



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

June 25, 2013

Agesong Emeryville Owner LLC
432 Ivy Street
San Francisco, CA 94102-4254

Subject: Closure Transmittal; Fuel Leak Case No. RO0003103 (Global ID # T10000004352),
Agesong, 4050 Horton Street, Emeryville, CA 94608

Dear Agesong Emeryville Owner LLC:

This letter transmits the enclosed underground storage tank (UST) case closure letter in accordance with Chapter 6.75 (Article 4, Section 25299.37[h]). The State Water Resources Control Board adopted this letter on February 20, 1997. As of March 1, 1997, the Alameda County Environmental Health (ACEH) is required to use this case closure letter for all UST leak sites. We are also transmitting to you the enclosed case closure summary. These documents confirm the completion of the investigation and cleanup of the reported release at the subject site. The subject fuel leak case is closed.

SITE INVESTIGATION AND CLEANUP SUMMARY

Please be advised that the following conditions exist at the site:

- Upon removal, the UST contained at least one hole and subsurface soil exhibited obvious contamination (staining and odors).
- Confirmation soil sampling after overexcavation of the UST was not performed.
- Groundwater has not been analyzed at the site.
- The site has been redeveloped without completing a soil and groundwater investigation.
- Case closure for this fuel leak site is granted for the current residential land use as a Board and Care Facility and the existing building only. If a change in land use to any other residential or other conservative land use scenario occurs at this site; Alameda County Environmental Health (ACEH) must be notified as required by Government Code Section 65850.2.2. ACEH will re-evaluate the case upon receipt of approved development/construction plans.
- Excavation or construction activities in areas of residual contamination require planning and implementation of appropriate health and safety procedures by the responsible party (or current property owner/developer) prior to and during excavation and construction activities.

If you have any questions, please call Mark Detterman at (510) 567-6876. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Donna L. Drogos'.

Donna L. Drogos, P.E.
Division Chief

Agesong Emeryville Owner LLC

RO0003103

June 25, 2013, Page 2

Enclosures: 1. Remedial Action Completion Certificate
 2. Case Closure Summary

cc: Ms. Cherie McCaulou (w/enc.), SF- Regional Water Quality Control Board, 1515 Clay Street,
 Suite 1400, Oakland, CA 94612, (sent via electronic mail to CMacaulou@waterboards.ca.gov)

 City of Emeryville, Economic Development & Housing Department, c/o Markus Niebanck, 1333
 Park Avenue, Emeryville, CA 94608 (sent via electronic mail to MNiebanck@ci.emeryville.ca.us)

 Donna Drogos, (sent via electronic mail to donna.drogos@acgov.org)

 Mark Detterman (sent via electronic mail to mark.detterman@acgov.org)

 Electronic File, GeoTracker

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

ALEX BRISCOE, Agency Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
OFFICE OF THE DIRECTOR
1131 HARBOR BAY PARKWAY
ALAMEDA, CA 94502
(510) 567-6777
FAX (510) 337-9135

REMEDIAL ACTION COMPLETION CERTIFICATION

June 25, 2013

Agesong Emeryville Owner LLC
432 Ivy Street
San Francisco, CA 94102-4254

Subject: Case Closure for Fuel Leak Case No. RO0003103 (Global ID # T10000004352), Agesong, 4050 Horton Street, Emeryville, CA 94608

Dear Agesong Emeryville Owner LLC:

This letter confirms the completion of a site investigation and remedial action for the underground storage tanks formerly located at the above-described location. Thank you for your cooperation throughout this investigation. Your willingness and promptness in responding to our inquiries concerning the former underground storage tank(s) are greatly appreciated.

Based on information in the above-referenced file and with the provision that the information provided to this agency was accurate and representative of site conditions, this agency finds that the site investigation and corrective action carried out at your underground storage tank(s) site is in compliance with the requirements of subdivisions (a) and (b) of Section 25299.37 of the Health and Safety Code and with corrective action regulations adopted pursuant to Section 25299.77 of the Health and Safety Code and that no further action related to the petroleum release(s) at the site is required.

Claims for reimbursement of corrective action costs submitted to the Underground Storage Tank Cleanup Fund more than 365 days after the date of this letter or issuance or activation of the Fund's Letter of Commitment, whichever occurs later, will not be reimbursed unless one of the following exceptions applies:

- Claims are submitted pursuant to Section 25299.57, subdivision (k) (reopened UST case); or
- Submission within the timeframe was beyond the claimant's reasonable control, ongoing work is required for closure that will result in the submission of claims beyond that time period, or that under the circumstances of the case, it would be unreasonable or inequitable to impose the 365-day time period.

This notice is issued pursuant to subdivision (h) of Section 25299.37 of the Health and Safety Code. Please contact our office if you have any questions regarding this matter.

Sincerely,

Ariu Levi
Director

**CASE CLOSURE SUMMARY
LEAKING UNDERGROUND FUEL STORAGE TANK - LOCAL OVERSIGHT PROGRAM**

I. AGENCY INFORMATION

Date: June 25, 2013

Agency Name: Alameda County Environmental Health	Address: 1131 Harbor Bay Parkway
City/State/Zip: Alameda, CA 94502-6577	Phone: (510) 567-6876
Responsible Staff Person: Mark Detterman	Title: Senior Hazardous Materials Specialist

II. CASE INFORMATION

Site Facility Name: AgeSong		
Site Facility Address: 4050 Horton Street, Emeryville, CA 94608		
RB Case No.: ---	Local Case No.: ---	LOP Case No.: RO0003103
URF Filing Date: 7/7/2008	Geotracker ID: T10000004352	APN: 49-617-16-2
Responsible Parties	Addresses	Phone Numbers
AgeSong Emeryville Owner LLC	432 Ivy Street, San Francisco, CA 94102	---

Tank I.D. No	Size in Gallons	Contents	Closed In Place/Removed?	Date
---	500-gal	Heating Oil	Removed	6/18/2008
	Piping		None present	6/18/2008

III. RELEASE AND SITE CHARACTERIZATION INFORMATION

Cause and Type of Release: At least one hole was observed in the bottom of the tank. Discolored soil and odor were also noted.		
Site characterization complete? Yes	Date Approved By Oversight Agency: ----	
Monitoring wells installed? No	Number: 0	Proper screened interval? n/a
Highest GW Depth Below Ground Surface: 3.83 ft*	Lowest Depth: 4.52*	Flow Direction: Northwest to west*
Most Sensitive Current Use: Potential drinking water source.		

* Groundwater was not sampled at the site. Data was obtained from adjacent sites Western Brake at 1461 Park Avenue, Emeryville, CA; RO0000531 and Electro-Coatings at 1401 - 1421 Park Avenue, Emeryville, CA; RWQCB Case # 01-2333. Groundwater was not reported to have been encountered at these depths at UST removal at the subject site.

Summary of Production Wells in Vicinity: No water supply wells were identified within a ¼ mile radius of the site.	
Are drinking water wells affected? No	Aquifer Name: East Bay Plain
Is surface water affected? No	Nearest SW Name: San Francisco Bay, located approximately 1,900 feet west of the site.
Off-Site Beneficial Use Impacts (Addresses/Locations): None Identified	
Reports on file? Yes	Where are reports filed? Alameda County Environmental Health

TREATMENT AND DISPOSAL OF AFFECTED MATERIAL			
Material	Amount (Include Units)	Action (Treatment or Disposal w/Destination)	Date
Tank	500-gal	Circosta Iron & Metal, Inc, San Francisco, CA	6/18/2008
Piping	None Present	----	6/18/2008
Free Product	----	----	----
Soil	----	----	----
Groundwater	----	----	----

MAXIMUM DOCUMENTED CONTAMINANT CONCENTRATIONS BEFORE AND AFTER CLEANUP
 (Please see Attachments 1 through 6 for additional information on contaminant locations and concentrations)

