

LLOYD A. WISE CO.

Established 1914

A. A. Batarse, Jr., CEO

Tel. (510) 635-1700 Direct

May 07, 2012

Alameda County Health Care Services Agency
Department of Health Services
1131 Harbor Bay Parkway
Alameda, CA 94502

RECEIVED

11:23 am, Aug 01, 2012


**Alameda County
Environmental Health**

Subject: Request for Case Closure - Batarse Residential Development; case file RO0002964

My consultant in this case who is acting on my behalf is: Mr. Stuart G. Solomon

I declare under penalty of perjury that the information and/or recommendations contained in the

Attached document is true and correct to the best of my knowledge.



Anthony A. Batarse, Jr.

May 6, 2012

Alameda County Health Care Services Agency
Department of Health Services
1131 Harbor Bay Parkway
Alameda, CA 94502

Attn: Barbara Jakub, Ariu Levi

Subject: Request for Case Closure - Batarse Residential Development; case file RO0002964

Dear Ms. Jakob and Mr. Levi,

I am the acting environmental consultant for Anthony Batarse, Jr. with respect to his properties at 10500 and 10550 E. 14th Street in Oakland, CA. I have reviewed documentation and history of this case and would like to present my findings, and respectfully request that ACDHS close this case. After reviewing the data and site history, it is my opinion that this site should not be listed as an "open case" on the SWRCB database or a Fuel Leak Case with your agency. The following is the pertinent chain of events:

- A) This Site was officially "closed" by your agency on August 14th, 1998 (see **Attachment 1 – ACDHS "Fuel Leak Site Case Closure for 10500 E. 14th Street, Oakland"**). At that time, the LOP Case No. was RO000966 and the State ID 852. As it turns out, the address identified for the case was erroneously listed as 10500, which is an address shared with 10550 on the same parcel, by a building just to the north. The two USTs were removed from 10550 as was all of the corresponding remedial work performed there, including two well installations. Please see **Attachment 2 – November 2004 correspondence between Donna Drogos (ACDHS), Rodger Brewer, and Kay Pannell of PIERS Environmental**. The confusion over the site address is understandable. One of the monitoring wells installed as part of the 10550 case, was positioned off-site at 10440 – to the north of the remedial site and also owned by Batarse. This well was placed in the immediate vicinity of a former UST which had been removed and the case closed at an earlier date. Gen-Tech Environmental (the tank removal contractor) and PIERS Environmental, had listed all three addresses in their various reports. Very confusing – indeed. Aside from the address issues, the "Case" was officially closed by ACDHS.
- B) Sometime in about 2001, the Oakland Unified School District apparently entered into an intent to purchase several parcels to build out their school district. Parcels owned by Batarse were part of the intended acquisition. As part of the regulatory permitting requirement, the California Environmental Protection Agency Department of Toxic Substances Control (DTSC) ordered that a Preliminary Environmental Assessment (PEA) be performed on the parcels being considered. This was required since the intended use could involve potential exposures not normally of concern with industrial or commercial property uses. Levin-Fricke (LFR) contracted with the Oakland Unified

School District to perform this PSA study, and the work was performed under the auspices of the DTSC, with ACDHS oversight. According to LFR, the purpose of PEA was to “...assist the DTSC in evaluating whether the Site is appropriate for a school setting.” (Attachment 3 “LFR PEA Executive Summary, October 3, 2001 Excerpts”, page vii, paragraph 5). The study involved advancing 62 soils borings – 53 of which were advanced to groundwater. 52 GW grab samples were collected. and soil samples were obtained at five foot intervals throughout those borings.

- C) As a result of the study, LFR concluded in their Executive Summary that; “*The information reviewed and observations made for this PEA do not indicate that soil or groundwater quality at the Site has been significantly affected by on-site releases of hazardous substances with the exception of the petroleum hydrocarbons detected in the soil and groundwater beneath the maintenance building on the west end of Area 1.*” (Attachment 3 “LFR PEA Executive Summary Excerpts” Page ix, paragraph 2). in Section 7.3 (“Toxicity Assessment and Risk Characterization”) page 31, paragraph 1, concerning the water and soil in Area 1, LFR goes on to state; “*The PEA Guidance Manual’s model did reveal a significant hazard (2) for the domestic use pathway for groundwater at the Site. As previously stated, this pathway includes exposures from ingestion and bathing. Because the Site is located in an urban setting, public supply water will most likely be used as the domestic water source. Therefore, although the estimated risk from this model is above the target for this exposure scenario, direct contact with shallow groundwater is actually considered highly unlikely, and does not represent an actual complete exposure pathway.*”
- D) It appears that this Site was re-opened under RO0002964 as a result of the 10-03-2001 LFR PEA report as the case open date on the GeoTracker Database corresponds (Attachment 4 – Case GeoTracker File).

Argument for Case Closure

It is our belief that the same arguments and criteria used by the ACDHS to close this Site in 1998 (Case No. RO0000966) should be applied in this case. The original Case Closure Summary prepared by ACDHS (Attachment 1 - page 6) recommended closure for the following reasons:

- *the leak and ongoing sources have been removed;*
- *the site has been adequately characterized;*
- *the dissolved plume is not migrating;*
- *no water wells, surface water, or other sensitive receptors are likely to be impacted; and,*
- *the site presents no significant risk to human health or the environment.*

The LFR PEA clearly supports this logic and provides much more data to substantiate and validate these recommendations. It is our contention that no extensive review in this case is needed in order to close it. The history is well defined, and we have attached copies of the pertinent documents to this request.

