



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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October 8, 2015

Mr. Trevor Ashenbrener
SRM Development, LLC
101 North Post, Suite 200
Seattle, Washington 99201
(Sent via email to trevor@srmdevelopment.com)

Subject: Conditional Approval of Site Management Plan; Voluntary Remedial Action Program (VRAP), Case No. RO0003186 and Geotracker Global ID T0000007664, Broadway 51st Redevelopment, 4901 Broadway, Oakland, CA 94611

Dear Mr. Ashenbrener:

Alameda County Environmental Health (ACEH) staff has reviewed the case file including the *Phase II Environmental Site Assessment (ESA) Report*, dated May 3, 2013, the *Geotechnical Investigation*, dated November 4, 2013, both generated by Environmental Risk Specialties Corporation (ERS), the *Phase I Environmental Site Assessment (ESA) Report*, dated June 26, 2015, generated by Applied Water Resources (AWR, as successor company for ERS), site redevelopment plans (85%) dated August 4, 2015 generate by Brick, LLP, the *Pre-Demolition Asbestos and Lead Inspection Report, and Waste Profiling and Asbestos 1000 Point Count Final Report*, dated August 20, 2015, generated by KellCo Services, Inc, and the *Soil and Groundwater Management Plan*, dated September 6, 2015, and several subsequent draft versions, and the final version dated October 7, 2015, each generated by Pangea Environmental Services, Inc. (Pangea). Thank you for submitting the documents.

The final Site Management Plan (SMP) was generated to provide additional pre-characterization of soil proposed to be excavated for offsite disposal by the installation of 15 additional soil bores and collection and analysis of additional soil samples from each location, and groundwater from a selected subset. The SMP was also generated to manage known, and the potential discovery of, contaminated soil and groundwater at the site. Previous reports referenced above indicate that known soil contamination is limited currently to total lead and Total Petroleum Hydrocarbons at bore SB-10 (sample SB-10@2.5), collected at a depth of 2.5 feet below grade surface (bgs). A concentration of 550 milligrams per kilogram (mg/kg) lead and a concentration of 220 mg/kg Total Petroleum Hydrocarbons as motor oil (TPHmo) were detected at the location.

Based on ACEH staff review of the SMP, 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 SMP or a SMP addendum is not required unless an alternate scope of work outside that described in the SMP or 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 (e-mail preferred to: mark.detterman@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

- 1. SMP Modifications** – The referenced SMP proposes a series of actions with which ACEH is in general agreement of undertaking; however, ACEH requests several modifications to the approach. Please submit a report by the date specified below.

- a. **Soil Sample Selection** – Fifteen additional soil bores are proposed to augment existing laboratory analytical data in order to pre-characterize soil to be exported from the site for offsite disposal. The SMP additionally indicates that a minimum of one soil sample will be collected from each bore location. Table 1 of the SMP contains a soil sampling matrix that outlines sample depth at each bore location. This is an appropriate method to communicate the intended soil sampling approach for disposal pre-characterization; however, ACEH cautions that one aspect the SMP is to verify that there is, or is not, contamination of significance beneath the site. Thus ACEH requests, as was discussed in the SMP, that soil sampling be additionally guided by signs of any contamination (staining, odor, PID responses, etc.) in the bores. If present, the collection of additional soil samples, and perhaps groundwater samples, to help provide vertical characterization, is appropriate.
- b. **Very Shallow Soil Characterization** – As previously communicated, ACEH requests the collection and analysis of soil samples from very shallow soil in areas with a potential for TPH (drips, leaks, etc.), lead (paint and other), and organochlorine pesticide contamination. ACEH requests a sufficient number of soil samples at the surface to 1 foot bgs from the proposed soil bores to characterize near surface soils in a statistically meaningful manner.
- c. **Proposed Former Dry Cleaner Characterization** – The proposed characterization beneath and adjacent to the former dry cleaner appears reasonable. In order to focus bore placement at potential former tetrachloroethene (PCE) use areas, ACEH requests that the soil bores be located at the former locations of dry cleaning equipment (as indicated by paint or staining lines, floor bolts, cut-off bolts, or other signs), present on the concrete slab prior to demolition, or at floor drains, sumps, utilities (sinks or bathrooms), and etc.
- d. **Groundwater Collection** – ACEH considers the collection of groundwater to be an important step in characterizing the site. As previously communicated, due to the lack of soil bores ACEH cannot determine if the lack of groundwater in soil bores SB-11 to SB-13 was due to sufficient bore depth below 20 feet. ACEH requests the soil bores be extended a sufficient depth to allow the collection of groundwater beneath and adjacent to the site.
- e. **Comments Relative to Table 1** – Table 1 indicates that groundwater samples will be analyzed for “TPHg, TPHd, TPHmo, and VOCs”, among other contaminants. To avoid miscommunication, ACEH anticipates, and requests, that the VOCs are not simply fuel related VOCs, but will include all VOCs, including chlorinated VOCs.

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:

- **November 30, 2015** – Preliminary Sampling Report
File to be named: RO3186_MISC_SAMP_R_yyyy-mm-dd
- **December 18, 2015** – Excavation Report
File to be named: RO3186_EX_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 provide your email address so that we can correspond with you quickly and efficiently regarding your case.

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

Mr. Trevor Ashenbrenner
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Sincerely,

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

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

cc: Bob Clark-Riddell, Pangea Environmental Services, Inc, 1710 Franklin Street, Suite 200, Oakland,
CA 94612 (sent via electronic mail to briddell@pangeaenv.com)

Danielle Reyes, SRM Development, LLC, 101 North Post, Suite 200, Seattle, Washington 99201
(Sent via email to danielle@srmdevelopment.com)

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.