



July 25, 2018  
(Revised)

Mr. Kevin Brown  
Holliday Development  
1201 Pine Street, Suite 151  
Oakland, CA 94607  
(Sent via electronic mail to: [kb@hollidaydevelopment.com](mailto:kb@hollidaydevelopment.com))

Subject: Conditional Approval of Mass Grading and Foundation Excavation; Site Cleanup Program Case No. RO0003194; Global ID #T10000007974, 5<sup>th</sup> and Magnolia; 5<sup>th</sup> and Magnolia Streets, Oakland, CA 94607

Dear Mr. Brown:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the *Supplemental Soil Gas Sampling Report*, the *Soil Import Management Plan*, and the *Construction Soil and Groundwater Management Plan*, each dated June 11, 2018. ACDEH has additionally conducted a preliminary review of the *Soil VOC Vapor Mitigation System Plans & Specifications for The Union*, dated July 10, 2018. Thank you for submitting the reports.

ACDEH has also reviewed data from adjacent sites including the case known as All Mercedes Dismantlers at 1225 7<sup>th</sup> Street, Oakland (Closed Leaking Underground Storage Tank [LUST] site; RO0000937 and T0600101163) labeled as "Former Auto Repair (1920's – present)" on Figure 2 of the *Supplemental Soil Gas Sampling Report*, and the case known as Former Everidge Service Company at 1211 7<sup>th</sup> Street, Oakland (open LUST site; 01-0741, RO0000235, and T0600100683) labeled as "Former Gas Station / Auto Repair (1950s – 2000s)" on Figure 2 of the referenced report. Copies of select figures from these two sites are attached and pertinent information is highlighted on the copies of the figures.

Based on a review of the case file and these referenced documents, ACDEH has no objection to initiation of mass grading and foundational soil excavation, provided all work observes the reports referenced above, and all soil moved or excavated from within the pink boundaries of the attached plan view of the site is off-hauled and disposed of at an appropriate permitted disposal facility, and is subsequently documented as requested below.

ACDEH will provide comment on the Vapor Mitigation System Plans & Specifications in a separate letter, but concurs that vapor mitigation is required only under the commercial building planned for the site.

We request that you address the following technical comments, perform the proposed work, and send us the report described below. Please provide 72-hour advance written notification to this office (e-mail preferred to: [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org) and [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org)) prior to the start of field activities.

## **TECHNICAL COMMENTS**

- 1. Conditional Approval of Mass Grading and Foundation Excavation** - The referenced reports propose a series of actions with which ACDEH is in agreement of undertaking. ACDEH requests the submittal of the following report by the date specified below.
  - a. Soil Export Report** – ACDEH requests the submittal of a soil export report at the end of mass grading and foundation excavation for approval prior to the start of foundation pours. The report is to document the offsite disposal of soil, including volumes by source (mass grading or foundation excavation), manifests, and analytical reports required for disposal of the soil at appropriately permitted facilities.

- 2. