

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

COLLEEN CHAWLA, Agency Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP) FOR
HAZARDOUS MATERIALS RELEASES
1131 HARBOR BAY
ALAMEDA, CA 94502
(510) 567-6700
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December 27, 2017

GHITC 2225 Telegraph Ave
1934 Hennepin Ave #201
Minneapolis, MN 55403

Attn.: Benjamin Graves (*Sent via electronic mail to: bgraves@graveshospitality.com*)

Subject: Conditional Work Plan Approval
Site Cleanup Case No. RO0003273
Modular Hotel Redevelopment Project
2225 Telegraph Avenue, Oakland, CA 94612

Dear Mr. Graves:

Alameda County Department of Environmental Health (ACDEH) staff has performed a precursory review of the recent document provided for our review entitled *Soil Vapor Sampling Work Plan* (Work Plan), dated December 21, 2017 and prepared by AEI Consultants (AEI) for the subject case. Time was not sufficient to perform an adequate review of the Work Plan. However, the Work Plan does indicate the work will be performed in general accordance with the guidelines outlined in *Advisory: Active Soil Gas Investigations* (Advisory) dated July 2015 by the Department of Toxic Substances Control (DTSC), providing our rationale for conditional approval.

The scope of work includes advancing five probe bores with the use of a hand auger to a depth of six feet below the ground surface for the installation of semi-permanent soil vapor probes. A minimum of 48-hours following installation, sampling will occur which will consist of vacuum testing the connections, purging with the use of a helium tracer, and soil vapor collection in one-liter SUMA canisters. Laboratory analysis of the soil gas samples will consist volatile organic compounds (VOCs) by test method TO-15; and percent oxygen, carbon dioxide, methane, and helium (leak check) by ASTM test method D-1945 or D-1946.

Additionally, AEI states select soil samples from the upper five feet of soil from SV-1, SV-2, and SV-3 will be analyzed for total petroleum hydrocarbons as gasoline (TPHg) and TPH as diesel (TPHd) using EPA test method 8015.

AEI proposes a monitoring schedule of the week of January 1, 2018 for vapor probe installation and sampling; early April 2018; and early July 2018 and states a final report will be prepared following the receipt of analytical data. The report will comparison of the results to the State Water Resources Control Boards (SWRCB) Low-Threat Underground Storage Tanks Case Closure Policy (LTCP) screening levels as applicable. The report will also provide a recommendation if future sampling is warranted.

The proposed scope of work may be implemented provided that the modifications requested in the technical comments below are addressed and incorporated during the field implementation. Submittal of a revised Work Plan is not required unless an alternate scope of work outside that described in the Work Plan and technical comments below is proposed. Please provide 72-hour advance written notification to this office (electronic mail preferred to: keith.nowell@acgov.org) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Proposed Soil Sampling** – As indicated above, AEI proposes collecting select soil samples from the upper five feet of soil from SV-1 to SV-3 for analysis of TPHg and TPHd. Based on our December 19th, 2017 meeting, ACDEH assumes the collection of these samples is warranted as the areas characterized by these samples may not be receiving a five-foot thickness of clean backfill, while the areas surrounding SV-4 and SV-5 will receive five feet of clean fill. If our assumption is correct, ACDEH is in agreement with the sampling as described in the Work Plan. Otherwise, please collect soil samples in the manner prescribed from each of the soil bores.
2. **Bottom Bore Soil Sampling** – As a secondary line of evidence, ACDEH requests the collection of a soil sample from the base of each soil bore. Please analyze the samples for TPHg, TPHd, benzene, toluene, ethylbenzene, and xylenes (collectively BTEX), the fuel oxygenates methyl tertiary butyl ether (MTBE), diisopropyl ether (DIPE), ethyl tertiary butyl ether (ETBE), tertiary amyl methyl ether (TAME), and tertiary butyl alcohol (TBA), and naphthalene.
3. **Reporting** – Please provide ACDEH with a summary table of the laboratory analysis report in addition to a figure depicting the sample collection locations as attachments to an electronic mail, Attention: Keith Nowell, within 30 days of the sampling event. In addition to the figure, the laboratory analysis report is required to be uploaded to the SWRCB GeoTracker website. As semi-permanent sampling points, the vapor probe bores will need to be surveyed and the GEO_XY and GEO_Z files submitted to GeoTracker. Prior to document submittals to GeoTracker, the site will need to be claimed. In the near future, ACDEH will create the case file in GeoTracker to receive submittals.
4. **Continued Geotracker Electronic Report and Data Upload Compliance** – As indicated above, Geotracker compliance is a State requirement that ACDEH is tasked with implementing. Pursuant to 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 Site Cleanup Programs. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites was required in GeoTracker.

Please see Attachment 1 for limited additional details, and the state GeoTracker website for full details. ACDEH requests future notification of documents uploaded to GeoTracker be provided to our offices, electronic mail preferred, Attention keith.nowell@acgov.org.

TECHNICAL REPORT REQUEST

Please perform the requested work and submit technical reports to the state GeoTracker website in accordance with the schedule below.