Contaminant	Soil (ppm) ³		Water (ppb) ⁴	
	Before	After	Before	After
TPH (Gas)	Not Analyzed	Not Analyzed	Not Analyzed	Not Analyzed
TPH (Diesel)	< 5	< 5	Not Analyzed	Not Analyzed
TPH (Motor Oil)	< 20	< 20	Not Analyzed	Not Analyzed
TPH (Kerosene)	< 5	< 5	Not Analyzed	Not Analyzed
TPH (Stoddard)	< 5	< 5	Not Analyzed	Not Analyzed
Benzene	< 0.25	< 0.25	Not Analyzed	Not Analyzed
Toluene	< 0.25	< 0.25	Not Analyzed	Not Analyzed
Ethylbenzene	< 0.25	< 0.25	Not Analyzed	Not Analyzed
Xylenes	< 0.5	< 0.5	Not Analyzed	Not Analyzed
Heavy Metals (Cd, Cr, Pb, Ni, Zn)	5 ¹	5 ¹	Not Analyzed	Not Analyzed
MTBE	< 0.005 ppm ²	< 0.005 ppm ²	Not Analyzed	Not Analyzed
Other (8240/8270)	Not Analyzed	Not Analyzed	Not Analyzed	Not Analyzed

¹ Pb: 5 ppm; Ni, Zn, Cd, and Cr not analyzed.

² MTBE, TAME, DIPE, EDB, EDC < 0.005 ppm; TBA < 0.04 ppm.

³ One sampling event occurred at the site (June 23, 2008). Three soil samples were analyzed from either end of the tank excavation and from the soil stockpile; however, tank bottom holes, discolored soil, and odors were present.

⁴ Groundwater was not encountered or analyzed; a tank rinsate sample contained 1,600 µg/l TPHMO.

Site History and Description of Corrective Actions:

The site is a senior residential board and care facility located at the corner of 40th Street and Horton Street in Emeryville, CA. Surrounding land use is commercial. Soils observed during the excavation were primarily clay. A heating oil underground storage tank (UST) was installed on the property at an unknown date.

On June 18, 2008, the 500-gallon heating oil underground storage tank was removed from the property. The bottom of the tank was measured to be at 6.5 feet below ground surface (bgs). Product piping that extended from the top of the tank beneath the former building was not found. Prior to removal, residual product was pumped and the tank was triple rinsed. A water sample was also collected from tank rinsate. The tank was observed to be in poor condition, with at least one observable hole. Visible staining and odors were also noted in the soil underlying the tank. Groundwater was not encountered during the excavation. Soil samples were collected beneath the tank at each end (9006-N-8.5 and 9006-S-8.5) along with one four-point composite sample (9006-SP(A-D)) from the soil stockpile.

Total Petroleum Hydrocarbons as diesel, motor oil, kerosene, and stoddard solvent were not detected in the two soil samples collected beneath the UST at a depth of 6.5 feet below surface grade (bgs). The soil samples were additionally analyzed for benzene, toluene, ethylbenzene, and xylenes (BTEX), methyl tertiary butyl ether (MTBE), and other volatile organic compounds (VOCs) and none were detected. A tank rinsate sample contained 1,600 parts per billion (ppb) TPH as motor oil, and was noted during analysis to also contain heating oil. The stockpile composite sample contained 5 ppm lead. The UST excavation was subsequently overexcavated to 8.5' for building construction. Additional confirmation sampling was not performed and the building was constructed over the UST location. It appears that residual contamination that may be present was removed to a depth of 8.5 feet bgs.

Groundwater was not encountered during UST removal and overexcavation and groundwater analysis was not performed prior to redevelopment of the site. The site has been redeveloped and the closest downgradient accessible sampling location is approximately 95' to 100' from the former UST location so groundwater sampling is not possible at or immediately downgradient of the former UST location. Heating oil typically contains trace to low levels of BTEX and overexcavation likely removed any contamination present to the 8.5' bgs depth. Therefore, additional characterization and groundwater sampling was not performed.

