



August 31, 2017

Mr. Carlos Palafox  
Terramar Retail Centers  
5918 Stoneridge Mall Road  
Pleasanton, CA 94588  
(Sent via electronic mail to: [carlos.palafox@terramarceters.com](mailto:carlos.palafox@terramarceters.com))

Subject: Work Plan Request; Site Cleanup Program Case No. RO0003172 and Geotracker Global ID T10000007048, Rockridge Shopping Center, 5100 Broadway, Oakland, CA 94611

Dear Mr. Palafox:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the *Follow-Up Sampling Post Interim Remedial Action*, dated September 29, 2016. The report was submitted on your behalf by Tetra Tech, Inc. (Tetra Tech). Thank you for submitting the report; it has helped move the understanding of the site forward.

The referenced report documents the installation of temporary soil vapor points VMP-21 to VMP-24 north to northwest of the former dry cleaning facility and interim soil excavation. Combined with existing data, and based on several one-time sampling points, the temporary points may have defined the lateral extent of chlorinated volatile organic compounds (VOCs), including tetrachloroethene (PCE), trichloroethene (TCE), and vinyl chloride (VC), in soil vapor to the north to northeast of the area of excavation to current Environmental Screening Level (ESL) as promulgated by the San Francisco Bay Regional Water Quality Control Board (RWQCB). However, data collected at repeat locations (VMP-15 and VMP-1, and VMP-14 and VMP-23) increased substantially after the interim excavation, and at present it is uncertain if even higher temporal soil vapor concentrations may rise above the ESLs, nor is it certain that elevated one-time sampling points (VMP-13), which were below the ESLs, were not above ESLs in the September 2016 sampling event. These vapor concentrations may indicate additional soil source may be present at undiscovered locations in the local vicinity. Additionally, residual soil or soil vapor contamination has not been defined to the northwest or west of the source excavation, and the area may contain the potential for residual sources. Conversely, the vapor concentrations may be representative high vapor concentrations.

Finally, the presence of multiple potential preferential pathways (abandoned gas, water, and storm drain lines and active sanitary sewer lines) may allow the chlorinated solvent vapors to migrate substantially further and affect undetermined potential sensitive receptors. The determination that these are not preferential pathways has not been undertaken.

Therefore, based on the review of the case file ACDEH requests that you address the following technical comments and send us the documents requested below.

### **TECHNICAL COMMENTS**

- 1. Request for Data Gap Work Plan and Focused Site Conceptual Model** – Based on the discussion detailed above, ACDEH requests the generation and submittal of a data gap work plan in order to define the magnitude, and the lateral and vertical extent of residual soil vapor above identified cleanup goals for the site; to date these have been identified as commercial ESLs. Please support the scope of work in the Data Gap Investigation Work Plan with a focused SCM and Data Quality Objectives (DQOs) that relate the data collection to the objective for the data. Please submit a report by the date specified below.

In order to expedite review, ACDEH requests the focused SCM be presented in a tabular format that highlights the major SCM elements and associated data gaps, which need to be addressed to progress

the site to case closure. Please see the previously forwarded Attachment A "Site Conceptual Model Requisite Elements". Please sequence activities in the proposed revised data gap investigation scope of work to enable efficient data collection in the fewest mobilizations possible.

2. **Re-Development Tools** – Thank you for utilizing the Re-Development Tools requested in the April 2016 directive letter. In order to better understand the potential for preferential pathways to allow vapor migration, ACDEH requests that all cross-sections include the location and depth of abandoned and active underground utilities on the cross sections. This will require small, yet important modifications to the existing cross-section set.
3. **Potential For Deed Restriction** – As before, please be aware, that the Porter-Cologne Water Quality Act requires that any regulatory agency in California use a deed restriction / land use covenant (LUC) if contamination above identified goals (ESLs or other) is proposed to remain at a site. Deed restrictions may be detrimental to certain projects. Also LUCs take time to word, sign, and record at the County. It may be appropriate to remove any contamination above identified goals prior or during site development, or provided that the extent is well characterized and is relatively limited in extent, removal of contamination can be conducted concurrent with site development with the use of a Site Management Plan (SMP) at the time of redevelopment. Please be aware that a large removal is essentially a Corrective Action, and a 30 day public notification may be required per state requirements. Minor cleanup of contamination may not be a corrective action.

#### **SUBMITTAL ACKNOWLEDGEMENT STATEMENT**

Please note that ACDEH has updated Attachment 1 with regard to report submittals to ACDEH. ACDEH will now be requiring a Submittal Acknowledgement Statement, replacing the Perjury Statement, as a cover letter signed by the Responsible Party (RP). The language for the Submittal Acknowledgement Statement is as follows:

*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.*

Please make this change to your submittals to ACDEH.

#### **TECHNICAL REPORT REQUEST**

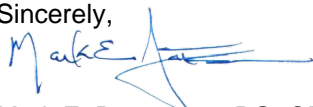
Please upload technical reports to the ACDEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with the specified file naming convention below, according to the following schedule:

- **November 3, 2017** – Work Plan  
File to be named: RO3172\_WP\_R\_yyyy-mm-dd
- **60 Days After Work Plan Approval** – Site Investigation Report  
File to be named: RO3172\_SWI\_R\_yyyy-mm-dd

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

If you have any questions, please do not hesitate to call me at (510) 567-6876 or send me an electronic mail message at [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org).

Sincerely,



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

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

cc: Tim Costello, Tetra Tech, Inc, 2969 Prospect Park Drive, Suite 100, Rancho Cordova, CA 95670;  
(Sent via electronic mail to: [timothy.costello@tetrattech.com](mailto:timothy.costello@tetrattech.com))

Keith Hoofard, Tetra Tech, Inc, 2969 Prospect Park Drive, Suite 100, Rancho Cordova, CA 95670;  
(Sent via electronic mail to: [keith.hoofard@tetrattech.com](mailto:keith.hoofard@tetrattech.com))

Stephen Carlton, Tetra Tech, Inc, 2969 Prospect Park Drive, Suite 100, Rancho Cordova, CA 95670;  
(Sent via electronic mail to: [stephen.carlton@tetrattech.com](mailto:stephen.carlton@tetrattech.com))

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

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

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

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/](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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> December 1, 2016
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010; May 15, 2014, November 29, 2016
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> 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](mailto: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](mailto: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.