



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

May 19, 2015

Mr. Anthony Batarse, Jr.
10550 International Boulevard
Oakland, CA 94603
(Sent via email to anthonya@batarse.com)

Subject: Request for Work Plan and Site Management Plan; Site Cleanup Program Case No. RO0003115 and Geotracker Global ID T0000006347, 10550 International Boulevard, Oakland, CA 94603

Dear Mr. Batarse:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the *Excavation Documentation Report*, dated April 9, 2015, and the *Supplemental Information Report*, dated April 23, 2015. The documents were generated and submitted on your behalf by WellTest, Inc. (WellTest). The remedial excavation report documented the excavation and confirmation sampling of five areas at the site that contained contaminants of concern. The results appear to indicate that contaminants were successfully removed to below concentrations of regulatory concern. The *Supplemental Information Report* provided additional information and data that addressed a number of ACEHs concerns.

Based on ACEH staff review of the case file, we request that you address the following technical comments and send us the reports described below.

TECHNICAL COMMENTS

- 1. Future Site Land-Use** – Based on a review of available data, ACEH is in agreement that there appears to be limited residual contamination associated with the former waste oil UST that has been variably located at either the 10500 International Boulevard (parcel 47-5509-41) or the 1424 105th Avenue (parcel 47-5509-10) addresses, and it appears that a sufficient evaluation has been conducted.

In regards to the former water oil UST location, as noted it has variably been located at the southeast corner of the building at either 10500 International Boulevard or 1424 105th Avenue. Documents that report these locations, include the case closure for 10500 East 14th Street (RO0000966) and the October 3, 2001 *Preliminary Environmental Assessment Report*, by LFR Levine Fricke. However, review of aerial photographs appears to indicate that the south eastern corner of the building at 10500 E. 14th Street may be constructed on the property line. This would place the former waste oil UST location on the adjacent parcel to the south (10550 E. 14th Street, or parcel 47-5519-5-2). Finally, the above referenced *Supplemental Information Report* indicates that the former waste oil UST was located at the northeast corner of the building at 1424 105th Street. Therefore, by the date requested below, please clarify the location of the parcel that the former waste oil UST occupied. Please document this by photographs, site drawings, or other documents or plans that illustrate its location relative to property boundaries.

- 2. Surficial Soil Sampling** – ACEH is in agreement that a sufficient number of soil samples have been submitted for laboratory analysis below approximately 2 feet below grade surface (bgs); however, is not in agreement that a sufficient number of soil samples have been collected at a shallower depth. As noted in the previous directive letter, the probability of chemical residue in soil at shallower depths becomes a concern upon conversion to residential land use. Chemicals of concern that have been

associated with historic uses of site parcels include contamination induced by lead-based paint and pesticides in soil, and may include petroleum hydrocarbons from vehicle storage. Therefore, please present a work plan to evaluate shallow soils at the site, by the date referenced below.

- 3. Potential Heating Oil USTs Along 105th Avenue** – The referenced document proposed to handle the potential for discovery of heating oil USTs, product piping, and staining along 105th Avenue with the Site Management Plan (SMP). This appears to be a reasonable method to handle this concern, as well as a several known vaults, sumps, drains, and an oil-water separator that are reported present at 1424 and 1510 105th Avenue, and at 10550 E. 14th Street (LFR Levine Fricke *Preliminary Environmental Assessment Report*). Therefore, please include a section in the SMP, requested below, to manage these potential concerns by the date identified below. Please include a table of all known vaults, sumps, drains, oil-water separators, or other subsurface structures, by parcel, in the SMP in order to focus attention on these structures at the time of site grading. Please also include a figure locating each of these features. Additionally, because it is unlikely that all petroleum hydrocarbons drips and spills associated with vehicle storage at the site as briefly discussed in Technical Comment 2 above will be fully located, please also include a section to manage contamination such as hydrocarbon staining and odors, or other indications of contamination, associated with these past site activities.
- 4. Electronic Report and Data Upload Compliance** – Thank you for claiming the site in Geotracker and uploading several documents to the website. Review of case file on Geotracker finds that the case has a very limited number of reports and analytical data for public review and comment during the 30-day public comment period prior to potential case closure. As you likely are aware, beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites was required in GeoTracker. While ACEH recognizes that a majority of reports associated with the site were generated prior to 2005, it is appropriate to upload all reports and communications associated with the site to Geotracker in order for them to be available for public review. At present missing documents include these older reports and all bore logs. ACEH requests notification of document uploaded to Geotracker. Please upload all submittals to GeoTracker by the date identified below.
- 5. Draft Site Management Plan** – Because the site is intended for redevelopment and there appears to be a likelihood of encountering additional contamination as redevelopment proceeds due to past uses and the existing analytical data set, it is apparent that the site warrants a SMP. Please include in the SMP protocols for the handling, management, and documented disposal of contaminated soil and groundwater, if any, encountered during redevelopment. The SMP should include sampling protocols, laboratory analysis and intervals, and analytical methodology. The SMP is also requested to detail excavation perimeter confirmation sampling intervals or characterization of excavated material based on volumes or other criteria based on accepted guidance documents, and to identify the specific remedial action cleanup goal for each contaminant of potential concern should more extensive actions be required unexpectedly. The SMP is also required to detail dust control measures, truck cleaning, and other appropriate measures prior to exiting the site. Please submit a draft SMP by the date identified below.

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 the specified file naming convention below, according to the following schedule:

- **June 26, 2015** – Geotracker Uploads
Notify case worker by email.
- **July 24, 2015** – Site Investigation Work Plan
File to be named: RO3151_WP_R_yyyy-mm-dd
- **July 24, 2015** – Draft Site Management Plan
File to be named: RO3151_WP_R_yyyy-mm-dd

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Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

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

Sincerely,

Mark E. Detterman, PG, CEG
Senior Hazardous Materials Specialist

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

cc: Stuart Solomon, Phase-1 Environmental Services, 5216 Harwood Road, San Jose, CA 95124,
(Sent via email to stuart@phase-1environmental.com)

William Dugan, WellTest, Inc, PO Box 8548, San Jose, CA 95155
(Sent via email to dugan@welltest.biz)

Dilan Roe, ACEH, (Sent via electronic mail to dilan.roe@acgov.org)
Mark Detterman, ACEH, (sent via electronic mail to mark.detterman@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.