



October 10, 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](mailto:kbinford@hanoverco.com))

Subject: Request for LNAPL Delineation Work Plan; 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 *Response to Comments on SMP Completion Report*, dated August 21, 2017. The document was generated and submitted on your behalf by ENGEO, Incorporated (ENGEO) in response to ACDEHs previous directive letter dated June 6, 2017. Thank you for submitting the response.

The response provided additional details relative to the approximately 1,000 gallons of Light Non Aqueous Phased Liquid (LNAPL) Bunker C oil that was encountered in a potential sump or vault situated on the northern edge of the redevelopment. As previously noted, the foundational element which contained the 1,000 gallons of oil was encountered at a depth of approximately 15 feet below grade surface (bgs), whereas the majority of older foundations were encountered at a depth of five to eight feet bgs. The oil containing structure is reported to extend offsite beneath 27<sup>th</sup> Street, and the hole created by its removal was sealed with concrete to prevent further infiltration of liquids on to the subject property.

ACDEH appreciates that the oil was removed; however, the extent of the LNAPL, or the dissolved plume, has not been defined in soil or in groundwater. At present the Practical Quantitation Limit (PQL) for the sample are above Environmental Screening Levels (ESLs) as promulgated by the San Francisco Bay Regional Water Quality Control Board (RWQCB), and the appropriateness of leaving potentially elevated concentrations of residual contamination in place adjacent to this mixed use development has not been evaluated. As identified in the response, additional contaminants of potential concern include Semi-Volatile Organic Compounds (SVOCs), Polychlorinated Bisphenols (PCBs), and Volatile Organic Compounds (VOCs).

Therefore, at this juncture ACDEH requests that you prepare a Data Gap Investigation Work Plan that is supported by a focused Site Conceptual Model (SCM) to address the Technical Comments provided below.

## **TECHNICAL COMMENTS**

- 1. Data Gap Investigation Work Plan and Focused Site Conceptual Model** – Please prepare a Data Gap Investigation Work Plan, and submit it by the date identified below, to address the technical comments listed above. Please support the scope of work in the Data Gap Investigation Work Plan with a focused SCM and Data Quality Objectives (DQOs).

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 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.

### **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:

- **December 22, 2017** – Data Gap Work Plan  
File to be named RO3191\_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](mailto:mark.detterman@acgov.org).

Sincerely,



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

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations and  
Electronic Report Upload (ftp) Instructions  
Attachment A – Site Conceptual Model Requisite Elements

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

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

Divya Bhargava, ENGE0, Inc, 2010 Crow Canyon Place, Suite 250, San Ramon, CA;  
(Sent via electronic mail to: [dbhargava@engeo.com](mailto:dbhargava@engeo.com))

Shawn Munger, ENGE0, Inc, 2010 Crow Canyon Place, Suite 250, San Ramon, CA;  
(Sent via electronic mail to: [smunger@engeo.com](mailto:smunger@engeo.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.