

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**  
AGENCY

COLLEEN CHAWLA, Director



DEPARTMENT OF ENVIRONMENTAL HEALTH  
LOCAL OVERSIGHT PROGRAM (LOP)  
For Hazardous Materials Releases  
1131 HARBOR BAY PARKWAY, SUITE 250  
ALAMEDA, CA 94502  
(510) 567-6700  
FAX (510) 337-9335

December 21, 2017

Mr. Bob Winet (Sent via e-mail to: [bwinet3@verizon.net](mailto: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](mailto: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 participating in the meeting held at Alameda County Department of Environmental Health's (ACDEH) offices on December 13, 2017 attended by the Responsible Party's representatives, Christine Noma of Wendel Rosen, and Dave Siegel and Curtis Payton of ERAS Environmental, Inc. (ERAS), your consultant. The purpose of the meeting was to discuss the *Limited Phase II Subsurface Investigation*, dated November 17, 2017, prepared and submitted on your behalf by ERAS and identify the next steps to progress the case to closure. ACDEH understands that the property has been sold, commercial property usage will continue, and redevelopment is not currently under consideration.

This case was opened as an Leaking Underground Storage Tank (LUST) Cleanup Site based on the November 6, 2014 *Phase 1 Environmental Site Assessment* (Phase I) and the *Limited Soil and Groundwater Investigation Report* (Phase II) dated January 9, 2015 prepared by ERAS. According to the Phase I, the subject site was occupied since at least 1883 by 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 site is currently used as a specialized vehicle restoration and storage yard. The Phase II Report included the results of three grab-groundwater samples that detected concentrations up to 20,000 micrograms per liter (ug/L) Total Petroleum Hydrocarbons as diesel range organics (TPH-dro) and 86,000 ug/L oil range organics (TPH-oro).

Based on ACDEH staff review, we have determined that the site does not meet the State Water Resources Control Board's (SWRCB) Low Threat Underground Storage Tank Case Closure Policy (LTCP) General Criteria b (not petroleum only release), f (Secondary Source Removal), Media-Specific Criteria for Groundwater, and the Media-Specific Criteria for Direct Contact. However, as discussed during the meeting, upon submittal of acceptable requested documents, ACDEH may consider the case eligible for closure under existing conditions and continued commercial use.

Therefore, ACDEH requests that you address the Technical Comments provided below in the reports requested below.

**TECHNICAL COMMENTS:**

**A. LTCP Data Gaps:**

1. **LTCP General Criteria f – Secondary Source Has Been Removed to the Extent Practicable** – The 1911 Sanborn Fire Insurance map included in the Phase I indicated the presence of two underground oil storage tanks (USTs) along the eastern side of the property. A geophysical survey conducted December 2014 indicated the USTs had been removed. Grab groundwater samples collected from soil borings B-1, B-2, and B-3 indicate the possible existence of secondary source material. Concentrations of TPH-dro up to 20,000 micrograms per liter (ug/L) and 86,000 ug/L TPH-oro were detected in a sample collected from B-3. Soil samples were not collected from B-1, B-2, or B-3. TPH gasoline range organics (TPH-gro) were detected at 430 milligrams per kilogram (mg/kg) and TPH-dro was detected at 470 mg/kg in B-7 located east of the former UST at a depth of 8 feet below ground surface (bgs). In the report requested below and as discussed during the meeting, by using cross sections, boring logs, analytical data, typical UST sizes and UST burial dimensions, please provide lines of evidence supporting the lack of secondary source.
  
2. **LTCP Media Specific Criteria for Groundwater** – According to the LTCP, a plume is considered stable or decreasing if a contaminant mass has expanded to its maximum extent. However, because the groundwater flow direction at the site is unknown due to the lack of site wells, plume extent cannot be assessed. ACDEH's review of the case files indicates that insufficient data and analysis has been presented to support the requisite characteristics of the plume length. As discussed during the meeting, please include the following lines of evidence in the report requested below:
  - a. Using Geotracker to locate nearby sites with groundwater gradient data, plot on a figure the prevalent gradients on a figure to estimate the site groundwater gradient direction. By referencing Table 1: *Plume Characteristics*, in the LTCP's *Technical Justification for Groundwater Media-Specific Criteria*, please plot on separate figures the average, 90<sup>th</sup> percentile, and maximum plume lengths for benzene, TPHg, and MTBE.
  - b. Please prepare a Sensitive Receptor Survey using the Well Study included in ERAS's February 12, 2016 *Soil and Groundwater Investigation*. The Well Study was prepared from the Alameda County Public Works Agency (ACPWA)'s data base.
  