IV. CLOSURE

Does completed corrective action protect existing beneficial uses per the Regional Board Basin Plan? Yes		
Does completed corrective action protect potential beneficial uses per the Regional Board Basin Plan? Yes		
Does corrective action protect public health for current land use? Alameda County Environmental Health staff does not make specific determinations concerning public health risk. However, based upon the information available in our files to date, closure of this site appears to be consistent with the policies established by the State Water Resources Control Board Low-Threat Underground Storage Tank Closure Policy which became effective on August 17, 2012.		
<p>Site Management Requirements:</p> <p>This fuel leak case has been evaluated for closure consistent with the criteria in the State Water Resources Control Board Low-Threat Underground Storage Tank Closure Policy (LTCP). Residual soil contamination may be present at depth beneath the former location of the UST, but is not confirmed. Residual groundwater contamination may exist, but is not confirmed.</p> <p>Case closure for this fuel leak site is granted for the current residential land use as a Board and Care Facility and the existing building only. If a change in land use to any other residential or other conservative land use scenario occurs at this site; Alameda County Environmental Health (ACEH) must be notified as required by Government Code Section 65850.2.2. ACEH will re-evaluate the case upon receipt of approved development/construction plans.</p> <p>Excavation or construction activities in areas of residual contamination require planning and implementation of appropriate health and safety procedures by the responsible party (or current property owner/developer) prior to and during excavation and construction activities.</p>		
Should corrective action be reviewed if land use changes? Yes		
Was a deed restriction or deed notification filed? No		Date Recorded: ----
Monitoring Wells Decommissioned: n/a	Number Decommissioned: 0	Number Retained: 0
List Enforcement Actions Taken: None		
List Enforcement Actions Rescinded: ----		

V. ADDITIONAL COMMENTS, DATA, ETC.

Considerations and/or Variances:

- The site meets the General Criteria for case closure under the LTCP.
- The site does not appear to meet scenarios 1, 2, 3, or 4 of the groundwater media-specific criteria and or scenarios 1, 2, 3, or 4 of the numerical media-specific criteria in the LTCP for petroleum vapor intrusion to indoor air criteria for the following reasons:
 - Residual contamination may be present at depth beneath the former location of the UST at depths greater than 8.5 feet below grade surface, but is not confirmed.
 - Groundwater was not encountered during UST removal and overexcavation and groundwater analysis was not performed prior to redevelopment of the site. The site has been redeveloped and the closest downgradient accessible location is approximately 95 to 100 feet from the former UST location so groundwater sampling is not possible at the former UST location.


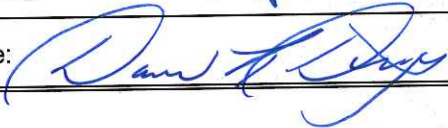
However, ACEH believes case closure is appropriate based on an analysis of site-specific conditions:

- Heating oil typically contains trace to low levels of BTEX and overexcavation likely removed any contamination present to an 8.5' bgs depth.
- The site does not meet the media-specific criteria for direct contact and outdoor air exposure under the LTCP due to the lack of analysis for naphthalene. However, heating oil typically contains trace to low levels of BTEX and overexcavation likely removed any contamination present to an 8.5' bgs depth. Under the current land use as a residential board and care facility, most of the site is built on and paved resulting in a low potential for direct exposure under the current land use. Future risks from direct contact and outdoor air exposure can be mitigated through the use of land use restrictions. Therefore, case closure is granted for the current residential land use as a board and care facility.

Conclusion:

Alameda County Environmental Health staff believes that the site meets the conditions for case closure under the State Water Resources Control Board Low-Threat Underground Storage Tank Closure Policy. Based upon the information available in our files to date, no further investigation or cleanup for the fuel leak case is necessary at this time. However, as specified in the Site Management Requirements, re-evaluation of this case is required if land uses changes to any other residential or other conservative land use scenario. ACEH staff recommends closure for this site.

