



June 15, 2017

TDP-Webster, LLC
c/o Mr. Jay Luchetti
39 Forrest Street, Suite 201
Mill Valley, CA 94941
(Sent via electronic mail to: :
jluchetti@tcr.com)

Subject: Work Plan Approval; Site Cleanup Program Case No. RO0003247 and Geotracker Global ID T10000010380, Labor Temple Parking Lot Redevelopment, 2330 Webster Street, Oakland, CA 94612

Dear Mr. Luchetti:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the following documents:

- Work Plan for Subsurface Investigation, 2330 Webster and 2315 Valdez Streets, Oakland, CA 94612, prepared by RGA Environmental (RGA) and dated May 30, 2017;
- Peer Review of Environmental Site Assessment Reports, 2330 Webster Street, Oakland, CA, prepared by RGA and dated April 29, 2015;
- Phase II Environmental Site Assessment Report, 2330 Webster Street and 2315 Valdez Street, Oakland, CA, prepared by Ninyo and Moore for the City of Oakland and dated March 4, 2010;
- Phase I Environmental Site Assessment Report, 2330 Webster Street and 2315 Valdez Street, Oakland, CA, prepared by Ninyo and Moore for the City of Oakland and dated January 11, 2010;

The subject site has historically been used for a variety of purposes, including residential housing, the Labor Temple Meeting lodge, and various commercial and industrial businesses including an auto supply store and warehouse, machine shops, oil and gas facilities and paint shops. Adjacent properties have historically included auto body shops and repair facilities, parking garages and machine shops. The referenced work plan proposes to collect additional data to evaluate potential environmental impacts to soil, groundwater and soil vapor due to these historic uses both on and offsite and to support the proposed multi-use redevelopment project at the site.

Based on the above listed documents, the work plan is approved provided the technical comments below are incorporated into the scope of work for field investigation activities.

TECHNICAL COMMENTS

- 1. Work Plan Modifications** – The referenced work plan proposes a series of actions with which ACDEH is in general agreement of undertaking; however, ACDEH requests several modifications to the approach.
 - a. Boring Locations.** The work plan proposes to install 4 borings (B-6 through B-8) for the collection of soil, soil vapor and groundwater samples. Two borings (B-6 and B-7) are located in the center of the parcel to confirm data from 3 borings (B-2, B-3 and B-4) advanced during the 2010 investigation. Two of the borings (B-8 and B-9) are located adjacent to a historic service station, auto repair facility and machine shop that occupied the corner of 23rd and Webster Streets, where no known borings have previously advanced.

Based on a review of historic Sanborn Insurance Maps presented in the 2004 Phase I ESA it appears that there are several areas of the site that have not been investigated and an investigation is warranted to delineate environmental impacts at the site from both onsite and offsite sources. Additionally, the 2004 Phase I ESA reportedly states that groundwater samples collected from one of the wells located in the southern section of the site had concentrations of carbon tetrachloride at 430 micrograms per liter (ug/L), 1,1-dichloroethene at 22 ug/L, 1,4-dichlorobenzene at 15 ug/L and petroleum hydrocarbons as gasoline (TPH-g) at 65 ug/L. ACDEH understands that soil profiling will be conducted to characterize soil for offsite disposal purposes and that the site will be excavated to a depth of 14 feet bgs from lot line to lot line and thus will likely remove the majority of potentially impacted soil from historic uses. However, given the intensity of commercial/industrial use on the site with businesses using hazardous materials it appears warranted to investigate these additional areas.

As such, ACDEH requests that additional borings be advanced in the following areas for collection of soil, groundwater and soil gas data:

- The south eastern area of the site in the vicinity of the two former groundwater monitoring well locations shown on Figure 2 of the Ninyo & Moore 2010 Phase II ESA where carbon tetrachloride was previously reported at a concentration of 430 ug/L; and
- The northeastern area of the site in the vicinity of the former auto supply warehouse and machine shop and downgradient of the adjacent auto body shop.

Additionally, if shallow groundwater is encountered in borings during the upcoming investigation, ACDEH requests that a boring be advanced the location of B-1 to assess potential shallow groundwater impacts from the adjacent auto and brake repair facilities.

Please prepare a figure showing the locations of these historic facilities with the locations of all borings and groundwater monitoring wells in the investigation report to facilitate review of the data and conclusions.

- b. Groundwater Sample Collection** – A review of boring logs from a previous investigation conducted in 2010 by Ninyo and Moore indicate there is approximately two feet of fill material at the surface underlain by an 8 to 11 foot layer of alluvial sandy silt. Beneath the sandy silt there is a 4 to 8 foot thick clay layer, which Ninyo & Moore characterized as likely a semi-confining aquitard, since static groundwater levels observed in 2010 conformed with the base of the clay layer on the boring logs. Below the clay there are variable thickness layers of clayey sand and sandy silt to 25 feet below ground surface (bgs) which was the end depth of the three deepest borings advanced.