3. **LTCP Media Specific Criteria for Direct Contact and Outdoor Air Criteria:** Detections of polyaromatic hydrocarbons (PAHs) with Selected Ion Method (SIM) in exceedance of the LTCPs commercial benzo (a) pyrene toxicity equivalent (BaPe) were detected across the site in a number of soil samples less than 5 feet depth. Please propose methods by which to manage PAHs in soil for future use and utility workers including a soil management plan (SMP) and a land use restriction or a land use covenant in the report requested below.

**B. Trichloroethene (TCE) Technical Memorandum:**

1. TCE was detected at a concentration of 1.4 micrograms per liter (ug/L) in a grab groundwater sample collected from B-8 located on the west side of the site in or near the hazardous material storage area noted in the Phase I. Please prepare a Technical Memorandum that includes a Site Conceptual Model (SCM) for the TCE. The SCM establishes the source and attributes of the unauthorized release, describes all affected media (including soil, groundwater, and soil vapor as appropriate), describes local geology, hydrogeology and other physical site characteristics that affect contaminant environmental transport and fate, and identifies all confirmed and potential contaminant receptors (including water supply wells, surface water bodies, structures and their inhabitants). All relevant site characteristics identified by the SCM shall be assessed and supported by data so that the nature, extent and mobility of the release have been established to determine if a Site Cleanup Program Case will be opened for the site.
2. **Hazardous Waste Removal Status:** The Recommendations Section of the Phase I described the presence of “a large amount of unlabeled hazardous waste with associated surface staining and no secondary containment” and recommended removal and proper disposal of old tires, unlabeled drums, and unlabeled containers. Additionally, the Phase I recommended cleaning the stained areas and removal of the underlying pavement or soil and disposed of properly. In the TCE Technical Memorandum Report requested below, please provide the current status of the hazardous materials including disposal documentation.

**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:

- **February 28, 2018 – Request for Closure**  
File to be named: RO0003162\_RFC\_YYYY-mm-dd
- **February 28, 2018 – TCE Technical Memorandum**  
File to be named: RO0003162\_MISC\_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.

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](mailto:karel.detterman@acgov.org) or call me at (510) 567-6708.

Ladies and Gentleman  
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December 21, 2017  
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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](mailto:francis@rushproperty.com))

Christine Noma, Wendel Rosen, 1111 Broadway, 24<sup>th</sup> Floor, Oakland, CA 94607, (Sent via e-mail to: [cnoma@wendel.com](mailto:cnoma@wendel.com))

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

Curtis Payton, ERAS Environmental, Inc., 1533 B St., Hayward, CA 94541, (Sent via E-mail to: [tkd3dan@surewest.net](mailto:tkd3dan@surewest.net))

Dilan Roe, ACDEH, (Sent via E-mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))

Karel Detterman, ACDEH, (Sent via E-mail to: [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org))

Paresh Khatri, ACDEH, (Sent via E-mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org))

GeoTracker, eFile

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> December 14, 2017
	<b>ISSUE DATE:</b> July 25, 2012
	<b>PREVIOUS REVISIONS:</b> September 17, 2013, May 15, 2014, December 12, 2016
<b>SECTION:</b> ACDEH Procedures	<b>SUBJECT:</b> 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/](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 values<sup>1</sup> 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
<b>2016 Subsurface Investigation Report</b>	2016 S1	✓	✓	Effluent	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
<b>2012 Site Assessment Work Plan</b>	2012	✓	✓			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>2010 GW Investigation Report</b>	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	✓	✓	✓	✓	✓

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

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> NA
	<b>ISSUE DATE:</b> December 14, 2017
	<b>PREVIOUS REVISIONS:</b> September 17, 2013, May 15, 2014, December 12, 2016
<b>SECTION:</b> ACDEH Procedures	<b>SUBJECT:</b> 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/](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.