



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

November 5, 2013

Mr. Brian Saliman (*Sent via E-mail to: BSaliman@rcdev.org*)
Ashland Family Housing LP
2200 Oxford Street
Berkeley, CA 94704

Subject: Review of Interim Removal Action Plan for SLIC Case No. RO0003122 and GeoTracker Global ID T10000005055, Ashland Housing Project, 16309 Kent Avenue, San Lorenzo, CA 94580

Dear Mr. Saliman:

Alameda County Environmental Health (ACEH) staff has reviewed the Spills, Leaks, Investigations, and Cleanups (SLIC) case file for the above-referenced site including the most recently submitted document entitled, *"Interim Removal Action Plan, Ashland Housing Project, 16305, 16309, 16327, 16331, 1633 Kent Avenue and 16375 East 14th Street, Ashland, California,"* dated October 3, 2013 (IRAP). The IRAP, which was prepared on your behalf by Ninyo & Moore, presents results from site investigation activities and proposes targeted removal of contaminated soil from several areas of the site.

We request that you address the following technical comments and prepare a Revised IRAP **no later than December 6, 2013**.

TECHNICAL COMMENTS

- 1. Carport Area Targeted Removal.** The IRAP proposes excavation of soil with a volume of approximately 3 cubic yards in the area of boring CP3. This proposal appears to be generally acceptable based on the analytical results collected to date. However, given the potential nature of releases in the carport area to have been episodic and to have occurred at multiple locations, we request that you include a contingency plan in the IRAP to remove any contaminated soil that is observed during demolition of the carport structure. This contingency should describe the procedures for observing and screening the soil during demolition and excavation in the Carport Area and the qualifications of the professional who will perform oversight. In the Revised IRAP requested below, please also include contingency plans for confirmation soil sampling if additional soil contamination outside the area of boring CP3 is observed.
- 2. 16331 Building – Boring L10 Excavation.** The proposed removal of soil containing lead above the Environmental Screening Level (ESL) in the area of Boring L10 is acceptable.
- 3. L13 Boring Excavation.** The proposal to remove soil to depths of two to three feet bgs in the area south of the 16331 building is generally acceptable based on the analytical results collected to date. As noted in Section 6.2, the excavation should be extended laterally and vertically until the sidewalls and bottoms of the excavation are visually clean and free of odors. Similar to the Carport Area, we request that you include a contingency plan in the IRAP to remove any contaminated soil that is observed during demolition and grading in the 16331 building area. This contingency should describe the procedures for observing and screening the soil during demolition and grading in the Building 16331 area, and the qualifications of the professional who will perform oversight. In the IRAP

requested below, please also include contingency plans for confirmation soil sampling if additional soil contamination outside the proposed excavation limits is observed

4. **Stockpile Sampling for Reuse for Kent Avenue Excavation.** The proposal to reuse stockpiled soil from a future trench excavation on Kent Avenue following confirmation sampling is generally acceptable. In the Revised IRAP requested below, please provide a specific analyte list for confirmation soil samples collected from the Kent Avenue trench excavation stockpile.
5. **Stockpile Sampling for Reuse of Unknown Stockpile.** The IRAP does not discuss the likely origin of the existing stockpile adjacent to the Kent Avenue entrance to the site. We assume that the stockpile is of unknown origin. In the Revised IRAP requested below, please describe the suspected origin or unknown origin of the stockpile and the heterogeneity of the material. If the material is highly heterogeneous, sampling for reuse at a rate of one 4-point composite sample for every 50 cubic yards may not be sufficient to characterize the material. Please note that if the origin of the stockpile at the Kent Avenue entrance is unknown, the stockpile soil samples must be analyzed for a wide suite of analytes to include TPH as gasoline, diesel, and motor oil (8015B), volatile organic compounds (8260), metals (6010B), asbestos (PLM), SVOCs (8270), PCBs, organochlorine pesticides, organophosphorus pesticides, and chlorinated herbicides. The fill material must not contain debris or construction material.
6. **Water Cistern Abandonment.** The proposal in the IRAP for abandonment of the cistern is generally acceptable.
7. **Backfilling Excavations and Grading Plan.** Please provide a copy or summary of the grading plans for the site in order to understand the distance between the excavations and final surface grade and the proximity to proposed structures.
8. **Inspections during Proposed Actions.** Additional soil samples or alternate depths of soil sampling may be required if requested during field inspection by ACEH. Please provide 5 days advance notification to ACEH (email preferred to jerry.wickham@acgov.org) prior to start of excavation.

