



May 22, 2017

Mr. Jeremy Harris  
1919 Crew LLC  
Pier 54 Suite 202  
San Francisco, CA 94158  
(Sent via E-mail to: [jeremy@thenegev.com](mailto:jeremy@thenegev.com))

Subject: Site Cleanup Case No. RO0003205 and GeoTracker Global ID T1000009433, 1919 Market Street, Oakland, CA 94158

Dear Mr. Harris:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the Site Cleanup case file for the above referenced site including the following documents prepared by Pangea Environmental Services Inc. (Pangea) on your behalf:

- *Site Management Plan Addendum (SMP Addendum)*, dated May 20, 2017. The SMP Addendum describes the site and perimeter monitoring plan which was not initially presented in the SMP dated February 10, 2017. Specifically, methods and procedures associated with the site and perimeter monitoring are presented for dust (particulate matter), lead, asbestos and volatile organic compounds (VOCs). The SMP outlines procedures for site maintenance and security, storm water management, dust control and air monitoring, and management of any encountered contaminated soil and groundwater during demolition or construction.
- *Preliminary Offsite Assessment Results – 2006 Myrtle Street*, dated May 17, 2017. The offsite assessment at 2006 Myrtle Street was performed to provide data to evaluate if known VOCs detected at the 1919 Market Street site poses a vapor intrusion risk to this residence.
- *Workplan for Site Assessment and Remediation Pilot Study*, dated October 24, 2016, revised November 8, 2016 and February 21, 2017. The Work Plan was prepared and revised to further delineate the extent of known subsurface VOCs that pose a potential vapor intrusion risk for future residence and current occupants of adjacent properties; assess conditions at and in the vicinity of historic solvent use and storage areas; and assess the existing fill material for chemicals of potential concern at the site. In the directive letter dated March 3, 2017, ACDEH authorized a portion of the proposed scope of work including the collection of ten (10) soil gas samples and one crawl space or indoor air sample along the perimeter of the site and offsite to assess vapor intrusion risks to adjacent properties/receptors. The proposed scope of work for onsite investigation was contingent upon submittal of a Site Management Plan incorporating a perimeter air monitoring plan and approved by ACDEH.
- *Workplan Addendum for Site Assessment*, dated April 14, 2017. This Addendum was prepared to address concerns expressed by a community letter dated March 29, 2017 and includes additional scope of work to collect soil gas samples near six residences along Myrtle Street and soil/groundwater sampling from six locations around the perimeter of the Site.
- *Draft Site Management Plan (SMP)*, dated February 10, 2017.

ACDEH's review of the *Preliminary Offsite Assessment Results – 2006 Myrtle Street* indicates that the full scope of approved work by ACDEH was not implemented due to water entrained in some of the soil gas probes. As a result, only two soil gas samples were collected at soil probes SG-7 and SG-8 located at the 2006 Myrtle Street Residence. SG-7 is located at street level in front of the house and was installed to a depth of 5 feet below ground surface (bgs). Soil probe SG-8 located in the center of the basement and installed to a depth of 5 feet below the cement floor. Tetrachloroethene (PCE) was detected at a concentration of 16 micrograms per cubic meter ( $\text{ug}/\text{m}^3$ ) in the soil gas sample collected from probe SG-7. No other VOCs were detected in this sample. The sample collected from probe SG-8 had detectable concentrations of benzene ( $11 \text{ ug}/\text{m}^3$ ), toluene ( $27 \text{ ug}/\text{m}^3$ ), xylene ( $15 \text{ ug}/\text{m}^3$ ), PCE ( $22 \text{ ug}/\text{m}^3$ ) and chloroform ( $9.5 \text{ ug}/\text{m}^3$ ). These concentrations are below the San Francisco Bay Regional Water Quality Control Board (Regional Water Board) residential vapor intrusion risk Environmental Screening Levels (ESL) for benzene ( $48 \text{ ug}/\text{m}^3$ ), toluene ( $160,000 \text{ ug}/\text{m}^3$ ), xylenes ( $52,000 \text{ ug}/\text{m}^3$ ), PCE ( $240 \text{ ug}/\text{m}^3$ ) and chloroform ( $61 \text{ ug}/\text{m}^3$ ). An indoor air sample (A-1) collected in the center of the basement of the residence had detected concentrations of benzene ( $0.60 \text{ ug}/\text{m}^3$ ), toluene ( $0.82 \text{ ug}/\text{m}^3$ ), xylenes ( $0.98 \text{ ug}/\text{m}^3$ ) and carbon tetrachloride ( $0.36 \text{ ug}/\text{m}^3$ ). Two compounds exceeded the residential indoor air ESLs for benzene ( $0.0097 \text{ ug}/\text{m}^3$ ) and carbon tetrachloride ( $0.067 \text{ ug}/\text{m}^3$ ).

The Regional Water Board's *User's Guide: Derivation and Application of Environmental Screening Levels (ESLs), Interim Final 2016*, states that the presence of a chemical at concentrations in excess of an ESL does not necessarily indicate adverse effects on human health or the environment, rather that additional evaluation is warranted. Therefore, at this juncture ACDEH requests that you address the items in technical comment no. I below and expedite the offsite scope of work for vapor intrusion risks. The onsite scope of work is conditionally approved contingent upon receipt of a revised SMP that addresses all items in technical comment no. II.

## **TECHNICAL COMMENTS**

### **I. Offsite Vapor Intrusion Evaluation**

#### **1. Sampling Locations**

- a. Ambient Air Concentrations. Rather than collecting ambient air samples for specific offsite properties as proposed in the approved work plans, please collect three ambient air samples representative of outdoor air at the site and adjacent vicinity.
- b. 2006 Myrtle Street. Resample the soil gas probes SG-7 and SG-8 and collect an additional indoor air sample from the same location as the previous sample collected in the basement.
- c. 1906 Myrtle Street. Collect a soil gas sample from probe SG-6.
- d. 2021 Myrtle Street. Collect a soil gas sample from probe SG-9.
- e. 1909 Market Street (Church) Property. Collect soil gas samples from probes SG-4 and SG-5. Alternatively, if probes SG-4 and -5 are blocked with entrained water and cannot be sampled, please collect a crawlspace air sample at the church property in

accordance with the approved *Work Plan – Alternative Method to Address Vapor Intrusion Issue at 1909 Market Street Property*, dated May 5, 2017.

- f. 2003, 1937, 1931, 1923, 1917, 1913 Myrtle Street. Collect soil gas samples from probes SG-10 through SG-15.
2. Please ensure all sample locations and collection methodology are performed in accordance with the July 2015 Department of Toxic Substances Control (DTSC), California Environmental Protection Agency (CEPA), Los Angeles Regional Water Quality Control Board and San Francisco Regional Water Quality Control Board *Advisory – Active Soil Gas Investigation*; and the October 2011 DTSC and CEPA *Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air* (Vapor Intrusion Guidance).
3. Perform analysis of all soil gas, crawl space, indoor air, and ambient air samples within an expedited (3-day) turnaround time.

## II. **Revised SMP**

### 1. **SMP**

#### General

- a. Please revise the SMP to be specific to site investigation activities only. A separate SMP will be required to be submitted prior to any remedial action and site development.

#### Section 1.2

- a. Include all environmental investigations, corrective action, site specific health and safety plan, and traffic management plan associated with soil management to the document scope.
- b. Specify when and during what type of activities the air/dust monitoring will be performed. Note that all onsite intrusive activities will require site and perimeter air monitoring to be performed.

#### Section 1.3

- a. Include an explanation to abbreviations for Table A.

#### Section 2.0

- a. Complete the site background section which is currently incomplete.

#### Section 5.0

- a. Describe how the site monitor assesses and identifies activities with the potential to generate dust.

#### Section 6.0

- a. Add a subsection to this section to account for truck traffic control which is associated with soil management and disposal.

## 2. SMP Addendum

### Dust and VOC Action Levels

- a. Indicate the significance of PM<sub>10</sub> and why it is being monitored, and why other particulate sizes are not considered.
- b. Define baseline measurements/readings in this section.
- c. State how the action levels will be complied with when air monitoring is being performed (i.e. provide a step by step description on how this will be performed and achieved, etc.).