Our client has had interested buyers for the property but cannot proceed until it is cleared of the environmental liability. Please let us know your position on this matter and how we can proceed.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Stuart G. Solomon', with a long horizontal flourish extending to the right.

Stuart G. Solomon
Environmental Consultant
485 Victor Way, Unit 16
Salinas, CA 93907

831-422-2248 – Office
408-406-3850 – Cell

ATTACHMENT 1

**Fuel Leak Site Case Closure Letter and
Remedial Action Completion Certification**

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



R0966

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

StID 852

August 14, 1998

Mr. Anthony Batarse Jr.
Lloyd Wise Nissan
10500 E. 14th Street
Oakland, CA 94603

Dear Mr. Batarse:

RE: Fuel Leak Site Case Closure for 10500 E 14th Street, Oakland

Dear Mr. Batarse:

This letter transmits the enclosed underground storage tank (UST) case closure letter in accordance with Chapter 6.75 (Article 4, Section 25299.37[h]). The State Water Resources Control Board adopted this letter on February 20, 1997. As of March 1, 1997, the Alameda County Environmental Protection Division is required to use this case closure letter for all UST leak sites. We are also transmitting to you the enclosed case closure summary. These documents confirm the completion of the investigation and cleanup of the reported release at the subject site. The subject fuel leak case is closed.

SITE INVESTIGATION AND CLEANUP SUMMARY

Please be advised that the following conditions exist at the site:

- o up to 18,000ppb TPH as gasoline and 270ppb benzene exists in groundwater beneath the site; and,
- o a human health risk assessment is required if a building is proposed in the vicinity of the former gasoline tank.

If you have any questions, please contact me at (510) 567-6762.

eva chu
Hazardous Materials Specialist

enclosures: 1. Case Closure Letter 2. Case Closure Summary

c: Frank Kliewer, City of Oakland-Planning, 1330 Broadway, 2nd Fl, Oakland, CA 94612
files-00 (lloydwise2-13)



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

REMEDIAL ACTION COMPLETION CERTIFICATION

**StID 852 - 10500 E 14th Street, Oakland, CA
(1-550 gallon waste oil and 1-2,000 gallon gasoline tank removed in February
1993**

August 14, 1998

Mr. Anthony Batarse Jr.
Lloyd Wise Nissan
10500 E. 14th Street
Oakland, CA 94603

Dear Mr. Batarse:

This letter confirms the completion of site investigation and remedial action for the underground storage tanks formerly located at the above-described location. Thank you for your cooperation throughout this investigation. Your willingness and promptness in responding to our inquiries concerning the former underground storage tanks are greatly appreciated.

Based on information in the above-referenced file and with the provision that the information provided to this agency was accurate and representative of site conditions, no further action related to the underground tank release is required.

This notice is issued pursuant to a regulation contained in Title 23, Section 2721(e) of the California Code of Regulations.

Please contact our office if you have any questions regarding this matter.

Sincerely,

Mee Ling Tung, Director

cc: Richard Pantages, Chief of Division of Environmental Protection
Chuck Headlee, RWQCB
Dave Deaner, SWRCB
Leroy Griffin, OFD
files-ec (lloydwise2-12)

CASE CLOSURE SUMMARY
Leaking Underground Fuel Storage Tank Program

I. AGENCY INFORMATION

Date: April 29, 1998

Agency name: Alameda County-HazMat
City/State/Zip: Alameda, CA 94502
Responsible staff person: Eva Chu

Address: 1131 Harbor Bay Pkwy
Phone: (510) 567-6700
Title: Hazardous Materials Spec.

II. CASE INFORMATION

Site facility name: Lloyd Wise Nissan

Site facility address: 10500 E. 14th Street, Oakland, CA 94603

RB LUSTIS Case No: N/A

Local Case No./LOP Case No.: 852

URF filing date: 6/8/94

SWEEPS No: N/A

Responsible Parties:

Addresses:

Phone Numbers:

Anthony Batarse Jr.
Lloyd Wise Nissan

10500 E. 14th Street
Oakland, CA 94603

(510) 638-4000

Tank No: Size in gal.:

Contents:

Closed in-place or removed?:

Date:

A 550

Waste Oil

Removed

2/17/93

B 2,000

Gasoline

“

2/18/93

III. RELEASE AND SITE CHARACTERIZATION INFORMATION

Cause and type of release: Unknown

Site characterization complete? YES

Date approved by oversight agency: 3/27/98

Monitoring Wells installed? Yes Number: 2

Proper screened interval? Yes, 15' to 29' bgs

Highest GW depth below ground surface: 8.04' Lowest depth: 28.30' in MW-1-N

Flow direction: WSW

Most sensitive current use: Commercial

Are drinking water wells affected? No Aquifer name: Unknown

Is surface water affected? No Nearest affected SW name: NA

Off-site beneficial use impacts (addresses/locations): None

Report(s) on file? YES Where is report(s) filed?

Alameda County
1131 Harbor Bay Pkwy
Alameda, CA 94502

and

Oakland Fire Dept
1605 MLK Jr Dr
Oakland, CA 94612

Treatment and Disposal of Affected Material:

<u>Material</u>	<u>Amount (include units)</u>	<u>Action (Treatment or Disposal w/destination)</u>	<u>Date</u>
Tank	2 USTs	Disposed by H & H, in San Francisco	Feb 1993
Piping			
Soil	~115 cy	Unknown	
Rinsate	100 gallon	Recycled at Gibson Oil, Redwood City	2/16/93

Maximum Documented Contaminant Concentrations - - Before and After Cleanup

Contaminant	Soil (ppm)		Water (ppb)	
	Before ¹	After ²	Before ³	After ⁴
TPH (Gas)	160	NA	240,000	18,000
TPH (Diesel)	39	ND	NA	NA
Benzene	ND	ND	3,600	270
Toluene	0.21	ND	2,600	120
Ethylbenzene	0.57	ND	6,900	1,800
Xylenes	0.98	ND	40,000	6,300
MTBE	NA	NA	NA	ND
Oil & Grease	ND	NA	NA	ND
Heavy metals	w/in geogenic levels			

- NOTE: 1 soil samples collected at time of UST removal, Feb 1993
 2 soil samples collected after overexcavation of gasoline pit, Mar 1993
 3 maximum groundwater concentrations detected from monitoring wells
 4 most recent groundwater concentrations from wells, Feb 1998

IV. CLOSURE

Does completed corrective action protect existing beneficial uses per the Regional Board Basin Plan? _____

Does completed corrective action protect potential beneficial uses per the Regional Board Basin Plan? _____

Does corrective action protect public health for current land use? **YES**

Site management requirements: **An assessment of human health risk due to volatilization of chemicals of concern from soil and groundwater to indoor air is required if a building is proposed in the vicinity of the former gasoline tank..**

Should corrective action be reviewed if land use changes? **YES**

Monitoring wells Decommissioned: **0, pending site closure**

Number Decommissioned: **0** Number Retained: **2**

List enforcement actions taken: **NOV in May 1995**

List enforcement actions rescinded: **NA**

V. LOCAL AGENCY REPRESENTATIVE DATA

Name: **Eva Chu**

Title: **Haz Mat Specialist**

Signature: 

Date: **4/29/98**

Reviewed by

Name: **Larry Seto**

Title: **Sr. Haz Mat Specialist**

Signature: 

Date: **4-29-98**

Name: **Thomas Peacock**

Title: **Supervisor**

Signature: 

Date: **5-5-98**

VI. RWQCB NOTIFICATION

Date Submitted to RB: **5/6/98**

RB Response:

RWQCB Staff Name: **Chuck Headlee**

Title: **REG**

Signature: 

Date: **6/11/98**

VII. ADDITIONAL COMMENTS, DATA, ETC.

Two USTs were used at the Lloyd Wise automobile showroom and auto repair facility. A 550 gallon waste oil UST was located in the back of the site, adjacent to the service bay. A 2,000-gallon gasoline UST was located in the front of the auto showroom (see Figs 1 and 2). Both USTs were removed in February 1993. Two soil samples (B-1 and B-2) and a water sample (B-4) were collected from the waste oil tank pit. Analytical results did not contain remarkable levels of petroleum hydrocarbons (see Table 1). No further action was required at the waste oil pit.

Soil samples C-1 and C-2 were collected below the gasoline UST @8' bgs. Up to 160 ppm TPHg, and ND, 0.21, 0.57, and 0.98 ppm BTEX, respectively, were identified (see Table 2). The pit was overexcavated in March 1993. Final dimensions of the pit was 16' x 20' x 12' in depth. Two confirmatory soil samples (EX-N/B and EX-S/B) were collected from the pit bottom, and soil samples (EX-N, EX-S, EX-W, and EX-E) were collected from each sidewall. These samples did not contain detectable levels of TPHg or BTEX. (See Fig 3 and Table 3)

In April 1994 one monitoring well, MW-1-N was installed immediately west of the former gasoline pit. A soil sample (MW-1-N @15') from the well boring contained low levels of petroleum hydrocarbons. Groundwater contained up to 120,000 ppb TPHg, and 2,000, 2,600, 4,500, and 40,000 ppb BTEX, respectively. (See Fig 4, Tables 4 and 5)

Boring B-1 was drilled upgradient of the former UST. Well MW-2-N was installed further downgradient of well MW-1-N. Gradient was confirmed with groundwater elevation data collected from the two on-site wells and from one off-site well located across 105th Street, at Lloyd Wise Oldsmobile. Soil from B-1 and MW-2-N did not contain remarkable levels of hydrocarbons (see Fig 4, Table 5). However, groundwater from well MW-2-N contained elevated TPHg and BTEX (see Table 7). To further delineate the extent of the plume, six exploratory Hydropunch borings were drilled in January 1997. Soils samples were collected from two of the borings (B-1H and B-2N). Grab groundwater samples were collected from each boring. Soil and groundwater analytical results indicate that petroleum hydrocarbons are limited in groundwater to the vicinity of the former gasoline UST and the monitoring wells. (See Fig 5, Tables 8 and 9)

After eight sampling events (from 4/94 to 2/98) TPHg and benzene levels have continued to decrease. Current residual soil and groundwater contamination levels do not pose a risk to human health (based on ASTM RBCA Tier 1 Lookup Table), assuming volatilization of soil or groundwater to outdoor air, the only current complete exposure pathway. Natural biodegradation appears to be reducing hydrocarbon concentrations at the site. Continued monitoring is not warranted. However, construction of a building over the vicinity of the former gasoline UST will require an evaluation of risk to human health due to volatilization of chemicals of concern from soil and groundwater to indoor air.

