



November 16, 2018

Mr. Mike Kochan
Equipment Fabricating Inc.
729 45th Avenue
Oakland, CA 94601
(Sent via E-mail to: mike@equipmentfabricating.com)

Stephanie Kochan Trust
129 Selborne Way
Moraga, CA 94556-1732

Subject: Technical Report Request for Fuel Leak Case No. RO0003133 and GeoTracker Global ID T10000005808, Equipment Fabricating Company, Inc., 729 45th Avenue, Oakland, CA 94603

Dear Mr. Kochan:

Thank you for attending the meeting held at Alameda County Department of Environmental Health's (ACDEH's) offices on November 14, 2018. The purpose of the meeting was to discuss a review of the site's status in comparison with the State Water Resources Control board's (SWRCB's) Low Threat Closure Policy (LTCP) and develop a path to closure.

According to the Assessor's Office, the site is comprised of one parcel with Assessor Parcel Number (APN) 34-2290-1. The Phase I Environmental Site Assessment Report dated August 27, 2013 describes historical site usage from approximately 1928 to 1964 by the Panama Refining Company, Mileage Gasoline Company, and Golden Gate Oil Company conducting oil refining, storage, and/or sales with three above ground storage tanks (ASTs) including a 20,000 gallon, and two 15,000 gallon ASTs. Equipment Fabricating Company installed and utilized three 500-gallons underground storage tanks (USTs) in the northwest corner of the property between 1974 and 1991. As discussed during the meeting, the property is currently in commercial use and your intent is to sell the property eventually.

The case does not meet the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case Closure Policy (LTCP) adopted by the SWRCB on May 1, 2012 for the closure of leaking petroleum underground storage tank (UST) sites. ACDEH has determined that the site does not meet the LTCP General Criteria f (Secondary Source Removal) and the Media-Specific Criteria for Direct Contact.

Historic documents indicate that three USTs were removed without oversight or documentation in 1991, therefore, the integrity of the USTs, the environmental quality of UST backfill, dispenser, and pipelines is unknown. Soil samples collected from depths less than five feet in B-1, B-2, and EFC05 in the former UST area detected elevated total petroleum hydrocarbons, indicating the probable presence of secondary source in the former UST area. ACDEH requests preparation of a work plan to perform a limited and shallow excavation, as described below, in the former UST location to excavate secondary source for offsite disposal. As discussed during the meeting, once the secondary source removal has been completed and documented in a report, ACDEH will initiate case closure, which will include a Land Use Covenant and Site Management Plan.

TECHNICAL COMMENTS

- 1. General Criteria f – Secondary Source Has Been Removed to the Extent Practicable:**
"Secondary source" is defined as petroleum-impacted soil or groundwater located at or immediately beneath the point of release from the primary source. Unless site attributes prevent secondary source removal (e.g. physical or infrastructural constraints exist whose removal or relocation would

be technically or economically infeasible), petroleum-release sites are required to undergo secondary source removal to the extent practicable as described in the policy. "To the extent practicable" means implementing a cost-effective corrective action which removes or destroys-in-place the most readily recoverable fraction of source-area mass. It is expected that most secondary mass removal efforts will be completed in one year or less. Following removal or destruction of the secondary source, additional removal or active remedial actions shall not be required by regulatory agencies unless (1) necessary to abate a demonstrated threat to human health or (2) the groundwater plume does not meet the definition of low threat as described in this policy.

ACDEH's review of the case files indicates that insufficient data and analysis has been presented to assess compliance with General Criteria f. Please prepare a Secondary Source Removal Work Plan (described in Technical Comment 3 below) to address the Technical Comments discussed above.

2. **LTCP Media Specific Criteria for Direct Contact and Outdoor Air Criteria:** The LTCP describes conditions where direct contact with contaminated soil or inhalation of contaminants volatilized to outdoor air poses a low threat to human health. According to the policy, release sites where human exposure may occur satisfy the media-specific criteria for direct contact and outdoor air exposure and shall be considered low-threat if the maximum concentrations of petroleum constituents in soil are less than or equal to those listed in Table 1 for the specified depth below ground surface (bgs). Alternatively, the policy allows for a site specific risk assessment that demonstrates that maximum concentrations of petroleum constituents in soil will have no significant risk of adversely affecting human health, or controlling exposure through the use of mitigation measures, or institutional or engineering controls.

Analysis for polyaromatic hydrocarbons (PAHs) on soil samples collected from B-1 and B-2 in the former UST area detected up to 2.01 mg/kg Total Benzo(a)pyrene equivalents (BaPe), exceeding the Commercial/Industrial of 0.68 mg/kg, 0 to 5 feet below ground surface, Media Specific Direct Contact and Outdoor Air Exposure. The presence of PAHs is an additional indicator of secondary source at the site. Please prepare a Secondary Source Removal Work Plan (described in Technical Comment 3) to address the Technical Comments discussed above.

3. **Request for the preparation of a Secondary Source Removal Work Plan:** As discussed during our meeting, please prepare a work plan to remove secondary source in the former UST location. Photographs included in the Phase I Report indicate the location of the former USTs as defined by saw cuts in the concrete pavement. In the Work Plan, propose a limited excavation area, as defined by the three soil borings B-1, B-2, and EFC-05 and the property line, to target removal of secondary source material from the former UST pit. The anticipated depth of the excavation should be limited to five feet bgs, the depth to groundwater found in borings B-1, B-2, and EFC-05. Bottom and side confirmation sampling is not required. Please include the following items in the work plan:
 - a. Scaled figure indicating the limits of the proposed excavation including the locations of B-1, B-2, and EFC-05.
 - b. Standard operating procedures (SOPs) for excavation and backfill activities.

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- c. Proposed material backfill material using Department of Toxic Substances Control (DTSC's) October 2001 *Clean Imported Fill Material Information Advisory*. Please ensure that the permeability of the fill material is less than or equal to that of the native material to avoid potential groundwater ponding in the vicinity of the excavation.
- d. Waste disposal analytical profile and signed disposal documentation.

TECHNICAL REPORT REQUEST

To take advantage of dry weather conditions, please submit the work plan by e-mail (karel.detterman@acgov.org) by November 30, 2018.

Upon work plan approval, you will be requested to upload the work plan to the State Water Resources Control Board's Geotracker website, in accordance with the following specified file naming convention and schedule:

- **Date to be Determined:** Secondary Source Removal Work Plan
File to be named: RO0003133_WP_R_yyyy-mm-dd

This report is re 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.

Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, please send me an e-mail message at: karel.detterman@acgov.org or call me at (510) 567-6708.

Sincerely,

Karel Detterman, PG
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 - Responsible Party(ies) Legal Requirements/Obligations
ACDEH Electronic Report Upload (ftp) Instructions

cc: Dave Siegel, ERAS Environmental, Inc., 1533 B St., Hayward, CA 94541, (Sent via E-mail to: dave@eras.biz)

Dilan Roe, ACDEH, (Sent via E-mail to: dilan.roe@acgov.org)
Karel Detterman, ACDEH, (Sent via E-mail to: karel.detterman@acgov.org)
Paresh Khatri, ACDEH, (Sent via E-mail to: paresh.khatri@acgov.org)
GeoTracker, eFile

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: December 14, 2017
	ISSUE DATE: July 25, 2012
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: Responsible Party(ies) Legal Requirements / Obligations

REPORT & DELIVERABLE REQUESTS

Alameda County Department of Environmental Health (ACDEH) Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) require submission of all reports in electronic form to the State Water Board's (SWB) GeoTracker website in accordance with California Code of Regulations, Chapter 30, Division 3, Title 23 and Division 3, Title 27.

Leaking Underground Fuel Tank (LUFT) Cases

Reports and deliverable requests are 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 (RP) in conjunction with an unauthorized release from a petroleum underground storage tank (UST) system.

Site Cleanup Program (SCP) Cases

For non-petroleum UST cases, reports and deliverables requests are pursuant to California Health and Safety Code Section 101480.

ELECTRONIC SUBMITTAL OF REPORTS

A complete report submittal includes the PDF report and all associated electronic data files, including but not limited to GEO_MAP, GEO_XY, GEO_Z, GEO_BORE, GEO_WELL, and laboratory analytical data in Electronic Deliverable Format™ (EDF). Additional information on these requirements is available on the State Water Board's website (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)

- Do not upload draft reports to GeoTracker
- Rotate each page in the PDF document in the direction that will make it easiest to read on a computer monitor.

GEOTRACKER UPLOAD CERTIFICATION

Each report submittal is to include a GeoTracker Upload Summary Table with GeoTracker valid values¹ as illustrated in the example below to facilitate ACDEH review and verify compliance with GeoTracker requirements.

GeoTracker Upload Table Example

Report Title	Sample Period	PDF Report	GEO_MAPS	Sample ID	Matrix	GEO_Z	GEO_XY	GEO_BORE	GEO_WELL	EDF
2016 Subsurface Investigation Report	2016 S1	✓	✓	Effluent	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
2012 Site Assessment Work Plan	2012	✓	✓			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2010 GW Investigation Report	2008 Q4	✓	✓	SB-10	W	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				SB-10-6	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				MW-1	WG	✓	✓	✓	✓	✓
				SW-1	W	✓	✓	✓	✓	✓

¹ GeoTracker Survey XYZ, Well Data, and Site Map Guidelines & Restrictions, CA State Water Resources Control Board, April 2005

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: NA
	ISSUE DATE: December 14, 2017
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: Responsible Party(ies) Legal Requirements / Obligations

ACKNOWLEDGEMENT STATEMENT

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to the State Water Board's GeoTracker website." This letter must be signed by the Responsible Party, or legally authorized representative of the Responsible Party.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6731, 6735, and 7835) 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 licensed or certified professional and include the professional registration stamp, signature, and statement of professional certification. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

UNDERGROUND STORAGE TANK CLEANUP FUND

For LUFT cases, RP's non-compliance with these regulations may result in ineligibility to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse the cost of cleanup. Additional information is available on the internet at: https://www.waterboards.ca.gov/water_issues/programs/ustcf/

AGENCY OVERSIGHT

Significant delays in conducting site assessment/cleanup or report submittals may result in referral of the case to the Regional Water 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.