



June 6, 2017

CRP / THC Oakland Broadway Uptown Venture LLC
c/o Kathy Binford, Vice President
5847 San Felipe, Suite 3600
Houston, TX 77057
(Sent via electronic mail to: kbinford@hanoverco.com)

Subject: Extent of LNAPL; Site Cleanup Program Case No. RO0003191 and Geotracker Global ID T10000007936, Sisters of Providence Hospital, 2630 Broadway, Oakland, CA 94612

Dear Ms. Binford:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the *Site Management Plan Completion Report*, dated March 10, 2017. The document was generated and submitted on your behalf by ENGEO, Incorporated (ENGEO). Thank you for submitting the report.

The report documented the results of corrective actions at the site, which entailed the removal of contaminated soil and debris located in the upper 10 to 20 feet below grade surface (bgs) at the site, as the excavation for the site redevelopment was dug to a depth of approximately 40 feet bgs.

Based on the review of the case file ACDEH requests that you address the following technical comments and provide us the documents requested below.

TECHNICAL COMMENTS

- 1. Discovery and Extent of Oily LNAPL** – Approximately 1,000-gallons of oily Light Non Aqueous Phased Liquid (LNAPL) and water were reported to have been pumped from a foundational element at a depth of approximately 15 feet bgs, at the northern edge of the site. Despite the Site Management Plan (SMP) containing language for contacting ACDEH in the event that potential environmental concerns were identified, ACDEH was not contacted. The SMP identified underground structures, including underground storage tanks, sumps, or pipes from historic activities as appropriate reasons to contact ACDEH.

Whereas other foundations were identified at a depth of five to eight feet bgs, it would appear that the foundational element, which was encountered at a depth of approximately 15 feet bgs, was a former sump or vault, associated with either the former service station of the former hospital. Because ACDEH was not provided the opportunity to observe or otherwise understand the nature of the discovery, and the location of the discovery has only been identified generally, it appears appropriate to ensure the nature of the LNAPL is characterized through analytical testing, the extent of the LNAPL has been laterally and vertically defined, and that the LNAPL has been removed to the extent necessary both on- and off-site.

Therefore, by the date identified below, ACDEH requests a report detailing these aspects. Because waste manifests were not otherwise separated by type in the referenced report, ACDEH is uncertain that the waste manifest was included with the report; please include it with the requested report. The extent the LNAPL extended offsite to the north has not been demonstrated or documented by analytical results, therefore please include a data gap work plan with the requested report.

- 2. Analytical Characterization of Soil and Debris** – The referenced report indicates that the excavated material was segregated and disposed of based on previous characterization and receiving facility requirements, and was directly loaded into trucks for export to appropriate landfill facilities. Due to the lack of analytical results in the report, and typical excavation processes, ACDEH is not certain that all analytical results due to typical onsite field segregation, including facility required results, have been

included in previous reports and uploaded to Geotracker. Please clarify this uncertainty in the requested report.

- 3. GeoTracker Electronic Report and Data Upload Compliance** – A review of the case file and the State's Geotracker database also indicates that the site is not in compliance with previous directive letters. Compliance is a State requirement. Pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1, 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 SCP programs. 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, older reports, EDF submittals, GEO MAPS, and all bore logs. Please be aware, that closure will be delayed without appropriate Geotracker uploads. Please see Attachment 1 for limited additional details, and the state GeoTracker website for full details. ACDEH requests notification of, and a list of, the documents uploaded to Geotracker. Please upload all submittals to GeoTracker by the date specified below.

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:

- **June 30, 2017** – Geotracker Uploads
Email notification to Case Worker
- **August 11, 2017** – LNAPL Report / Data Gap Work Plan
File to be named RO3191_MISC_WP_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.

Sincerely,



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

Ms. Kathy Binford
RO0003191
June 6, 2017, Page 3

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

cc: Kristen Gates, The Hanover Company, 5847 San Felipe, Suite 3600, Houston, TX 77057;
(Sent via electronic mail to: kgates@hanoverco.com)

Scott Youdall, The Hanover Company, 279 Front Street, #102, Danville, CA 94526
(Sent via electronic mail to: syoudall@hanoverco.com)

Mr. William Quesada, City of Oakland, Bureau of Planning, 250 Frank H. Ogawa, Suite
2114, Oakland, CA 94612; (Sent via electronic mail to: bquesada@oaklandnet.com)

Divya Bhargava, ENGEO, Inc, 2010 Crow Canyon Place, Suite 250, San Ramon, CA;
(Sent via electronic mail to: dbhargava@engeo.com)

Shawn Munger, ENGEO, Inc, 2010 Crow Canyon Place, Suite 250, San Ramon, CA;
(Sent via electronic mail to: smunger@engeo.com)

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

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

Mark Detterman, ACDEH, (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

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.