

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**  
AGENCY

REBECCA GEBHART, Interim 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

January 30, 2017

3000 Broadway SPE LLC  
c/o Lowe Enterprises Real Estate Group  
595 Market Street, Suite 2550  
San Francisco, CA  
Attn.: Alan Chamorro  
(Sent via electronic mail to [achamorro@loweenterprises.com](mailto:achamorro@loweenterprises.com))

Subject: Work Plan Review; Site Cleanup Program Case No. RO0003236 and GeoTracker Global ID T10000010020,  
3000 Broadway Redevelopment Project, 250 30<sup>th</sup> Street, Oakland, CA 94611

Dear Mr. Chamorro:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the subject case file and the documents recently submitted to the California State Water Resources Control Board's (SWRCBs) GeoTracker website entitled *Phase I Environmental Site Assessment (ESA-I)*, dated April 25, 2016, *Phase II Environmental Site Assessment (ESA-II)*, dated April 27, 2016, and *Work Plan for Additional Environmental Sampling (Work Plan)* dated January 5, 2017. The documents were prepared by Langan Engineering and Environmental Services, Inc. (Langan) for the subject site.

As presented in the Work Plan, Langan proposes to advance up to eight borings (B-17 through B-24) for the collection of soil and grab-groundwater (GGW) samples. Langan proposes three phases of work, of which the second and third phases would be performed on the condition the first phase indicates the presence of petroleum hydrocarbons and/or related compound concentrations in excess of applicable San Francisco Bay Region, Regional Water Quality Control Board (SFBR-RWQCB) Environmental Screening Levels (ESLs). The proposed work is designed to investigate contamination that may be associated with floor drains in portions of the property historically used for automobile servicing. Evidence of the contamination was encountered in a soil bore, B-16, during a geotechnical investigation.

The first phase will consist of borings B-17 through B-20 and the second phase will consist of borings B-21 through B-24 (if necessary). The third phase of the proposed investigation will include the collection of soil and GGW samples from two additional off-site locations, identified as B-25 and B-26. Locations of the soil bores are presented on Figure 2 of the Work Plan. Laboratory analysis of the soil and GGW samples will include total petroleum hydrocarbons (TPH) as gasoline (TPHg), TPH as diesel (TPHd) and TPH as motor oil (TPHmo) by EPA Test Method 8015; volatile organic compounds (VOCs) by EPA Test Method 8260; and polycyclic aromatic hydrocarbons (PAHs) by EPA Test Method 8270.

The investigation is in a cut area where the upper eight (8) feet of soil is proposed to be removed as part of the redevelopment project. The Work Plan states that soil samples will be collected at depths of 8.0, 10, 15, 20, and 25 feet below the ground existing surface (bgs).

In addition to the soil and groundwater investigation, Langan proposes installation of three temporary soil vapor wells (B-18-SV, B-19-SV, and B-20-SV) for the collection of soil vapor samples. Sample collection is proposed to be at a depth of approximately 10 feet bgs, anticipated to be 1-foot below the base of the proposed foundation. The soil vapor samples will be analyzed for VOCs by EPA Test Method TO-15, methane by ASTM D-1946; and helium by ASTM D-1946.

Additional data may be available that ACDEH is not aware of, or may not have been submitted, and therefore has not been incorporated in to ACDEH's review. If additional data is made available, the data can be incorporated in future case file reviews. The evaluation of the Work Plan that is presented below is intended to initiate submittal of other available documents, and/or the collection of additional data in order to determine if or when the case can be closed.

Based on ACDEH staff review of the referenced documents and of the case file, we generally concur with the recently proposed scope of work, provided that the modifications requested in the technical comments below are addressed and incorporated during the field implementation. While the comments below request a number of additional soil bores, submittal of a revised Work Plan is limited to a revised Figure 2 unless an alternate scope of work outside that described in the Work Plan and technical comments below is proposed. We request that you address the following technical comments, submit the requested document, and upon ACDEH approval, perform the proposed work, and send us the technical reports requested below. Please provide 72-hour advance written notification to this office (electronic mail preferred to: [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org)) prior to the start of field activities.

### **TECHNICAL COMMENTS**

1. **Electronic submittal of information** – Currently the aforementioned documents have not been received by the ACDEH FTP website. Additionally, the GEO\_MAPs, GEO\_BOREs and EDF files associated these reports have not been received in the SWRCB's GeoTracker website.

Please upload the requisite documents, in accordance with the naming convention specified below, to the ACDEH FTP site. Additionally, please upload the requisite data and documents to the GeoTracker website by the date specified below.

2. **Request for additional bore locations and grab groundwater sampling** – In the ESA-II, Langan recommended additional groundwater sampling near the 30<sup>th</sup> and Broadway corner to evaluate potential contamination associated with the USTs formerly located outside of 288 30<sup>th</sup> Street building. ACDEH concurs with this recommendation. Please propose an adequate number of soil bores in this area for the collection and analysis of soil and GGW samples to evaluate the potential contamination which may be associated with the former sidewalk USTs. This will additionally help in the understanding of the potential for vapor intrusion into the proposed development. ACDEH requests the scope of sample analysis include TPHg, TPHd, TPHmo, and VOCs.

For this phase of work ACDEH requests a work plan addendum, in the form of a revised Figure 2 prior to commencement of field work, depicting the location of additional bore and grab groundwater locations for ACDEH review and approval. Please submit the figure, via electronic mail attachment- Attention: Keith Nowell, by the date identified below.

3. **Soil vapor sampling** – As indicated above, the proposed soil vapor sample collection depth is approximately 10 feet bgs, an estimated 1-foot below the base of the proposed foundation. ACDEH requests the soil vapor sample collection depth occur at a depth of five (5) feet below the base of the proposed foundation.
4. **Soil vapor sample analysis** – Langan proposes analyzing the soil vapor samples for VOCs by EPA Test Method TO-15, methane by ASTM D-1946; and helium by ASTM D-1946. ACDEH requests the addition of oxygen to the scope of analysis. In addition to the proposed analysis scope, ACDEH requests that two of the soil vapor samples be analyzed for naphthalene using EPA Test Method TO-17 for concentration confirmation.

### **TECHNICAL REPORT REQUEST**

Please upload the requisite data and documents to the SWRCB's Geotracker website and ACDEH's FTP site according to the following schedule and naming convention:

- **February 15, 2017 – Geotracker and ACDEH FTP Site Electronic Deliverables** (*Phase I Environmental Site Assessment* to be named RO0003236\_PHASE1\_R\_YYYY-MM-DD, the *Phase II Environmental Site Assessment*) to be named RO0003236\_PSA\_R\_YYYY-MM-DD, and *Work Plan for Additional Environmental Sampling* to be named RO0003236\_WP\_R\_YYYY-MM-DD)
- **February 15, 2017 – Work Plan Addendum** (Figure 2), Provided as an electronic mail attachment, Attn: Keith Nowell
- **90 Days After Soil Bore Location Approval** – Soil, Groundwater, and Soil Vapor Investigation Report (File to be named RO0003236\_SWI\_YYYY-MM-DD)

Thank you for your cooperation. ACDEH looks forward to working with you and your consultants to advance the case toward closure. Should you have any questions regarding this correspondence or your case, please call me at (510) 567-6764 or send an electronic mail message at [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org).

Sincerely,

Keith Nowell, PG, CHG  
Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements

Cc: Joshua Graber, Langan Treadwell Rollo, 501 14<sup>th</sup> Street, 3<sup>rd</sup> Floor, Oakland, California 9612 (*Sent via electronic mail to: [jgraber@langan.com](mailto:jgraber@langan.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)*)  
Keith Nowell, ACDEH, (*Sent via electronic mail to: [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org)*)  
GeoTracker, file

## 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 acknowledgement 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.