In summary, case closure is recommended because:

- o the leak and ongoing sources have been removed;
- o the site has been adequately characterized;
- o the dissolved plume is not migrating;
- o no water wells, surface water, or other sensitive receptors are likely to be impacted; and,
- o the site presents no significant risk to human health or the environment.

ATTACHMENT 2

November 2004 correspondence between Donna Drogos (ACDHS), Rodger Brewer, and Kay Pannell of PIERS Environmental

Drogos, Donna, Env. Health

From: Drogos, Donna, Env. Health
Sent: Monday, November 08, 2004 5:40 PM
To: 'Roger Brewer'
Subject: RO966 - 10500 Int'l Blvd

Roger,

The site appears to have two addresses of 10500 & 10550. Gen Tech's/Piers maps in the closure label the site as 10440, 10550, and 10500. We closed the site as 10500. It appears that the LUSTIS database had it as 10550 which was subsequently uploaded to GeoTracker. We changed GeoTracker to 10500 for this site. Donna

-----Original Message-----

From: Roger Brewer [mailto:Rdb@rb2.swrcb.ca.gov]
Sent: Wednesday, October 20, 2004 12:28 PM
To: Drogos, Donna, Env. Health
Subject: Fwd: LUST question

Donna - See attached. Can someone in your group look into this?

Roger

-----Original Message-----

From: Kay Pannell [mailto:piers@pierses.com]
Sent: Wednesday, October 20, 2004 11:49 AM
To: Roger Brewer
Subject: LUST question

Dear Mr. Brewer:

PIERS represents our client, Mr. AA Batarse, who owns a number of adjacent parcels in Oakland. One of these parcels is a LUST case, 10500 East 14th Street (aka International Blvd), Oakland. He also owns the adjacent parcel at 10550 East 14th Street. The second parcel is not a LUST case, however, due to a typographical error, it has been put on the LUST database as well. Is there any way we can petition to either have it removed from the database, or have someone issue a letter stating that the database is in error? Should I be sending these questions to you or to another agency representative? I would appreciate any help you can give us. Thank you in advance for your assistance.

Sincerely,
Kay Pannell
Chief Operations Officer
PIERS Environmental Services, Inc.
(408) 559-1248

ATTACHMENT 3

LFR PEA Executive Summary, October 3, 2001 Excerpts

October 3, 2001

7962.01-003

Mr. Michael Stephens
California Environmental Protection Agency
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826

Subject: Preliminary Environmental Assessment Report, Batarse Site, 104th Avenue and
East 14th Street, Oakland, California

Dear Mr. Stephens:

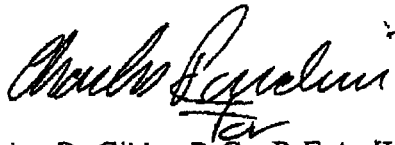
LFR Levine-Fricke (LFR) has prepared this Preliminary Environmental Assessment (PEA) report on behalf of the Oakland Unified School District for the Batarse Site in Oakland, California ("the Site"). The Site, which consists of numerous parcels, is located within an area bounded to the north by 104th Avenue, to the west by commercial businesses fronting on East 14th Street, to the east by residences along Breed Avenue, and to the south by Alameda-Contra Costa Transit's (AC Transit) vehicle maintenance facility.

LFR prepared a PEA work plan for the Site in general accordance with California Environmental Protection Agency Department of Toxic Substances Control (DTSC) guidelines, as presented in the PEA Guidance Manual (January 1994). LFR's work plan for the Site entitled, "Preliminary Environmental Assessment Work Plan, Batarse Project Site, 104th Avenue and East 14th Street, Oakland, California," dated May 25, 2001, was approved by the DTSC. This report presents the results of the PEA.

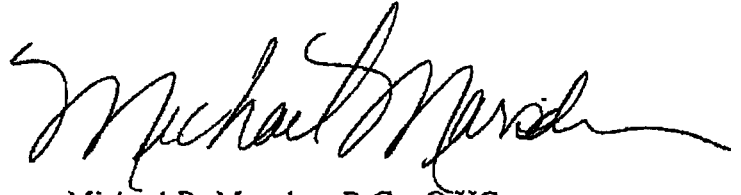
An electronic copy, in Microsoft Word and Excel format, of the PEA report is included with our submittal. LFR is submitting this electronic copy in accordance with the DTSC's request and with the understanding that it will be accessible only to internal DTSC staff via DTSC's computer network for informational purposes only and will not be made available to outside parties. Because LFR has no control over the ability of others to modify or otherwise change the document, the signed, paper copy of the PEA report, dated October 3, 2001, shall be the only official version of the report.

If you have any questions or comments concerning the PEA report, please call either of the undersigned at (510) 652-4500.

Sincerely,

A handwritten signature in cursive script, appearing to read "Alan D. Gibbs".

Alan D. Gibbs, R.G., R.E.A. II
Senior Associate Geologist

A handwritten signature in cursive script, appearing to read "Michael B. Marsden".

Michael B. Marsden, R.G., C.H.G.
Senior Associate Hydrogeologist

cc: Ms. Ineda P. Adesanya, Oakland Unified School District (Volume I only)
Mr. Jerry Suich, Oxbridge Development (Volume I only)

EXECUTIVE SUMMARY

LFR Levine-Fricke (LFR) was contracted by the Oakland Unified School District to conduct a Preliminary Environmental Assessment (PEA) for the Batarse Site, located near the southeast corner of the intersection of 104th Avenue and East 14th Street in Oakland, California ("the Site"; Figure 1). This work was performed under the oversight of the California Environmental Protection Agency Department of Toxic Substances Control (DTSC).

The approximately 8-acre Site, which consists of numerous parcels, is located within an area bounded to the north by 104th Avenue, to the west by commercial businesses fronting on East 14th Street, to the east by residences along Breed Avenue, and to the south by Alameda-Contra Costa (AC) Transit's bus maintenance facility (Figure 2).

This PEA was conducted in general accordance with the DTSC guidance manual for evaluation of hazardous substance release sites entitled, "Preliminary Endangerment Assessment Guidance Manual, State of California, Environmental Protection Agency" (DTSC 1994) and LFR's work plan entitled, "Preliminary Endangerment Assessment Work Plan, Batarse Project Site, 104th Avenue and East 14th Street, Oakland, California," dated May 25, 2001 ("the PEA Work Plan"). The PEA Work Plan was approved by DTSC. The overall objectives of the PEA included the following:

- Evaluating historical information regarding the past use, storage, disposal, or release of hazardous wastes/substances at the Site
- Conducting a field sampling and analysis program to characterize the nature, concentration, and presence and/or absence of a release of hazardous materials, and if found, establishing the extent of hazardous wastes/substances present in soil and groundwater at the Site
- Estimating the potential threat to public health and/or the environment posed by known hazardous constituents at the Site using a residential land use scenario

The results of the PEA will be used to assist the DTSC in evaluating whether the Site is appropriate for a school setting. At the time of the PEA sampling program, the Site was occupied by various commercial buildings and residences located along 105th Avenue and residential buildings along 104th Avenue. Construction of a new permanent school campus is planned at the Site (Figure 3).

In accordance with the PEA Work Plan, LFR advanced 62 soil borings on the Site (Figure 4). Nine shallow borings and 53 deep boring were advanced on the Site and one or more soil samples were collected from each boring. In addition, a water sample was collected from a water supply well located on the Site.

For the purpose of our investigation, the Site was divided into nine areas consisting of one or more parcels. Area 1 includes Lloyd A. Wise, Inc.; Area 2 includes Bill & Bill's

Auto Body; Area 3 includes the majority of the Management Storage property; Area 4 includes Ward's Custom Paint and a portion of the Management Storage property; Area 5 includes Chevron Tow; Area 6 includes the Union Pacific Railroad and 105th Avenue; Area 7 includes commercial, industrial, and residential properties on the west side of 105th Avenue; Area 8 includes residential properties on the east side of 104th Avenue; and Area 9 includes a portion of AC Transit.

Soil samples were collected in shallow borings from the first native soil encountered (shallow depth interval). Soil samples were collected from deep borings at approximately 5-foot intervals to the depth at which groundwater was encountered. Grab groundwater samples were collected from 52 of the deep borings.

Selected soil and groundwater samples were analyzed for Title 22 Metals using U.S. Environmental Protection Agency (EPA) Method 6010/7000 Series; semivolatile organic compounds (SVOCs) using EPA Method 8270 or 525; volatile organic compounds (VOCs) using EPA Method 8260; total petroleum hydrocarbons (TPH) as gasoline, diesel, motor oil, paint thinner, mineral spirits, and/or Stoddard solvent using EPA Method 8015 (modified); organochlorine pesticides (OCPs) using EPA Method 8081; polychlorinated biphenyls using EPA Method 8082; ethylenedibromide (EDB) using EPA Method 504; and polycyclic aromatic hydrocarbons (PAHs) using EPA Method 8310. These analyses were selected because they represent the chemicals of potential concern (COPCs) at the Site based on the historical and current site uses for commercial operations, automobile repair operations, and spray painting operations.

The results of soil sampling identified the presence of various metals, OCPs, PAHs, SVOCs, and VOCs as COPCs. The results of groundwater sampling identified the presence of various metals, PAHs, SVOCs, and VOCs as COPCs. In addition, petroleum hydrocarbons were detected in soil and groundwater samples collected across the Site.

The petroleum hydrocarbons and VOCs detected in the groundwater samples from the west end of Area 6 appear to be related to the waste oil and product underground storage tanks (USTs) formerly located immediately to the west of the Site. According to reports prepared by other consultants for the investigation of the USTs, groundwater flow direction is to the west-southwest based on depth-to-water measurements in the three monitoring wells installed on the properties adjacent to the west of the Site. Therefore, the three borings advanced at the west end of Area 6 would be located in an upgradient direction from these former USTs. In LFR's opinion, the former USTs appear to be the likely source of the petroleum hydrocarbons in groundwater because of the proximity of the USTs to the borings.

The petroleum hydrocarbons detected in the soil and groundwater samples from beneath the maintenance building at the west end of Area 1 appear to be related to the hydraulic lifts and chemical storage in this building.

For the purposes of conducting a human health screening evaluation, the potential exposure pathways identified for the Site were inhalation, ingestion, and dermal absorption. The PEA human health screening evaluation indicated that, based on the information developed during the PEA and the conservative human health screening evaluation using the PEA Guidance Manual, potential health risks to human health were found to be below the target level (less than 10^{-6}) for the COPCs identified at the Site.

The information reviewed and observations made for this PEA do not indicate that soil or groundwater quality at the Site has been significantly affected by on-site releases of hazardous substances with the exception of the petroleum hydrocarbons detected in the soil and groundwater beneath the maintenance building on the west end of Area 1.

LFR proposes remedial activities in the area of the maintenance building to address the presence of petroleum hydrocarbon-affected soil and groundwater in Area 1. LFR will prepare a removal action work plan for these proposed activities at the Site. Removal actions and delineation of these compounds will be addressed during construction of the proposed school. Areas of proposed removal actions are presented in Figure 12.

DTSC-modified Johnson and Ettinger vapor model spreadsheet was used for groundwater to indoor air estimations.

Appendix H presents the details of the screening-level evaluation. The results of the evaluation are summarized below.

7.2 Exposure Assessment

Soil COPCs used in the evaluation of chronic health risk from the ingestion, dermal contact, and inhalation pathways included metals, OCPs, PAHs, SVOCs, and VOCs and are summarized in Table 20.

Groundwater COPCs used in the evaluation of chronic health risk from inhalation of vapors and domestic use include metals, PAHs, SVOCs, and VOCs and are summarized in Table 21.

7.3 Toxicity Assessment and Risk Characterization

The site conceptual model is presented in Figure 11. COPC data are presented in Tables 20 through 24. Exposure pathway evaluations, distribution evaluations, and 95 percent UCLs are presented in Tables 25 and 26, and summarized as follows:

- The PEA soil model for the carcinogenic compounds does not indicate a significant cancer risk (less than 10^{-6}) for the ingestion/dermal contact pathways from shallow soil at the Site.
- The DTSC groundwater spreadsheet for the carcinogenic compounds does not indicate a significant cancer risk (less than 10^{-6}) for the indirect inhalation pathway to indoor air at the Site.
- The PEA Guidance Manual's groundwater model for the carcinogenic compounds bromodichloromethane and vinyl chloride did indicate a significant cancer risk (4.9×10^{-6}) for the domestic use pathway at the Site. This pathway includes exposures from ingestion and bathing. Because the Site is located in an urban setting, public supply water will most likely be used as the domestic water source. Therefore, although the estimated risk from this model is above the target for this exposure scenario, direct contact with shallow groundwater is actually considered highly unlikely, and does not represent an actual complete exposure pathway.
- The PEA soil model for the noncarcinogenic compounds does not indicate a significant hazard (greater than 1) for the indirect inhalation and ingestion/dermal contact pathways from shallow soil at the Site.
- The DTSC groundwater spreadsheet for the noncarcinogenic compounds does not indicate a significant hazard (greater than 1) for the indirect inhalation pathway to indoor air at the Site.

- The PEA Guidance Manual's model did reveal a significant hazard (2) for the domestic use pathway for groundwater at the Site. As previously stated, this pathway includes exposures from ingestion and bathing. Because the Site is located in an urban setting, public supply water will most likely be used as the domestic water source. Therefore, although the estimated risk from this model is above the target for this exposure scenario, direct contact with shallow groundwater is actually considered highly unlikely, and does not represent an actual complete exposure pathway.

Because lead is a COPC at the Site, blood-lead level calculations were performed, using the DTSC's LeadSpread Model (Version 7.0) and inputting the 95 percent UCL lead concentration in soil at the Site (10 micrograms per gram). Lead concentrations detected in groundwater at the Site were not incorporated into the model because public supply water will most likely be used as the domestic water source. The default value of 15 $\mu\text{g/l}$ was used for the lead concentration in water in the model calculations. These results are presented in Table 27. The calculations were performed with the "home-grown produce" pathway turned on, to produce a conservative result. LFR assumed that up to 7 percent of vegetables consumed by a family would be raised on the Site. According to LFR's calculations, the 95th percentile blood lead levels for adults and children are below 10 micrograms per deciliter, indicating that concentrations of lead detected at the Site are not a health concern.

8.0 ECOLOGICAL SCREENING EVALUATION

A detailed ecological screening evaluation was not performed during this PEA because the Site is located within a highly developed commercial and residential urban setting. Natural wildlife habitat areas were not noted on the Site during the PEA. Therefore, based on the available information, there does not appear to be a significant pathway of exposure to nonhuman, sensitive ecological species.

9.0 COMMUNITY PROFILE

Before beginning field activities, LFR worked with the OUSD to notify the surrounding community of the PEA field activities planned for the Site.