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:

- **December 6, 2013** – Revised Interim Removal Action Plan
File to be named: IRAP_R_YYYY-mm-dd RO3122

Ashland Family Housing LP
RO0003122
November 5, 2013
Page 3

If you have any questions, please call me at (510) 567-6721 or send me an electronic mail message at donna.drogos@acgov.org. Case files can be reviewed online at the following website: <http://www.acgov.org/aceh/index.htm>. If your email address does not appear on the cover page of this notification ACEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

Sincerely,

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

cc: Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (*Sent via E-mail to: lgriffin@oaklandnet.com*) Remove not an Oakland site

Kris Larson, Ninyo & Moore, 1956 Webster Street, Suite 400, Oakland, CA 94612 (*Sent via E-mail to: klarson@ninyoandmoore.com*)

Peter Sims, Ninyo & Moore, 1956 Webster Street, Suite 400, Oakland, CA 94612 (*Sent via E-mail to: psims@ninyoandmoore.com*)

Jerry Wickham, ACEH (*Sent via E-mail to: jerry.wickham@acgov.org*)

GeoTracker, eFile

Attachment 1

Responsible Party(ies) Legal Requirements/Obligations

REPORT/DATA REQUESTS

These reports/data are being requested pursuant to Division 7 of the California Water Code (Water Quality), Chapter 6.7 of Division 20 of the California Health and Safety Code (Underground Storage of Hazardous Substances), and Chapter 16 of Division 3 of Title 23 of the California Code of Regulations (Underground Storage Tank Regulations).

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (Local Oversight Program [LOP] for unauthorized releases from petroleum Underground Storage Tanks [USTs], and Site Cleanup Program [SCP] for unauthorized releases of non-petroleum hazardous substances) require submission of reports in electronic format pursuant to Chapter 3 of Division 7, Sections 13195 and 13197.5 of the California Water Code, and Chapter 30, Articles 1 and 2, Sections 3890 to 3895 of Division 3 of Title 23 of the California Code of Regulations (23 CCR). Instructions for submission of electronic documents to the ACEH FTP site are provided on the attached "Electronic Report Upload Instructions."

Submission of reports to the ACEH FTP site is in addition to requirements for electronic submittal of information (ESI) to the State Water Resources Control Board's (SWRCB) Geotracker website. In April 2001, the SWRCB adopted 23 CCR, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1 (Electronic Submission of Laboratory Data for UST Reports). Article 12 required electronic submittal of analytical laboratory data submitted in a report to a regulatory agency (effective September 1, 2001), and surveyed locations (latitude, longitude and elevation) of groundwater monitoring wells (effective January 1, 2002) in Electronic Deliverable Format (EDF) to Geotracker. Article 12 was subsequently repealed in 2004 and replaced with Article 30 (Electronic Submittal of Information) which expanded the ESI requirements to include electronic submittal of any report or data required by a regulatory agency from a cleanup site. The expanded ESI submittal requirements for petroleum UST sites subject to the requirements of 23 CCR, Division, 3, Chapter 16, Article 11, became effective December 16, 2004. All other electronic submittals required pursuant to Chapter 30 became effective January 1, 2005. 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, 7835, 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, late reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: July 25, 2012
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (petroleum UST and SCP) require submission of all reports in electronic form to the county's FTP site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities.

REQUIREMENTS

- **Please do not submit reports as attachments to electronic mail.**
- Entire report including cover letter must be submitted to the ftp site as a **single Portable Document Format (PDF) with no password protection.**
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- **Signature pages and perjury statements must be included and have either original or electronic signature.**
- **Do not password protect the document.** Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:

RO#_Report Name_Year-Month-Date (e.g., RO#5555_WorkPlan_2005-06-14)

Submission Instructions

- 1) Obtain User Name and Password
 - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
 - i) Send an e-mail to .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 <://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 .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.