### Monitoring and Sampling Equipment

- a. Indicate whether the TSI DustTrak meter is a data logger and how it will be used to measure and record dust levels. If the instrument is used as a data logger, please indicate the measurement intervals it will be recording at.

### Monitoring and Sampling Schedule

- a. Indicate the frequency for lead and asbestos air sampling during onsite environmental investigations. The frequency of sampling is only identified for activities associated with earthwork /grading.
- b. It is not clear whether data logging will be performed for particulate monitoring, please ensure this is the case.
- c. It is not clear where VOC monitoring is being performed (i.e. in the breathing zone of the exclusion zone, only at the monitoring stations, etc.). Please clarify.

### Air Monitoring and Sampling Documentation

- a. No data logging information is mentioned in this section. All data from data loggers if collected must be included in this section.

### Dust Suppression

- a. There is no mention on how an exceedance to its respective action level is determined (i.e. is there a site monitor or air monitoring lead that compiles this information on a daily basis or hourly basis, etc.). Please provide more detail.
- b. Indicate procedures to follow if visible dust is present as well.

### General

- a. Include a quality assurance/quality control section to address instrument calibration, air sampling methods and analysis.

## **SUBMITTAL ACKNOWLEDGEMENT STATEMENT**

Please note that ACDEH has updated its Attachment 1 with regards to report submittals to ACDEH. ACDEH will now be requiring a Submittal Acknowledgement Statement, replacing the Perjury Statement, as a cover

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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 State Water Resources Control Board's GeoTracker website."*

Note this change to your submittals to ACDEH.

### **TECHNICAL REPORT REQUEST**

Please perform the following work and submit technical reports to the ACDEH ftp site using the designations indicated below according to the following schedule:

- **No later than May 26, 2017** – Perform soil gas sampling and indoor/ambient air sampling to evaluate offsite vapor intrusion risks.
- **May 31, 2017** – Revised SMP  
File to be named: RO3205 Revised\_SMP\_R\_yyyy-mm-dd
- **June 2, 2017** – Preliminary Offsite Vapor Intrusion Evaluation Data  
Provide preliminary results on a data table and email to ACDEH for discussion
- **July 31, 2017** – Offsite Vapor Intrusion Evaluation Report  
File to be named: RO3205 SWI\_R\_yyyy-mm-dd

If you have any questions, please call me at (510) 567-6791 or send me an electronic mail message at [kit.soo@acgov.org](mailto:kit.soo@acgov.org). Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

Sincerely,

Kit Soo, California PG 8957  
Senior Hazardous Materials Specialist

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

cc: Danny Haber, 1919 Crew LLC. (Sent via E-mail to: [danny@thenegev.com](mailto:danny@thenegev.com))

Bob Clark-Riddell, Pangea Environmental Services, Inc. (Sent via E-mail to: [briddell@pangeaenv.com](mailto:briddell@pangeaenv.com))

Peggy Moore (Sent via E-mail to: [moore4oakland@gmail.com](mailto:moore4oakland@gmail.com))

Darin Ranelletti, City of Oakland Planning and Building Department (*Sent via E-mail to: [DRanelletti@oaklandnet.com](mailto:DRanelletti@oaklandnet.com)*)

Timothy Low, City of Oakland Planning and Building Department (*Sent via E-mail to: [TLow@oaklandnet.com](mailto:TLow@oaklandnet.com)*)

Rich Fielding, City of Oakland Planning and Building Department (*Sent via E-mail to: [RFielding@oaklandnet.com](mailto:RFielding@oaklandnet.com)*)

Ronald Browder, ACDEH (*Sent via E-mail to: [ronald.browder@acgov.org](mailto:ronald.browder@acgov.org)*)

Dilan Roe, ACDEH (*Sent via E-mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org)*)

Paresh Khatri, ACDEH (*Sent via E-mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org)*)

Robert Schultz, ACDEH (*Sent via E-mail to: [robert.schultz@acgov.org](mailto:robert.schultz@acgov.org)*)

Kit Soo, ACDEH (*Sent via E-mail to: [kit.soo@acgov.org](mailto:kit.soo@acgov.org)*)

GeoTracker, eFile

## 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.