On March 13, 2001, LFR's representative distributed written flyers to notify residential and commercial establishments within "sight distance" of the Site of the schedule fieldwork. LFR distributed approximately 120 flyers to residents and occupants on 105th Avenue, East 14th Street (also known as International Boulevard), 104th Avenue, Plymouth Street, Walnut Street, and Breed Street. Flyers printed on OUSD letterhead included information on the proposed environmental investigation (soil and groundwater sampling), and dates of field work. Neighbors were instructed to contact Ms. Ineda Adesanya, Director of Facilities for OUSD, with any questions or comments.

No specific concerns have been raised by the community regarding the PEA performed at the Site and no substantial concerns or issues related to this project have been brought to OUSD's attention by the community.

LFR obtained information on the community demographics from the United States Census Bureau (www.census.gov). The population of City of Oakland ranges from low-middle to upper income families. A summary of the information obtained for the City of Oakland is presented below.

Population:

Total	399,484
White	125,013
Black/African-American	142,460
Hispanic/Latino	87,467
American Indian	2,655
Asian	60,851
Native Hawaiian/Pacific Islander	2,002
Other	46,592
Two or More Races	19,911

Age:

Estimated Median Age	33.3
Population Between Ages 5 and 19 Years	81,300
Population Over Age 21	284,538

Households:

Total	150,790
Average Persons Per Household	2.60
Number of Owner-Occupied Households	62,489
Number of Renter-Occupied Households	88,301
Mean Household Income	\$53,400

Families:

Total	86,347
With Children Under 18 Years of Age	43,152

10.0 SUMMARY AND CONCLUSIONS

The purpose of the PEA was to establish whether a release or threatened release of hazardous substances, which pose a threat to human health or the environment, exists at the Site. Based on past site use, selected soil and groundwater samples collected from

the Site were analyzed for Title 22 metals, petroleum hydrocarbons, VOCs, SVOCs, OCPs, PAHs, and PCBs.

The results of the soil sampling identified the presence of metals, OCPs, PAHs, SVOCs, and VOCs as COPCs. Metals were reported across the Site; lead, zinc, arsenic, and chromium were present at concentrations above the 95 percent UCL. OCPs were detected in soil samples from borings BASB061 and BASB065 located in Area 8. PAHs were detected in soil samples from boring BASB082 in Area 1; borings BASB002, BASB005, BASB011, and BASB017 in Area 6; and borings BASB019 in Area 7. The VOCs acetone and methylene chloride were detected in soil samples collected from across the Site. SVOCs were detected in soil samples from boring BASB082 in Area 1; borings BASB002, BASB005, BASB011, BASB017, BASB051, and BASB081 in Area 6; and borings BASB019 and BASB052 in Area 7. In addition, petroleum hydrocarbons were identified in shallow soil at various locations on the Site.

The results of the groundwater sampling identified the presence of metals, PAHs, SVOCs, and VOCs as COPCs. Metals were reported across the Site; barium, lead, antimony, and nickel were present at concentrations above the MCLs. PAHs and SVOCs were detected in groundwater samples from borings BASB071, BASB072, and BASB078 in Area 1; boring BASB040 in Area 3; borings BASB051 and BASB081 in Area 6; and borings BASB018, BASB019, BASB052, BASB053, BASB054, BASB058, and BASB080 in Area 7. VOCs were detected in groundwater samples from boring BASB026 in Area 1; boring BASB022 in Area 5; borings BASB001, BASB051, and BASB081 in Area 6; and boring BASB050 in Area 8. In addition, petroleum hydrocarbons were identified at concentrations above the SNARLs in groundwater at various locations on the Site, including borings BASB026, BASB031, BASB037, BASB071, and BASB076 in Area 1; boring BASB008 in Area 2; boring BASB041 in Area 3; borings BASB022 and BASB023 in Area 5; borings BASB001, BASB051, and BASB081 in Area 6; and borings BASB018 and BASB052 in 7. In addition, petroleum hydrocarbons were detected in groundwater samples collected from across the Site.

The petroleum hydrocarbons and VOCs detected in the groundwater samples from the west end of Area 6 appear to be related to the waste oil and product USTs formerly located immediately to the west of the Site. According to reports prepared by other consultants for the investigation of the USTs, groundwater flow direction is to the west-southwest based on depth-to-water measurements in the three monitoring wells installed on the properties adjacent to the west of the Site. Therefore, the three borings advanced at the west end of Area 6 are located in an upgradient direction from these former USTs. In LFR's opinion, the USTs appear to be the likely source of the petroleum hydrocarbons in the groundwater based on the proximity of the USTs to the borings.

The petroleum hydrocarbons detected in the soil and groundwater samples from beneath the maintenance building at the west end of Area 1 appear to be related to the hydraulic lifts and chemical storage in this building.

For the purposes of conducting a human health screening evaluation, the potential exposure pathways identified for the Site were inhalation, ingestion, and dermal absorption. The PEA human health screening evaluation indicated that potential risks to human health were below the target risk level (less than 10^{-6}) for the compounds identified as COPCs at the Site.

11.0 RECOMMENDATIONS

The information reviewed and observations made in this PEA report do not indicate that soil or groundwater quality at the Site has been significantly affected by on-site releases of hazardous substances, with the exception of the petroleum hydrocarbons detected in soil and groundwater beneath the maintenance building on the west end of Area 1.

