



May 8, 2018

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: Conditional Work Plan Approval; Site Cleanup Program Case No. RO0003191 and Geotracker Global ID T1000007936, 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 *Offsite Soil Characterization Work Plan*, dated March 14, 2018. The work plan was generated and submitted on your behalf by ENGEO, Inc. Thank you for submitting the work plan.

Previous documents provided 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 was reported to extend offsite beneath 27th Street, and the hole created by its removal was sealed with concrete to prevent further infiltration of liquids on to the subject property.

Based on ACDEH staff review of the work plan, 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 work plan or a work plan addendum is not required unless an alternate scope of work outside that described in the work plan or these 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. **Site Assessment Work Plan Modifications** – The referenced site assessment work plan proposes actions with which ACDEH is in general agreement of undertaking; however, ACDEH requests several modifications to the approach. Please submit the results of the investigation in a report by the date identified below.
 - a. **Total Bore Depth** – Due to conflicting depths at which the foundational element has been reported (both 5 and 15 feet below grade surface [bgs]), ACDEH requests the bores be installed to a minimum of 18 feet bgs in order to determine the lateral (and vertical) extent of contamination at the uncertain depth of the foundational element.
 - b. **Soil Analytical Suite** – The work plan proposed soil analysis for Total Petroleum Hydrocarbons as fuel oil (TPHfo), with Silica Gel Cleanup. ACDEH additionally requests analysis for benzene, toluene, ethylbenzene, total xylenes (BTEX), and naphthalene and other semi-volatile organic compounds (SVOCs) due to the identification of the product as Bunker C Oil.
 - c. **Soil Sample Selection** – ACDEH is in general agreement with the collection and submittal of soil samples at 3, 6, and 9 foot depth intervals. However, requests flexibility in the sampling depth intervals, rather than pre-set sampling depths. Thus ACDEH requests the collection of soil samples

within these approximate depth intervals be based on signs of contamination, including staining, odors, Photoionization Detector (PID) responses, or other signs of potential contamination, and at significant lithologic changes, and just above first encountered groundwater, rather than at predetermined depth intervals.

- d. Potential for Additional Soil Bores** – Because the intent of this work is to define both the lateral and vertical extent of contamination, ACDEH requests sufficient flexibility to add additional soil bores laterally as needed to define the lateral extent of the contamination.

ACDEH requests that the contamination be defined to Environmental Screening Levels (ESLs) promulgated by the San Francisco bay Regional Water Quality Control Board (RWQCB).

SUBMITTAL ACKNOWLEDGEMENT STATEMENT

Please note that ACDEH has updated Attachment 1 with regard to report submittals. 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 the State Water Board's GeoTracker website.

Please make this change to your submittals to ACDEH.

TECHNICAL REPORT REQUEST

Please submit the following technical reports and deliverables to the State Water Board's Geotracker website and notify your case worker by electronic mail (mark.detterman@acgov.org), in accordance with the following specified file naming convention and schedule, as provided below, and in the Responsible Party(ies) Legal Requirements/Obligations which is included as Attachment 1. Please note ACDEH no longer accepts reports on the ftp site.

- **July 20, 2018** – Site Investigation Report
File to be named RO3191_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.

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

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)

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Gerald L. Pouncy, Jr, Morris, Manning, & Martin, LLP, 1600 Atlanta Financial Center, 3343 Peachtree Road, NE, Atlanta, GE, 30326; (Sent via electronic mail to: gpouncey@mmmlaw.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

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: December 14, 2017
	ISSUE DATE: July 25, 2012
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: 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/)

- 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 values¹ 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
2016 Subsurface Investigation Report	2016 S1	✓	✓	Effluent	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
2012 Site Assessment Work Plan	2012	✓	✓			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2010 GW Investigation Report	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	✓	✓	✓	✓	✓

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

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

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.