,000 mg/kg, and benzene, toluene, ethylbenzene, and xylenes (BTEX) at concentrations of up to 13, 30, 143, and 600 mg/kg, respectively. Lead was detected at a maximum level of 1,500 mg/kg. Groundwater samples collected showed the presence of benzene, toluene, and xylenes at concentrations exceeding their respective Maximum Contaminant Levels (MCLs).

6. Type of Site:

Is the Site included in the Bond Expenditure Plan?

Yes ___ No x

RCRA-Permitted Facility ___ Bond-funded ___

RCRA Facility Closure ___ RP-Funded ___

NPL _____ Federal Facility _____
Other (i.e. walk-in) x Explain Briefly:

Voluntary Cleanup Agreement (VCA) to investigate and cleanup the Site.

7. Size of the Site:

Small x Medium _____ Large _____ Extra-Large _____

8. Dates of Remedial Action:

a. Initiated: April 2, 1996 b. Completed: April 11, 1996

9. Response Action Taken on Site: (check appropriate action)

- Removal Action (satisfactory abatement of the site)
 Final Remedial Action
 RCRA enforcement/closure action
 No action, further investigation verified that no clean-up action at the site was need.

A. Type of Remedial Action: (e.g. excavation and disposal, on-site treatment, etc.)

The remedial action, performed in April 1996, consisted of excavation and off-site disposal of approximately 2,480 cubic yards of contaminated soil. The soil was excavated down to 10 feet below ground surface where groundwater was encountered and excavation was stopped. Confirmation samples were collected and analyzed for arsenic, lead, nickel, TRPH, Total Petroleum Hydrocarbons as diesel (TPH-d), TPH-g, and BTEX. Analytical results showed TPH-g, benzene, ethylbenzene, toluene, and xylene above their remedial goals. Arsenic, lead and nickel were detected at the maximum concentrations of 3.3 mg/kg, 59 mg/kg, and 42 mg/kg, respectively, which are below the cleanup levels for the site. Additionally, the maximum lead and nickel concentrations in the confirmation samples are below the current residential California Human Health Screening Levels for lead and nickel, which are 150 mg/kg and 1,600 mg/kg, respectively. The maximum arsenic concentration is consistent with background concentrations and is lower than cleanup levels for residential use that DTSC has approved at other site.

Because of the TPH-g, benzene, ethylbenzene, toluene, and xylene contamination onsite, DTSC indicated that a land use covenant would be required for the site and requested that groundwater be monitored to determine if the residual soil

contamination posed a threat to groundwater. In April 2001, five groundwater monitoring wells were installed on the site and downgradient of the excavation area. Groundwater was monitored for four quarters; groundwater analytical results indicated that the concentrations of metals were below MCLs, petroleum hydrocarbons were not detected, except for TPH-d at a maximum concentration of 0.356 milligrams per liter which is below the screening level, and volatile organic compounds were not detected. The monitoring wells were decommissioned in November 2002 after groundwater monitoring results demonstrated that the groundwater had not been impacted.

In May 2004, Caltrans conducted an additional site investigation to demonstrate the attenuation of the contaminants of concern in soil and, consequently, to avoid the need for a land use covenant. The soil investigation consisted of 4 borings advanced using a direct push drill rig. Three soil samples were collected from each boring location at depths of 8 feet, 10 feet and 13.3 feet, respectively, and analyzed for TPH-g, TPH-d, oil and grease, and VOCs. Boring 1 was located near the former waste oil tank where a post-remediation soil sample contained petroleum hydrocarbons above the cleanup level. Boring 4 was near the former gasoline storage tank location where a post-remediation soil sample showed excessive gasoline-related contaminants. Borings 2 and 3 were drilled to provide thorough coverage of the site within the boundaries of the 1996 remedial excavation area. Soil sampling results showed soil contamination below the remedial goals.

Based on the results of the groundwater monitoring and soil data, DTSC determined, in a letter dated August 25, 2004, that no further action is necessary and that a land use covenant is not required for the site. The total area remediated is approximately 0.3 acre.

B. Estimated quantity of waste associated with the site (i.e., tons/gallons/cubic yards) which was:

- | | |
|------------------------------------------------------|----------------------------------|
| 1. <input type="checkbox"/> treated | amount: |
| 2. <input type="checkbox"/> untreated (capped sites) | amount: |
| 3. <input checked="" type="checkbox"/> removed | amount: <u>2,480 cubic yards</u> |

10. Cleanup Levels/Standards:

- a. What were the cleanup standards established by DTSC pursuant to the final remedial action plan (RAP)?

The following cleanup levels were established based on future land use as an asphalt-concrete roadway with construction workers and motorists being the potential receptors:

TPH-gasoline	100 mg/Kg
TPH-diesel	100 mg/Kg
Oil and Grease	1,000 mg/Kg
Benzene	31 mg/Kg
Toluene	280 mg/Kg
Ethylbenzene	74 mg/Kg
Xylene	99 mg/Kg
Lead	840 mg/Kg
Nickel	44 mg/Kg
Arsenic	4.6 mg/Kg

b. Were the specified cleanup standards met? yes x no ___

DTSC calculated Preliminary Remedial Goals (PRGS), in lieu of a baseline risk assessment. The PRGs calculated were based on the chemicals present and on the future use of the site as an asphalt-concrete roadway. However, the extent of soil excavation contamination removed and the residual levels of contamination allows for unrestricted land use. This was determined based on the following:

- Confirmation sampling performed following the April 1996 soil excavation found lead and nickel at the maximum concentrations of 59 mg/kg and 42 mg/kg, respectively, which are below the current residential California Human Health Screening Levels of 150 mg/kg and 1,600 mg/kg, respectively. Arsenic was found at the maximum concentration of 3.3 mg/kg, which is consistent with background concentrations and is lower than cleanup levels for residential use that DTSC has approved at other sites.
- Quarterly groundwater monitoring of five groundwater monitoring wells on the site and downgradient of the excavation area, conducted between April 2001 and November 2002, indicated that the concentrations of metals were below MCLs, petroleum hydrocarbons were not detected, except for TPH-d at a maximum concentration of 0.356 milligrams per liter, which is below the screening level, and volatile organic compounds were not detected.
- Additional soil investigation, conducted in May 2004, which consisted of drilling and sampling of four soil borings, demonstrated that the residual concentrations of petroleum hydrocarbons and associated volatile organic compounds were at low levels well below the remedial goals or were not detected. The following maximum concentrations were detected: TPH-g (55 mg/kg), TPH-d (not detected), oil and grease (160 mg/kg), and BTEX (not detected or were well below the remedial goals).

c. If "no", why not:

11. DTSC Involvement in the Remedial Action:

A. Did the Department order the Remedial Action?

Yes No Date of Order May 10, 1994 (VCA)

B. Did the Department review and approve (check appropriate action and indicate date of review/approval, if done):

Sampling Analysis Procedures Date July 1995

Health & Safety Protection Date August 1995

Removal/Disposal Procedures Date August 1995

Remedial Action Plan Date August 1995

C. If site was abated by responsible party, did the Department receive a signed statement from a licensed professional on all Remedial Actions?

Design and Construction Specifications Date January 1996

Post Construction Date March 1998

D. Did a registered engineer or geologist verify that acceptable engineering practices were implemented?

Yes No Name: Cydney M. Miller

E. Did the Department confirm completion of all Remedial Action?

Yes No Date August 2001

F. Did the Department (directly or through a contractor) actually perform the Remedial Action?

Yes No Name of Contractor:

G. Was there a community relations plan in place?

Yes No

H. Was a Remedial Action plan developed for this site?

Yes No

I. Did DTSC hold a public meeting regarding the draft RAW?

Yes No

J. Were public comments addressed?

Yes No

Date of DTSC analysis/response August 1995

K. Are all of the facts cited above adequately documented in the DTSC files?

Yes No

If no, identify areas where documentation is lacking _____

12. EPA Involvement in the Remedial Action;

A. Was EPA involved in the site cleanup?

Yes No

B. If yes, did EPA concur with all Remedial Actions?

Yes No

C. EPA comments

EPA staff involved in cleanup: (name, title, address, and phone number)

13. Other Regulatory Agency Involvement in the Cleanup Action:

Agency:

Activity:

RWQCB

AQMD

CHP

Caltrans

Other

Alameda County Health Department was cc'd on correspondence

Name of contact persons and agency: Ms. Susan Hugo

14. Post Closure Activity:

**A. Will there be post-closure activities at this site?
(e.g. Operation and Maintenance)**

Yes ___ No x

If yes, describe:

B. Have post-closure plans been prepared and approved by the Department?

Yes ___ No x

C. What is the estimated duration of post-closure (including Operation and Maintenance) activities?

___ years.

D. Are deed restriction proposed or in place?

Yes ___ No x

If "yes", have deed restrictions been recorded with the County recorder?

Yes ___ No ___

If "no", who is responsible for assuring that the deed restrictions are?

Who is the Division contact? Jacinto Soto/(510) 540-3842
name/phone and number

E. Has cost recovery been initiated?

Yes x No

If "yes", amount received \$31,236.37 of DTSC costs.

F. Were local planning agencies notified of the cleanup action?

Yes x No

If "yes", the name and address of the agency: Alameda Environmental Health Department.

15. Expenditure of Funds and Sources:
(Information to be supplied by Toxic Account Unit.)

funding source and amount expended:

<input type="checkbox"/> HWCA	\$ _____	<input type="checkbox"/> HSA	\$
<input type="checkbox"/> HSCF	\$ _____	<input type="checkbox"/> RCRA	\$
<input checked="" type="checkbox"/> RP	\$ _____	<input type="checkbox"/> Other	\$
<input type="checkbox"/> Federal Cooperation Agreement			\$

16. Problems Encountered Which Caused Major Delays: No problems were encountered.

17. Accomplishments Unique to this Project: After remediation, a portion of the site was converted into 7th Street.

18. Final Use of Site: This property is part of Cypress Freeway Reconstruction Project.