VI. LOCAL AGENCY REPRESENTATIVE DATA

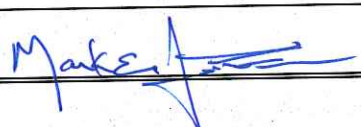
Prepared by: Mark Detterman, P.G., C.E.G.	Title: Senior Hazardous Materials Specialist
Signature: 	Date: 6/25/2013
Approved by: Donna L. Drogos, P.E.	Title: Division Chief
Signature: 	Date: 06/25/2013

This closure approval is based upon the available information and with the provision that the information provided to this agency was accurate and representative of site conditions.

VII. REGIONAL BOARD NOTIFICATION

Regional Board Staff Name: Cherie McCaulou	Title: Engineering Geologist
Notification Date: April 18, 2013	

VIII. MONITORING WELL DECOMMISSIONING

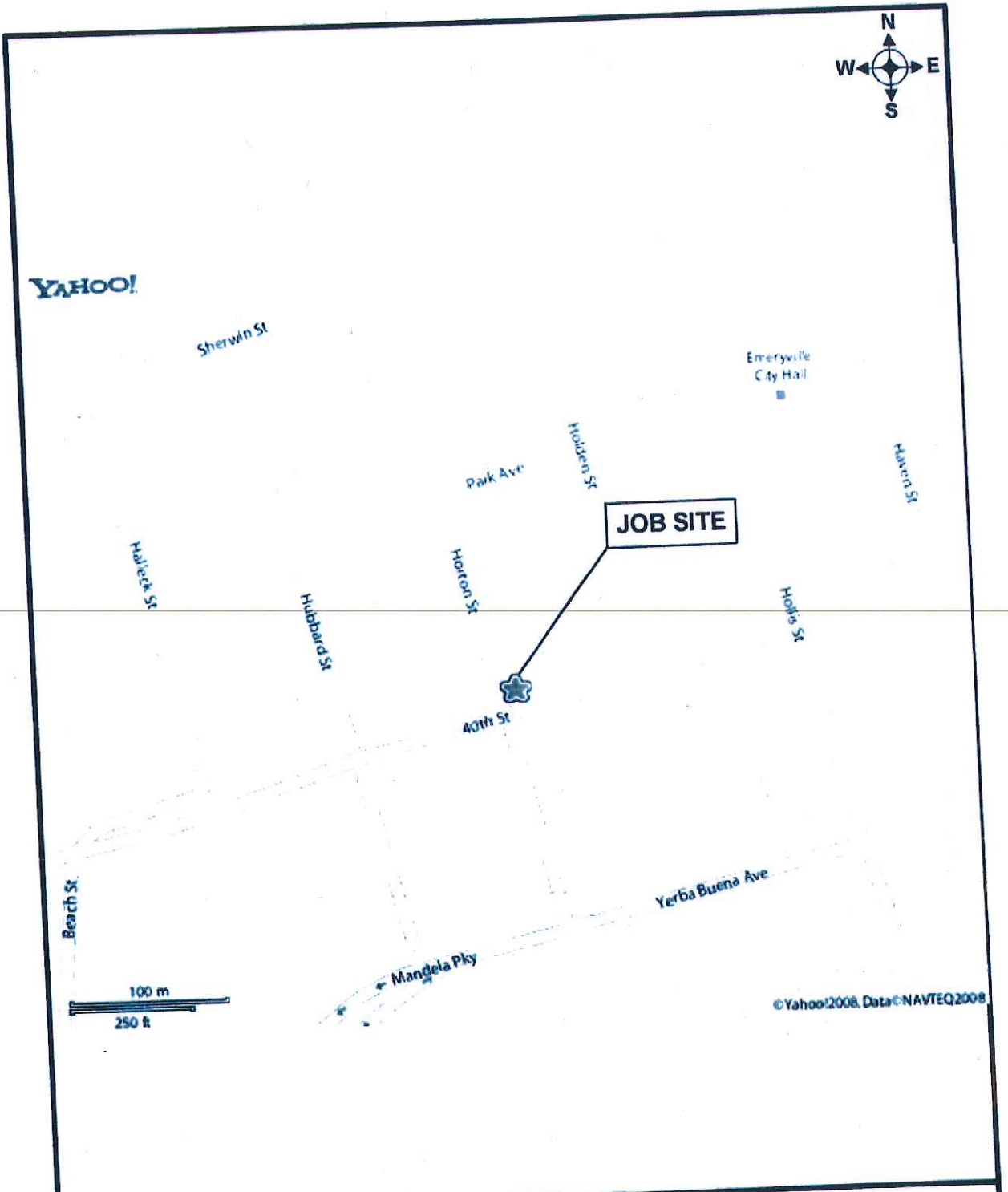
Date Requested by ACEH: n/a	Date of Well Decommissioning Report: n/a	
All Monitoring Wells Decommissioned: n/a	Number Decommissioned: 0	Number Retained: 0
Reason Wells Retained: No groundwater monitoring wells were installed.		
Additional requirements for submittal of groundwater data from retained wells: None		
ACEH Concurrence - Signature: 	Date: 6/25/2013	

