



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
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October 31, 2017

Ms. Sara May (Sent via E-mail to: smay@metrovation.com)
Terradev Jefferson LLC
c/o Metrovation
580 Second Street
Oakland, CA 94607

Subject: Fuel Leak Case No. RO0003001 and GeoTracker Global ID T10000001072, Terradev Jefferson LLC Property, 645 Fourth Street, Oakland, CA 94607

Dear Ms. May:

Thank you for meeting with Alameda County Department of Environmental Health (ACDEH) on October 12, 2017 to discuss the subject site and upcoming tenant improvements. During the meeting, you notified ACDEH that the Oakland Children's Hospital Early Childhood Mental Health Program will be vacating the site and that there will be a brief vacancy period of the suites in the interim of an upcoming tenant exchange which will grant you access to the property to conduct tenant space modifications and implement interim remedial measures to mitigate potential vapor intrusion risk to building occupants. Interim measures are being proposed based on historic subslab vapor data and indoor air data that indicate that vapor intrusion is a potential concern at the subject site.

- a) **Sub-slab vapor:** Sub-slab vapor samples have been collected at screening depths of 0 to 5 inches beneath the bottom of the foundations of existing buildings at five different locations. Benzene and ethylbenzene concentrations in vapor probes VP-4 and VP-5 range from 4,100 to 180,000 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) and 3,700 to 150,000 $\mu\text{g}/\text{m}^3$, respectively. These concentrations exceed the San Francisco Bay Regional Water Quality Control Board's Environmental Screening Levels (ESLs) for benzene and ethylbenzene subslab soil vapor concentrations of 420 $\mu\text{g}/\text{m}^3$ and 4,900 $\mu\text{g}/\text{m}^3$, respectively.
- b) **Indoor Air Sampling:** Indoor air samples collected from within the tenant spaces indicate a potential vapor intrusion risk due to benzene concentrations of up to 2.0 $\mu\text{g}/\text{m}^3$ which exceed both the commercial ESL of 0.42 $\mu\text{g}/\text{m}^3$ and the ambient air concentrations measured on the subject site.

Interim measures discussed during the meeting include installation of a vapor mitigation system including a vapor barrier such as Retro Coat on top of the existing slab and/or a venting system beneath the slab in areas where tenant improvements will include subslab work. Additionally, we discussed preparation of a Site Management Plan (SMP) designed to assist the property management with future tenant improvements that will minimize the likelihood of exposure to hazardous substances in the subsurface at the site. The SMP should provide guidance for, at a minimum tenant improvements involving subsurface work, inspection and maintenance of the vapor barrier and/or venting systems; and identification of exposure risks to construction workers doing subsurface work.

Therefore at this juncture, ACDEH requests the submittal of an interim remedial action plan for vapor mitigation measures and a SMP as discussed below.

TECHNICAL REPORT REQUEST

Please submit the following reports in accordance with the naming convention and schedule listed below. ACDEH requests that you submit draft documents via electronic mail correspondence to ACDEH (Attention: Dilan Roe), prior to final upload to GeoTracker:

- 1) **December 31, 2017** - Interim Remedial Action Plan (IRAP)
(File to be named: IRAP_R_yyyy-mm-dd)

- 2) **December 31, 2017** - Site Management Plan (SMP)
(File to be named: SMP_R_yyyy-mm-dd)

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.

Should you have any questions, please contact me at (510) 567-6767 or send me an electronic mail message at dilan.roe@acgov.org .

Sincerely,

Dilan Roe

Dilan Roe, PE, C73703
Chief - Land Water Division

Encl.: Attachment 1 – Responsible Party(ies) Legal Requirements/Obligations and ACDEH Electronic Report Upload (ftp) Instructions

cc: Markus Niebanck, Amicus, 580 Second Street, Suite 260, Oakland CA 94607 (Sent via E-mail to: markus@amicusenv.com)
Dilan Roe, ACDEH, Chief Land, Water Division (Sent via E-mail to: dilan.roe@acgov.org)
Paresh Khatri, ACDEH (Sent via E-mail to: paresh.khatri@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

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.