



April 28, 2017

Mr. Bob Winet (Sent via e-mail to: bwinet3@verizon.net)
California Cotton Mill Lofts
East Bay Lofts LLC
36966 Pinto Palm St.
Rancho Mirage, CA 92270

Mr. Dana Dominguez (Sent via e-mail to: dana@dldlumber.com)
DLD Lumber Company
1755 Egbert Avenue
San Francisco, CA 94124

Subject: Technical Report Request for Fuel Leak Case No. RO0003162 and Geotracker Global ID
T1000006533, California Cotton Mill, 1091 Calcot Place, Oakland, CA 94606

Gentlemen:

Thank you for the *Work Plan for Limited Phase II Subsurface Investigation* (Work Plan) to Alameda County Department of Environmental Health (ACDEH) prepared and submitted on your behalf by ERAS Environmental (ERAS). ACDEH has reviewed the Work Plan and case file in reference to the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case Closure Policy (LTCP). ACDEH understands that the property has been sold, commercial property usage will continue, and redevelopment is not currently under consideration.

According to the November 6, 2014 Phase 1 Environmental Site Assessment prepared by ERAS, the site is currently in use as a specialized vehicle restoration and storage yard but the subject site has been occupied since at least 1883 with the California Cotton Mills Company. Subsequent to the cotton mill's closure in 1954, the site has been occupied by a welding supply, plastics manufacturer, truck rental, and personal item storage. The 1911 Sanborn Fire Insurance map indicates that two underground oil storage tanks (USTs) and three furnaces were located along the eastern side of the property but the 1950 Sanborn Fire Insurance map does not show the USTs, so the status of the USTs is unknown. In December 2014, results of a geophysical survey did not indicate the presence of the USTs; however, large amounts of buried metal (likely foundations from former manufacturing equipment) were detected in the vicinity of the area known to have formerly contained the USTs.

ACDEH has evaluated the data in conjunction with the case files, and LTCP. Based on ACDEH staff review, we have determined that the site does not meet the LTCP General Criteria b (not petroleum only release), d (Free Product), f (Secondary Source Removal), Media-Specific Criteria for Groundwater, Media-Specific Criteria for Vapor Intrusion to Indoor Air, and the Media-Specific Criteria for Direct Contact.

TECHNICAL COMMENTS

Request for a Work Plan Addendum – The referenced work plan proposes a series of actions with which may be appropriate; however, in the interest of maximizing efficiency of site investigations, ACDEH requests submittal of a Work Plan Addendum for approval that will address the following concerns:

- 1. Incorporation of the LTCP into the Work Plan:** On May 1, 2012 the State Water Resources Control Board adopted Resolution 2012-0016, which established a state-wide policy, the Low Threat Closure Policy (LTCP), for the closure of leaking petroleum underground storage tank sites.

The Policy applies to petroleum UST sites subject to Chapter 6.7 of the Health and Safety Code. The Policy establishes both general and media-specific criteria. If both the general and applicable media-specific criteria are satisfied, then the leaking UST case is generally considered to present a low threat to human health, safety, and the environment. Please follow this link to the LTCP http://www.waterboards.ca.gov/ust/lt_cls_plcy.shtml#policy081712

As described in the *Existence of Unauthorized Release* of the March 17, 2015 and January 20, 2017 *Notice of Responsibility* (NORs):

A Phase I conducted in November 2014 found historical evidence of two oil underground storage tanks (USTs) at the former California Cotton Mills. In January 2015 three hydropunch grab-groundwater locations were sampled and concentrations up to 15,000 micrograms per liter (ug/L) Total Petroleum Hydrocarbons as diesel (TPH-d) and 23,000 ug/L TPH as oil (TPH-o). These data document an unauthorized release of petroleum hydrocarbons at the site.