Risks to human health have been found to be within acceptable levels based on the information developed during the PEA and the conservative human health screening evaluation using the PEA Guidance Manual. LFR proposes to perform remedial activities in the area of the maintenance building to address the presence of petroleum hydrocarbon-affected soil and groundwater. LFR will prepare a removal action work plan for these proposed activities at the Site. Removal actions and delineation of these compounds will be addressed during construction of the proposed school. Areas of proposed removal actions are presented in Figure 12.

12.0 LIMITATIONS

This PEA did not include assessment of natural hazards such as naturally occurring asbestos, radon gas, or methane gas; assessment of the potential presence of radionuclides or electromagnetic fields; or assessment of nonchemical hazards, such as the potential for damage from earthquakes or floods, or the presence of endangered species or wildlife habitats.

The observations and conclusions presented in this report are professional opinions based on the scope of activities and information obtained through the PEA described in this report. Opinions presented in the report apply to site conditions at the time of our study, and cannot apply to site conditions or changes of which we are not aware, or which we have not had the opportunity to evaluate. It must be recognized that any conclusions drawn from these data rely on the integrity of the information available to LFR at the time of the investigation, and that a full and complete determination of environmental risks cannot be made.

This report is exclusively for the use of the OUSD, the CDE, and the DTSC. Any reliance on this report by any other party shall be at such party's sole risk.

ATTACHMENT 4

Case GeoTracker File

GEOTRACKER

CASE SUMMARY

<u>REPORT DATE</u> 8/30/2007	<u>HAZARDOUS MATERIAL INCIDENT REPORT FILED WITH OES?</u> N		
<u>I. REPORTED BY -</u> UNKNOWN	<u>CREATED BY</u> UNKNOWN		
<u>II. RESPONSIBLE PARTY -</u>			
<u>CONTACT NAME</u> ANTHONY BATARSE JR	<u>INITIALS</u> AB	<u>ORGANIZATION NAME</u> LLOYD-WISE NISSAN	<u>EMAIL ADDRESS</u>
<u>ADDRESS</u> 10500 E 14TH ST OAKLAND, CA 94603	<u>CONTACT DESCRIPTION</u>		
<u>PHONE TYPE</u> PHONE1	<u>PHONE NUMBER</u> (510)-638-4000	<u>EXTENSION</u>	
<u>III. SITE LOCATION</u>			
<u>FACILITY NAME</u> BATARSE RESIDENTIAL DEVELOPMENT	<u>FACILITY ID</u>		
<u>FACILITY ADDRESS</u> 10500-10550 INTERNATIONAL OAKLAND, CA 94603 ALAMEDA COUNTY	<u>ORIENTATION OF SITE TO STREET</u>		
<u>CROSS STREET</u>			
<u>V. SUBSTANCES RELEASED / CONTAMINANT(S) OF CONCERN</u>			
GASOLINE			
<u>VI. DISCOVERY/ABATEMENT</u>			
<u>DATE DISCHARGE BEGAN</u>			
<u>DATE DISCOVERED</u> 10/3/2001	<u>HOW DISCOVERED</u> * SA	<u>DESCRIPTION</u>	
<u>DATE STOPPED</u> 1/1/1965	<u>STOP METHOD</u> Other Means	<u>DESCRIPTION</u>	
<u>VII. SOURCE/CAUSE</u>			
<u>SOURCE OF DISCHARGE</u> U	<u>CAUSE OF DISCHARGE</u> U		
<u>DISCHARGE DESCRIPTION</u>			
<u>VIII. CASE TYPE</u>			
<u>CASE TYPE</u> Other Groundwater (uses other than drinking water)			
<u>IX. REMEDIAL ACTION</u>			
NO REMEDIAL ACTIONS ENTERED			

Levine Fricke was contracted by the Oakland Unified School District (OUSD) to conduct a Preliminary Endangerment Assessment with plans to build a school on the 8-acre property. Sixty-two borings were advanced at the site. Soil samples were collected from the first native soil encountered. Grab groundwater samples were collected from the 52 "deep" borings. Maximum soil concentrations were 970 ppm TPHd, 490 ppm TPHg, and 1,000 ppm TPHmo. Maximum groundwater concentrations were 210,000ppb TPHd, 19,00 ppb TPHg, and 14,000 ppb TPH as paint thinner. LFR identified areas near the former USTs, hydraulic lifts and former chemical storage areas. They proposed remediation by removing the affected soil (beneath the maintenance building) when the property was redeveloped. This redevelopment has not occurred and the property was not sold to OUSD.

XI. CERTIFICATION

I HEREBY CERTIFY THAT THE INFORMATION REPORTED HEREIN
IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

XII. REGULATORY USE ONLY

LOCAL AGENCY CASE NUMBER
RO0002964

REGIONAL BOARD CASE NUMBER
NA

LOCAL AGENCY

<u>CONTACT NAME</u>	<u>INITIALS</u>	<u>ORGANIZATION NAME</u>	<u>EMAIL ADDRESS</u>
BARBARA JAKUB	BJJ	ALAMEDA COUNTY LOP	

<u>ADDRESS</u>	<u>CONTACT DESCRIPTION</u>
1131 HARBOR BAY PARKWAY ALAMEDA, CA 945026577	

<u>PHONE TYPE</u>	<u>PHONE NUMBER</u>	<u>EXTENSION</u>
PHONE1	(510)-639-1287	

REGIONAL BOARD

UNKNOWN

Copyright © 2012 State of California