



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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August 4, 2016

Mr. John Murray
John Murray Productions
1196 32nd Street, Oakland, CA 94608
(Sent via electronic mail to:
johnm@johnmurray.com)

Mr. Reid Settlemier
RWW Properties LLC
6114 LaSalle Avenue, #535
Oakland, CA 94611
(Sent via electronic mail to:
reid@rww-llc.com)

Subject: Conditional Approval of Modified Vapor Mitigation System Design and Remedial Excavation;
Site Cleanup Program (SCP) Case No. RO0003142, Adeline Foundry, 3037-3115 Adeline
Street, Oakland, CA 94608

Dear Mr. Murray and Mr. Settlemier:

Alameda County Department of Environmental Health (ACDEH) has reviewed the case file including the *Addendum to Workplan for Limited Phase II Subsurface Investigation*, dated July 26, 2016. The work plan was prepared and submitted on your behalf by ERAS Environmental Inc. (ERAS). Based on discussions and decisions made in the July 13, 2016 meeting, the referenced work plan is intended to modify the vapor mitigation system design contained in the *Vapor Mitigation Basis of Design Report* (VMS), dated February 5, 2016, and prepared by Sustainable Technologies, Inc. Thank you for submitting the work plan.

The revised VMS is to consist of a trench and piping along the entire southern edge of the southern building onsite. It is estimated to be approximately 48 foot long and will be a minimum of three feet deep and three feet in width. An additional 10 by 10 square foot area centered on soil bore B2 was proposed to be excavated to a depth of three feet in an effort to remove soil containing significant petroleum hydrocarbon contamination, as well as the metals copper and lead. It is understood that additional soil may be excavated based on perimeter and bottom removal confirmation soil samples to be collected from the excavation centered on bore B2. The referenced work plan did not discuss changes to the vertical components of the VMS system; therefore ACDEH assumes that these components will be installed in a similar fashion to those described in the original VMS basis of design report.

Based on ACEH staff review of the work plan, the proposed scope of work is conditionally approved for implementation provided that the technical comments below are incorporated during the proposed work. Submittal of a revised interim remedial work plan or a work plan addendum is not required unless an alternate scope of work outside that described in the work plan or these technical comments is proposed. We request that you address the following technical comments, perform the proposed work, and send us the report described below. Please provide 72-hour advance written notification to this office (electronic mail preferred to: mark.detterman@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Vapor Mitigation System Design Modifications** – The referenced VMS design proposes a series of actions with which ACDEH is in general agreement of undertaking; however, ACDEH requests several modifications to the approach. Please submit a VMS Record of Construction and Excavation Report by the date specified below.
 - a. **Remedial Excavation Documentation** - As noted above, the proposed excavation around bore location B-2, as stated in the work plan, will be a 10 foot by 10 foot by 3 foot area of excavation. Additional soil may be excavated based on perimeter and bottom soil samples to

be collected from the excavation centered on bore B2. Confirmation soil samples will be collected a minimum of every 20 feet laterally along an excavation edge and for every 50 square feet of bottom.

Rather than static confirmation soil sample locations as indicated on Figure 2 of the referenced work plan, ACDEH requests that all confirmation samples are positively biased toward signs of contamination, including staining, odor, Photoionization Detection (PID) readings, etc. Please also ensure that all perimeter samples are collected at the depth of documented worst-case contamination; for example at a depth of 2 – 2.5 feet around B-2.

- b. Excavation Oversight** – Because the excavation work is nominally a remedial excavation, it appropriate to require the oversight of the collection of confirmation samples, by a registered professional geologist or engineer.
 - c. Vent Riser Sampling Port** – The original VMS design report indicates that a sampling port will be installed at an elevation of approximately four feet above grade surface; however, is not shown on Figure 3. Please update the figure to reflect the installation of the sampling port with the report requested below.
 - d. Vent and Soil Vapor Confirmation Sampling** – The VMS design report indicates that the system vent riser will be sampled at a sample port that will be installed at an elevation of four feet above grade, and at the top of the riser to confirm the system is operating as intended. This appears reasonable. The referenced work plan additionally proposed the re-collection of soil vapor from locations proximal to the original vapor sampling locations. Thank you for including this resampling; please ensure a vapor shroud and a tracer gas is used during vapor sampling. Please additionally ensure the tracer gas is analyzed for in the vapor samples and in the shroud in order to determine, in the event of a leak of outside air into the vapor sampling system, that the leak is not more than DTSC guidance allows.
- 2. Site Management Plan** – Due to changes in the proposed approach at the site, specifically the proposed excavation of contaminated soil concurrent with the installation of the VMS, the Site Management Plan (SMP) has not been approved. The removal of a potentially significant fraction of the residual contamination must be reflected in the document which is intended to provide a management plan for future subsurface incursions at the site. Specifically, this must include an update of known residual areas of contamination and the magnitude of the residual contamination as documented by the confirmation sampling requested above. The document must also include emergency contact information as requested in the December 10, 2015 directive letter.

The existing SMP recommends monthly VMS inspections. ACDEH is in agreement that monthly visual inspections are appropriate; however, ACDEH requests semi-annual (twice a year) written documentation of the inspections, and any actions needed to be taken to maintain the system and pavement in a good working order. The documentation is required to be kept onsite for use as needed thereafter. These changes should be incorporated into the revised SMP.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with Attachment 1 and the specified file naming convention below, according to the following schedule:

- **October 28, 2016** – Vapor Mitigation Record of Construction and Excavation Report
File to be named: RO3142_RDIP_R_yyyy-mm-dd
- **October 28, 2016** – Revised Site Management Plan
File to be named: RO3142_SITE_MANAGE_R_yyyy-mm-dd

Online case files are available for review 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

Mr. Murray and Mr. Settlemier
RO0003142
August 4, 2016, Page 3

provide your email address so that we can correspond with you quickly and efficiently regarding your case.

Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,

Mark E. Detterman, P.G., C.E.G.
Senior Hazardous Materials Specialist

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

cc: Clinton Stockton, John Murray Productions, Inc, 1196 32nd Street, Oakland, CA 94608; (Sent via electronic mail to: Clinton@johnmurray.com)

Dan Kwon, Dogtown Athletic, 3109 Adeline Street, Oakland, CA 94608 (Sent via electronic mail to: dan@dogtownathletic.com)

Chris Lee, Dogtown Athletic, 3109 Adeline Street, Oakland, CA 94608 (Sent via electronic mail to: chris@dogtownathletic.com)

David Siegel, ERAS Environmental, Inc., 1533 B Street, Hayward, CA 94541 (Sent via electronic mail to: dave@eras.biz)

Curtis Payton, ERAS Environmental, Inc., 1533 B Street, Hayward, CA 94541 (Sent via electronic mail to: curtis@eras.biz)

Andrew Savage, ERAS Environmental, Inc., 1533 B Street, Hayward, CA 94541 (Sent via electronic mail to: andrew@eras.biz)

Dilan Roe, ACDEH, (Sent via electronic mail to: dilan.roe@acgov.org)

Mark Detterman, ACDEH, (Sent via electronic mail to: mark.detterman@acgov.org)

Geotracker, Electronic File

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.