Due to the former presence of USTs at the property, this case is being assessed for eventual closure under the LTCP. The purpose of the Work Plan is to propose a series of actions to collect data to fill the data gaps identified in ACDEH's January 20, 2017 Directive Letter, which states:

ACDEH has evaluated the data in conjunction with the case files, and LTCP. Based on ACDEH staff review, we have determined that the site does not meet the LTCP General Criteria b (not petroleum only release), d (Free Product), f (Secondary Source Removal), Media-Specific Criteria for Groundwater, Media-Specific Criteria for Vapor Intrusion to Indoor Air, and the Media-Specific Criteria for Direct Contact.

Upon successful collection of adequate data to satisfy the data gaps through an iterative process, ACDEH will signal to the responsible parties (RPs) that the LTCP has been satisfied and will commence with the case closure process.

Evaluation criteria in the Work Plan refers only to the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) screening levels (ESLs), but not to the LTCP's evaluation criteria. Because this case is under LTCP evaluation, please use the LTCP's evaluation criteria. It should be noted that ESLs are used only when it has been determined that site conditions exist that preclude the use of the LTCP at a leaking UST site, including, but not limited to, the lack of a bioattenuation zone or an ecological risk. Please ensure that the Work Plan Addendum requested below and all future reports associated with this and other leaking petroleum underground storage tank sites reference the LTCP evaluation criteria, otherwise the document(s) will be rejected.

2. Work Plan Comments:

- a. **Proposed Soil Borings Locations:** Figure 2, *Proposed Boring Location Map*, indicates eight proposed boring locations and one proposed monitoring well location. ACDEH concurs with placement of the four borings in the locations of the four former furnaces (burners); however, the Work Plan discusses three soil boring locations and Figure 2

shows four additional soil boring locations. Please resolve the number of proposed soil borings.

The proposed soil boring locations do not appear to be adequately placed to investigate potential source area in the vicinity of the former USTs. The source area continues to be uninvestigated as soil samples were not collected from soil borings B-1, B-2, and B-3 located in the UST area. ACDEH suggests utilizing a “step-out” strategy in and from the UST area to provide data supporting the lateral and vertical contaminant extent.

The purpose of the locations of the remaining three or four soil borings is not stated. Please provide a table listing all of the proposed numbered soil boring locations and the rationale supporting each location with respect to the applicable LTCP criteria in the Work Plan Addendum requested below.

- b. Proposed Soil Boring Depths in Former Furnace Locations:** The proposed depth for the soil borings in the former furnace locations is four feet; however, because the former furnaces may be potential source areas, please revise the Work Plan Addendum requested below to describe collection and analysis of soil and grab groundwater samples from these locations in accordance with the LTCP Media Specific Criteria for Direct Contact and Outdoor Air. Soil samples should be collected within the 0 to 5 feet and 5 to 10 feet bgs intervals, elevated photoionization detector (PID) readings, at the groundwater interface, lithologic and/or color changes, and in areas of obvious impact. The LTCP additionally requires vertical delineation of soil contamination in the primary source area(s).
- c. Proposed Soil Boring Depths Outside of the Former Furnace Locations:** The proposed depth for the soil borings outside of the former furnace locations is 24 feet; please provide the rationale behind the proposed depth of 24 feet in the Work Plan Addendum requested below. Please note the LTCP requires soil samples in the 0 to 5 feet and 5 to 10 feet depth intervals and at other depths as discussed in Technical Comment b.
- d. Proposed Soil and Grab Groundwater Analytical Program:** ACDEH concurs with the proposed analytical program.
- e. Request for Underground Utility Survey:** The Work Plan describes that during the January 2016 drilling event, a large high pressure water line was noted that serviced a fire hydrant in the yard area. Please revise Figure 2, *Proposed Boring Location Map* to include the location of the high pressure water line and fire hydrant. Additionally, in the Work Plan Addendum, please include a proposal to perform an on-site underground utility survey to determine the presence of underground utilities that could potentially act as preferential pathways. Please plot the locations of all underground utilities and their depths on all figures to facilitate understanding of lateral and vertical contaminant distribution and potential conduits of contaminant migration.

- 3. Electronic Submittal of Information (ESI) Compliance** - Site data and documents are maintained in two separate electronic databases – ACDEH's ftp site and the SWRCB's GeoTracker database. Both databases act as repositories for regulatory directives and reports; however, only GeoTracker has the functionality to store electronic compliance data including analytical laboratory data for soil, vapor and water samples, monitoring well depth-to-water measurements, and surveyed location and elevation data for permanent sampling locations. Although the SWRCB is responsible for the overall operation and maintenance of the GeoTracker System, ACDEH, as lead regulatory agency, is responsible to ensure the GeoTracker database is complete and accurate for sites regulated under ACDEH's Environmental Cleanup Oversight Programs (SWRCB March 2011 document entitled *Electronic Reporting Roles and Responsibilities*).

A review of the case file and the State's GeoTracker database indicates that the site is not in compliance with California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1, stating that beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the UST or LUST program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs, including the Site Cleanup Program (SCP) cases. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites was required in GeoTracker. At present missing data and documents include, but may not be limited to:

- analytical data for soil, water and vapor samples collected for the purpose of subsurface investigation or remediation, including influent/effluent water samples from remediation systems (EDF files);
- complete copies of reports, in pdf format, including the signed transmittal letter and professional certification (GEO_REPORT files);
- surveyed elevation measurements to the top of well casings (GEO_Z files);
- the latitude and longitude (GEO_XY files) of any permanent monitoring well for which data is reported in EDF format;
- depth-to-water information for permanent sampling points whenever the data is collected, even if the well is not sampled during the sampling event (GEO_WELL files);
- stand alone site maps displaying tank locations, streets bordering the facility, and sampling locations for all soil, water and vapor samples (GEO_MAP files);
- stand alone boring logs with depth to the screened interval and the length of screened interval for any permanent monitoring well installed (GEO_BORE files);

Please upload the missing documents and soil and groundwater analytical data to GeoTracker. See Attachment 1 and the State's GeoTracker website for further details. ACDEH requests e-mail notification of, and a list of, the documents uploaded to Geotracker. Please upload all submittals to GeoTracker and to ACDEH's ftp website by the date specified below.

Ladies and Gentleman
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TECHNICAL REPORT REQUEST

Please upload technical reports to the ACDEH ftp site (Attention: Karel Detterman), and to the Geotracker website, in accordance with the following specified file naming convention and schedule:

- **June 1, 2017** – Notification of Upload of Electronic Data Submittals to Geotracker
E-mail notification to: karel.detterman@acgov.org
- **June 30, 2017** – Data Gap Work Plan Addendum
File to be named: RO3162_WP_ADEND_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.

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

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
Hazardous Materials Specialist

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

cc: Francis Rush, 1091 Calcot LLC, 2200 Adeline Street, Ste. 350, Oakland, CA 94607, (Sent via E-mail to: francis@rushproperty.com)
Dave Siegel, ERAS Environmental, Inc., 1533 B St., Hayward, CA 94541, (Sent via E-mail to: dave@eras.biz)
Andrew Savage, ERAS Environmental, Inc., 1533 B St., Hayward, CA 94541, (Sent via E-mail to: andrew@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

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

Alameda County Department of Environmental Health's (ACDEH) Environmental Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) 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 File Transfer Protocol (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 SCP 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 (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/) for more information on these requirements.

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 ACDEH's FTP server and the SWRCB's GeoTracker website." 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 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. 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 case meet this requirement. 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

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: December 1, 2016
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010; May 15, 2014, November 29, 2016
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (LOP 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 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) Open File Explorer using the Windows  key + E keyboard shortcut.
 - i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) On the address bar, type in ftp://alcoftp1.acgov.org.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive)
 - d) Click Log On.
 - e) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - f) 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.