Attachments:

1. Site Vicinity Map (2 pp)
2. Site Plans (1 pp)
3. Soil Analytical Data (1 pp)
4. Groundwater Analytical Data (0 pp)
5. Boring Logs (0 pp)
6. Cross Sections (0 pp)

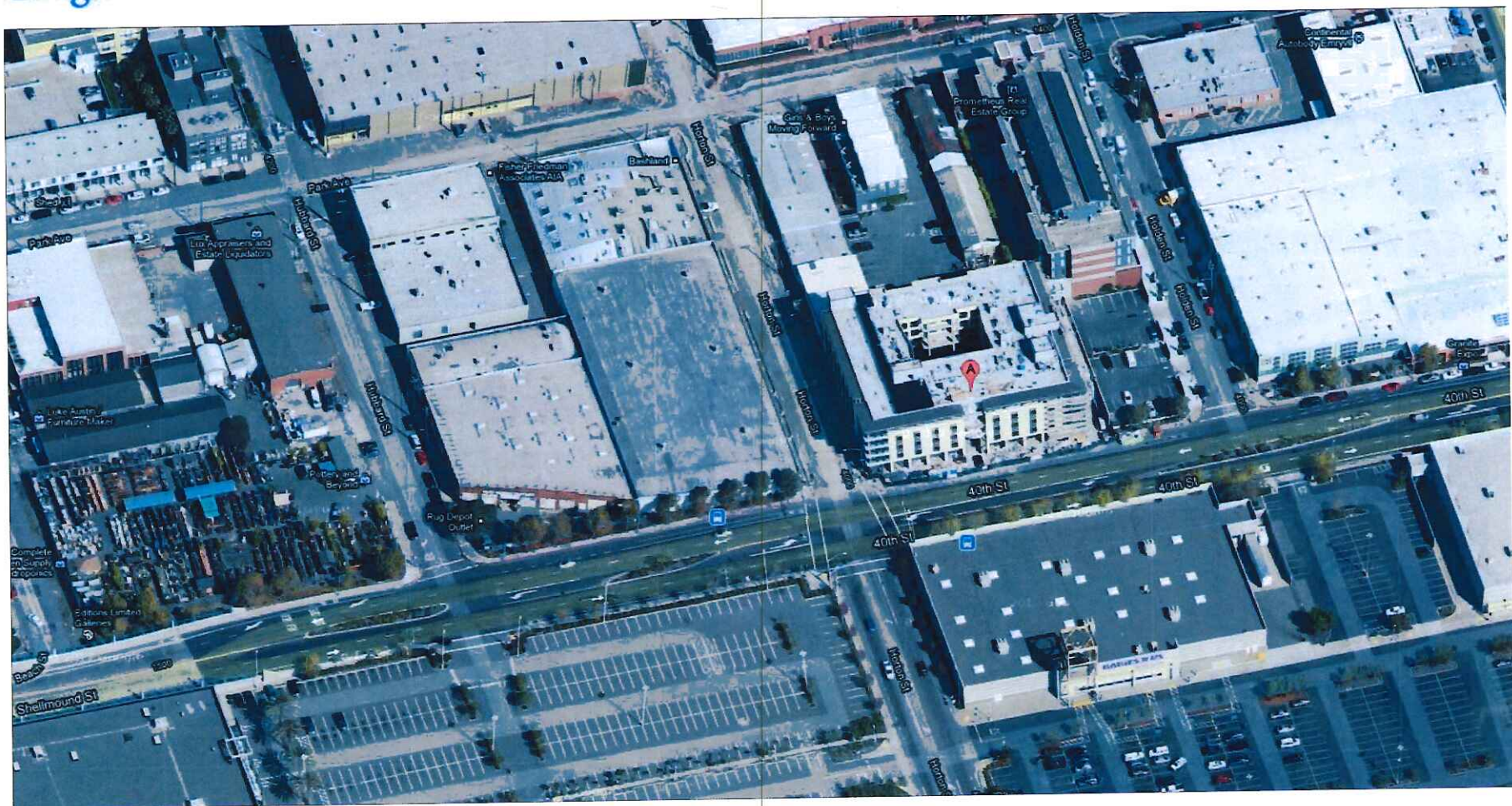
This document and the related CASE CLOSURE LETTER & REMEDIAL ACTION COMPLETION CERTIFICATE shall be retained by the lead agency as part of the official site file.

ATTACHMENT 1

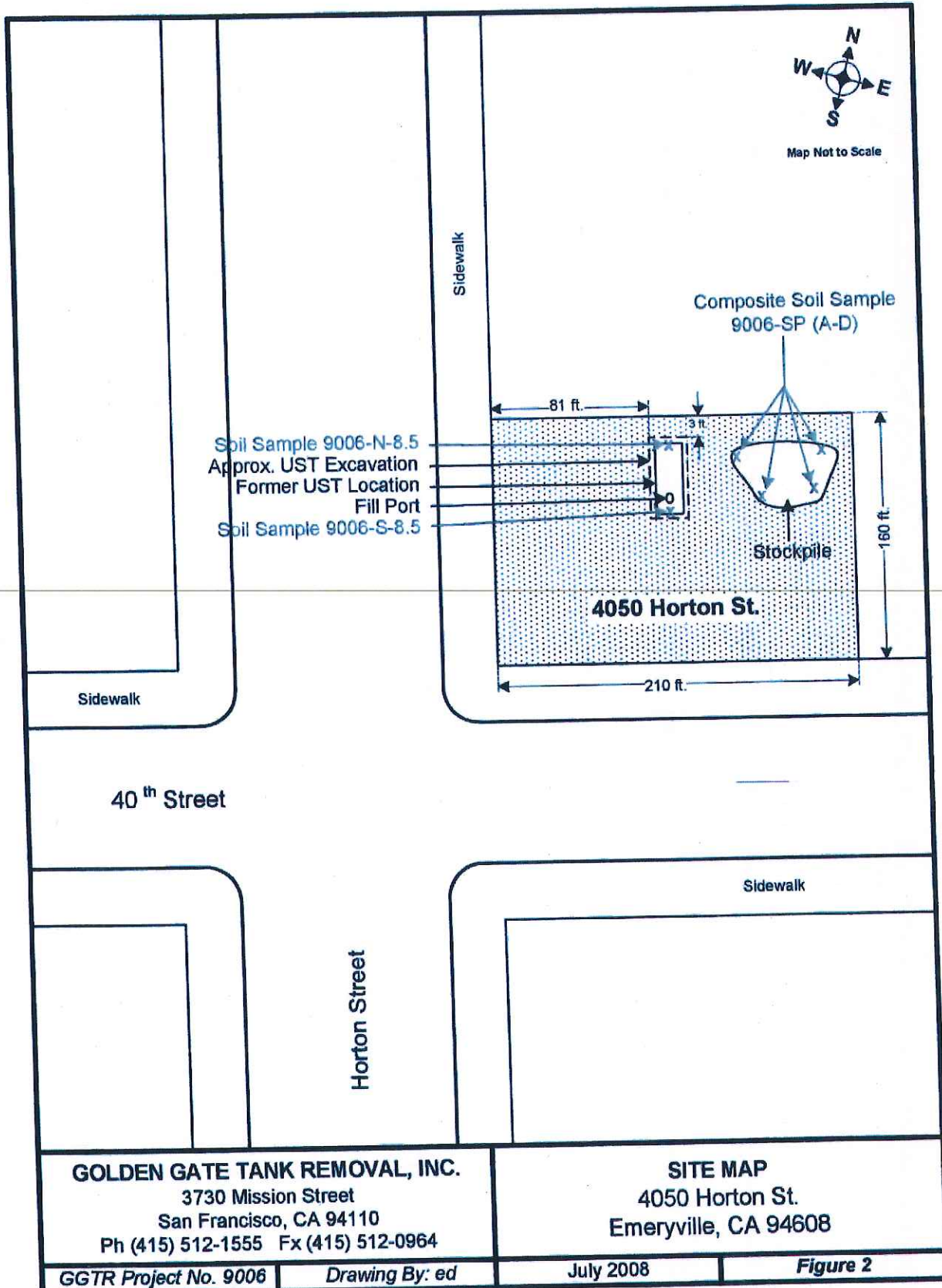


GOLDEN GATE TANK REMOVAL, INC. 3730 Mission Street San Francisco, CA 94110 Ph (415) 512-1555 Fx (415) 512-0964		SITE LOCATION MAP 4050 Horton Street Emeryville, CA 94608	
GGTR Project No.9006	Drawing By: AS	July 2008	Figure 1

To see all the details that are visible on the screen, use the "Print" link next to the map.



ATTACHMENT 2



GOLDEN GATE TANK REMOVAL, INC.
 3730 Mission Street
 San Francisco, CA 94110
 Ph (415) 512-1555 Fx (415) 512-0964

SITE MAP
 4050 Horton St.
 Emeryville, CA 94608

GGTR Project No. 9006

Drawing By: ed

July 2008

Figure 2

SAMPLING RESULTS FORM

Underground Storage Tank Site Address:

4050 Horton Ave., Emeryville, CA 94608

Business Site Name:

Commercial

Description Sample ID (Specify location: i.e., tank, pipe, stockpile) and number	Sample Depth (Indicate depth of sample from grade)	Media (soil/water)	Date (Date Sample was collected)	Soil Type (specify if sand, clay, fill, etc.)	Results expressed in parts per million (ppm)									