Based on previous investigations the work plan states that groundwater is anticipated to be encountered at 18 to 23 feet below ground surface (bgs). Thus, the scope of work includes collection of one groundwater sample in each of the four borings by driving a four-foot long Geoprobe sampler with an inner stainless steel tube to a depth of 24 feet below ground surface (bgs) and then retracting the outer drill stem to expose a 41 inch long sampling interval. Samples will be analyzed for total petroleum hydrocarbons as gasoline, diesel, and motor oil (TPH-g, -d, -mo) and volatile organic compounds (VOCs). ACDEH is in agreement with the proposed scope of work, however due to significant increases in groundwater levels observed in this area subsequent to the 2016/2017 wet weather season, it is possible that shallower groundwater may be encountered at the site above the clay layer. Therefore, ACDEH requests that shallow groundwater samples be collected if encountered in addition to the proposed deeper groundwater samples and analyzed for the same constituents.

- c. Soil Gas Samples.** The work plan proposes to collect soil vapor samples from 15 feet below ground surface in boreholes B-6, B-7 and B-9. The proposed sample depth is based on the anticipated depth of groundwater of greater than 18 feet bgs and a maximum foundation and elevator shaft depth of 15 feet bgs. Based on information presented to us in a meeting with you on May 31, 2017,

ACDEH understands the elevator shaft will extend to a depth of approximately 19 feet bgs. Please be sure that all soil vapor probes are installed to a depth of 5 feet below the bottom of the foundation or elevator shaft unless shallow groundwater is encountered that requires shallower installation. In order to conform to Department of Toxic Substances Control (DTSC) guidance for soil vapor, please additionally analyze for the selected tracer in each vapor sample, in addition to analyzing the shroud tracer concentration. This will allow a determination of the rate of leakage, if any, in each the vapor sampling locations. Naphthalene should additionally be analyzed by analytical Method TO-17, unless sampling tubing conforms to DTSC guidance as discussed in Appendix E of that guidance (*Active Soil Gas Investigations Advisory*, DTSC, July 2015). Also, please include methane, oxygen and carbon dioxide in the vapor analytical suite in order to understand the presence of biodegradation of the hydrocarbons.

2. **Groundwater Monitoring Wells.** The 2004 and 2010 ESAs make reference to abandoned groundwater monitoring wells at the site however there is no documentation in the case files on the locations of these wells and whether they were abandoned under permit. Please show the location of the wells as observed during site reconnaissance on a figure in the Site Investigation Report and provide documentation that they were properly abandoned.
3. **Soil and Groundwater Management Plan (SGMP).** Boring logs indicate a layer of fill material at a depth of 2 to 3 feet bgs across the site. Soil encountered in borings B-4 and B-5 where refusal was encountered at 10 feet consisted of only fill material. Refusal in the soil borings has been attributed to a large foundational concrete slab related to the former Labor Temple Meeting Hall. An electromagnetic survey conducted in 2004 reportedly identified a 60 by 110 foot buried object in the southeastern section of the site and two buried pipes in the center of the property. It is not clear whether the refusal at boring B-4 and B-5 was due to a foundational element or the electromagnetic anomaly since no figures have been provided showing the location of the anomaly or the location of the former Labor Temple Meeting Hall. Although analytical results for soil samples collected to date show limited soil impacts it appears appropriate to prepare an SGMP to manage incidental and unexpected contamination during construction due to the historic uses at the site. The SGMP should include data and figures to present the results of all investigations conducted at the site including the locations of the observed groundwater monitoring wells and previous soil borings locations.
4. **Geotracker Compliance.** Please claim the site in GeoTracker and upload all environmental documents and data as required by the State Water Resources Control Board for the subject site in the appropriate format including reports (pdf), laboratory analytical results and water level measurements (edf), boring logs (GEO_BORES), maps (GEO_MAPS), etc.

At a minimum, please upload the reports listed above as well as the following documents:

- Phase I ESA Report, 2330 Webster Street, Oakland, CA, prepared by Dames and Moore and dated August 4, 2004;
- Building Permit Plans for the development project.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACDEH ftp site (Attention: Dilan Roe), 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:

- **August 17, 2017** – Site Investigation Report
File to be named: RO3226_SWI_R_YYYY-MM-DD
- **August 17, 2017** – Soil and Groundwater Management Plan
File to be named: RO3226_SGMP_R_YYYY-MM-DD

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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 dilan.roe@acgov.org.

Sincerely,

Dilan Roe

Dilan Roe, PE
Chief – Land Water Division

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

cc: Oisín Heneghan, TCR, (Sent via electronic mail to: oheneghan@tcr.com)

Randall Bleichner, Cornerstone Earth Group, 1270 Springbrook Road, Suite 101, Walnut Creek, CA 94597, (Sent via electronic mail to: rbleichner@cornerstoneearth.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)

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/).

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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	REVISION DATE: May 15, 2014
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: 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
 - 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 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.