



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
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(510) 567-6700  
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May 10, 2016

Mr. Colby Northridge  
Oakland International Housing Partners, L.P.  
18201 Von Karman Avenue, Suite 900  
Irvine, CA 92612  
(Sent via email to: [cnorthridge@related.com](mailto:cnorthridge@related.com))

Subject: Conditional Remedial Action Plan Approval; Site Cleanup Program Case No. RO0003202 and Geotracker Global ID T10000008353, 9400 – 9500 International Blvd, 9400 – 9500 International Blvd, Oakland, CA 94603

Dear Mr. Northridge:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the *Draft Remedial Action Plan for Lead Excavation*, dated May 3, 2016. The Remedial Action Plan (RAP) was prepared and submitted on your behalf by RPS Iris Environmental (Iris). Thank you for submitting the RAP.

Based on ACDEH staff review of the RAP, 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 RAP or a RAP 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 at least a 24-hour advance written notification to this office (e-mail preferred to: [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org)) prior to the start of field activities.

## **TECHNICAL COMMENTS**

1. **Remedial Action Plan Modifications** – The referenced RAP proposes a series of actions with which ACDEH is in general agreement of undertaking; however, ACDEH requests several modifications to the approach. Please submit a report by the date specified below.
  - a. **Arsenic Goal** – Iris has proposed using 11 milligrams per kilogram (mg/kg) arsenic as the background threshold for remedial action at the subject site based on the document *Establishing Background Arsenic in Soil of the Urbanized San Francisco Bay Region*, (Duverge, 2011). ACDEH does not automatically recognize 11 mg/kg as a background threshold, but requires it be based on site specific concentrations due to local variations in sediments or geology. ACDEH accepts that the identified goal will be above residential Environmental Screening Levels. Therefore, in an effort to preclude further delays in the proposed work, it appears appropriate to request the generation of arsenic Upper Confidence Level (UCL) calculations, using appropriate programs (such as ProUCL, or others) and using arsenic analytical data collected at the site, including concurrent with excavation confirmation samples in native material. Please be aware that the UCL concentration calculations may affect the limits of the excavation.
  - b. **Excavation Confirmation Sampling** – In order to confirm that the primary Contaminants of Concern (COC; lead and arsenic) at the site have been remediated to appropriate concentrations, ACDEH requests that excavation perimeter confirmation samples include analysis for arsenic. In order to clarify this request, the planned excavation perimeter and bottom samples currently proposed for the full COC analytical suite should not be changed;

however, locations that proposed only lead analysis should be modified to include the arsenic analysis.

- c. **Additional Sampling Concurrent With Excavation** – In order to confirm that very shallow soil, essentially surficial soil, beneath the future rubber safety surface pad and in the landscaped area extending to Holly Street on the east side of the project, contain acceptable concentrations of site COCs, ACDEH requests that additional soil samples be collected beneath the future pad and along the proposed landscape area concurrent with the excavation. This is intended preclude direct contact or inhalation exposure to unpaved soils after site construction for a potentially sensitive population.

2. **Electronic Report and Data Upload Compliance** – Thank you for claiming the site in Geotracker. A review of ACDEH's case file and the State's Geotracker database indicates that the site is not in full compliance with state requirements. In accordance with 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 SLIC 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 see Attachment 1 for limited additional details, and the state GeoTracker website for full details. Please upload all submittals to GeoTracker by the date identified below.

### **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 3, 2016** – Geotracker Uploads  
Please notify your case worker of uploads
- **August 26, 2016** - Excavation Report  
File to be named: RO3202\_EX\_R\_YYYY-MM-DD

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.

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

cc: Lauren Brewer, Related CA, 44 Montgomery Street, #1050, San Francisco, CA 94104  
(Sent via electronic mail to: [Lauren.A.Brewer@gmail.com](mailto:Lauren.A.Brewer@gmail.com))

Nick Loizeaux, RPS Iris Environmental, 1438 Webster Street, Suite 302, Oakland, CA 94612  
(Sent via electronic mail to: [nick@irisenv.com](mailto:nick@irisenv.com))

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

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/](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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>REVISION DATE:</b> May 15, 2014
	<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
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> 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](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) 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](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.