					TPH-D	TPH-MO	TPH-K	TPH-S	B	T	E	X	MTBE	LEAD
9006-SP(A-D)Composite (Stockpile)	Not Applicable	soil	6/23/2008	clay	ND<5	ND<20	ND<5	ND<5	ND<0.25	ND<0.25	ND<0.25	ND<0.5	ND<0.25	5
9006-N-8.5 (Excavation)	8.5 feet	soil	6/23/2008	clay	ND<5	ND<20	ND<5	ND<5	ND<0.005	ND<0.005	ND<0.005	ND<0.01	ND<0.005	NA
9006-S-8.5 (Excavation)	8.5 feet	soil	6/23/2008	clay	ND<5	ND<20	ND<5	ND<5	ND<0.005	ND<0.005	ND<0.005	ND<0.01	ND<0.005	NA
9006-R3 (Tank Rinsate)	Not Applicable	water	6/18/2008	Not Applicable	ND<0.047	1.6*	ND<0.047	ND<0.047	NA	NA	NA	NA	NA	NA

TPH-D = Total Petroleum Hydrocarbons as Diesel
 TPH-MO = Total Petroleum Hydrocarbons as Motor Oil
 TPH-K = Total Petroleum Hydrocarbons as Kerosene
 TPH-S = Total Petroleum Hydrocarbons as Stoddard

BTEX = Benzene, Toluene, Ethylbenzene, Xylene
 MTBE = Methyl-t-Butyl Ether
 NA = Not Analyzed
 ND = Non-Detectable Results

* = Higher boiling gasoline compounds (C10-C18) mixed with heating oil
 List of additional analytical results and detection limits on attached certified lab report

ATTACHMENT 3