- February 19, 2018 – Claim Site and GeoTracker Submittals
- February 19, 2018 – Electronic Correspondence Listing GeoTracker Submittals
- February 19, 2018 – Soil Vapor Sampling Report (Soil Vapor Data & Figure)
- May 19, 2018 – Soil Vapor Sampling Report (Soil Vapor Data & Figure) and GeoTracker

Submittals

- July 31, 2018 – Soil Vapor Sampling Report (Soil Vapor Data & Figure) and GeoTracker Submittals
- July 31, 2018 – Meeting to discuss case status
- August 17, 2018 – Soil Vapor Investigation Report (file to be named: RO0003273_SWI_R_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 me an electronic mail message at keith.nowell@acgov.org.

Sincerely,

Keith Nowell, P.G., C.HG.
Hazardous Materials Specialist

Enclosures: Attachment 1- Responsible Party(ies) Legal Requirements/Obligations

cc: Ross Stadelhouse, Tidewater Capital, 564 Market Street, San Francisco, CA 94104 (*Sent via electronic mail to: rstackhouse@tidewatercap.com*)

Tom Graf, GrafCon, PO Box 1105, Tiburon, CA 94920 (*Sent via electronic mail to tom@grafcon.us*)

Jeremy Smith, AEI Consultants, 2500 Camino Diablo, Walnut Creek, CA 94597
(*Sent via electronic mail to jasmith@aeiconsultants.com*)

Jennifer Sedlachek, ExxonMobile, 4096 Piedmont Ave. #194, Oakland, CA 94611 (*Sent via electronic mail to jennifer.c.sedlachek@exxonmobil.com*)

Scott Perkins, Cardno, 601 North McDowell Boulevard, Petaluma, CA 94954 (*Sent via electronic mail to: Scott.Perkins@cardno.com*)

Dilan Roe, ACDEH (*Sent via electronic mail to dilan.roe@acgov.org*)

Keith Nowell, ACDEH (*Sent via electronic mail to keith.nowell@acgov.org*)

Paresh Khatri, ACDEH, (*Sent via electronic mail to: paresh.khatri@acgov.org*)

Electronic File

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: December 14, 2017
	ISSUE DATE: July 25, 2012
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: Responsible Party(ies) Legal Requirements / Obligations

REPORT & DELIVERABLE REQUESTS

Alameda County Department of Environmental Health (ACDEH) Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) require submission of all reports in electronic form to the State Water Board's (SWB) GeoTracker website in accordance with California Code of Regulations, Chapter 30, Division 3, Title 23 and Division 3, Title 27.

Leaking Underground Fuel Tank (LUFT) Cases

Reports and deliverable requests are 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 (RP) in conjunction with an unauthorized release from a petroleum underground storage tank (UST) system.

Site Cleanup Program (SCP) Cases

For non-petroleum UST cases, reports and deliverables requests are pursuant to California Health and Safety Code Section 101480.

ELECTRONIC SUBMITTAL OF REPORTS

A complete report submittal includes the PDF report and all associated electronic data files, including but not limited to GEO_MAP, GEO_XY, GEO_Z, GEO_BORE, GEO_WELL, and laboratory analytical data in Electronic Deliverable Format™ (EDF). Additional information on these requirements is available on the State Water Board's website (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)

- Do not upload draft reports to GeoTracker
- Rotate each page in the PDF document in the direction that will make it easiest to read on a computer monitor.

GEOTRACKER UPLOAD CERTIFICATION

Each report submittal is to include a GeoTracker Upload Summary Table with GeoTracker valid values¹ as illustrated in the example below to facilitate ACDEH review and verify compliance with GeoTracker requirements.

GeoTracker Upload Table Example

Report Title	Sample Period	PDF Report	GEO_MAPS	Sample ID	Matrix	GEO_Z	GEO_XY	GEO_BORE	GEO_WELL	EDF
2016 Subsurface Investigation Report	2016 S1	✓	✓	Effluent	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
2012 Site Assessment Work Plan	2012	✓	✓			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2010 GW Investigation Report	2008 Q4	✓	✓	SB-10	W	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				SB-10-6	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
				MW-1	WG	✓	✓	✓	✓	✓
				SW-1	W	✓	✓	✓	✓	✓

¹ GeoTracker Survey XYZ, Well Data, and Site Map Guidelines & Restrictions, CA State Water Resources Control Board, April 2005

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: NA
	ISSUE DATE: December 14, 2017
	PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016
SECTION: ACDEH Procedures	SUBJECT: Responsible Party(ies) Legal Requirements / Obligations

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 the State Water Board's GeoTracker website." This letter must be signed by the Responsible Party, or legally authorized representative of the Responsible Party.

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 and include the professional registration stamp, signature, and statement of professional certification. 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

For LUFT cases, RP's non-compliance with these regulations may result in ineligibility to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse the cost of cleanup. Additional information is available on the internet at: https://www.waterboards.ca.gov/water_issues/programs/ustcf/

AGENCY OVERSIGHT

Significant delays in conducting site assessment/cleanup or report submittals may result in referral of the case to the Regional Water 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.