



ALAMEDA COUNTY
HEALTH CARE SERVICES AGENCY
 DEPARTMENT OF ENVIRONMENTAL HEALTH
 LOCAL OVERSIGHT PROGRAM (LOP)
 For Hazardous Materials Releases
 1131 Harbor Bay Parkway
 Alameda, CA 94502-6577



A.A. Zatopa
 141 Jackson Street
 Chicago NIXIE

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ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

COLLEEN CHAWLA, DIRECTOR



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP)
For Hazardous Materials Releases
1131 HARBOR BAY PARKWAY, SUITE 250
ALAMEDA, CA 94502
(510) 567-6700
FAX (510) 337-9335

September 11, 2018

ACEL Associates, LLC
Attention: Stephen P. and Karen A. Nicholls (Sent via E-mail to: snicholls@mnbuild.com)
137 Greenbank Avenue
Piedmont, CA 94611-4335

Subject: Fuel Leak Case No. RO0003203 and GeoTracker Global ID T10000008515, Union Street,
2400 Union Street, Oakland, CA 94601

Dear Mr. Nicholls:

Thank you for participating in a meeting held at Alameda County Department of Environmental Health's (ACDEH) office on July 27, 2018 attended by ACDEH staff, yourself and Tony McElligott, McElligott Consulting (McElligott), your consultant. The purpose of the meeting was to discuss the *Underground Storage Tank System Closure Report* (UST Report) dated December 14, 2015, prepared on your behalf by McElligott and identify the next steps to progress the case to closure. ACDEH understands that the property has not been sold, commercial property usage a millwork/woodwork shop will continue, and redevelopment is not under consideration.

According to the *UST Report*, one 560-gallon heating oil underground storage tank (UST) was removed from the site on July 11, 2013. Multiple holes were observed on the UST during removal. Groundwater was not encountered at 10 feet below ground surface, the maximum extent of the excavation. Concentrations of up to 95 milligrams per kilogram (mg/kg) Total Petroleum Hydrocarbons as Diesel (TPHd), 41 mg/kg TPH as Motor Oil (TPH mo), 110 mg/kg TPH as Fuel Oil, and 100 mg/kg TPH as Heating Oil were documented in soil samples. Analysis for benzene, toluene, ethylbenzene, or xylenes (BTEX) was not performed on any soil samples collected during the UST removal. These data indicate that unauthorized releases from the UST had occurred at the site.

ACDEH has evaluated the data presented in the *UST Report* to the State Water Resources Control Board's (SWRCB's) Low Threat Closure Policy (LTCP) and due to the lack of site data we are unable to determine if the site meets the LTCP General Criteria e (Site Conceptual Model), and the Media-Specific Criteria for Groundwater, the Media-Specific Criteria for Vapor Intrusion to Indoor Air, and the Media-Specific Criteria for Direct Contact and Outdoor Air Exposure.

Therefore, as previously requested in ACDEH's attached May 24, 2016 Directive Letter, please prepare a Data Gap Investigation Work Plan that is supported by a Site Conceptual Model (SCM) to address the Technical Comments provided in the May 24, 2016 Directive Letter and the Technical Comments provided below.

TECHNICAL COMMENTS

1. **Site Conceptual Model:** ACDEH has developed an SCM in an EXCEL spread sheet format, which will be sent separately. Please do not use the SCM format included in Attachment A of the May 24, 2016 Directive Letter.
2. **Electronic Submittal of Information (ESI) Compliance:** A review of the case file indicates that the SWRCB Geotracker database is not complete, thus rendering the site to a non-compliant status pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3890 to 3895. At present missing data and documents include, but may not be limited to: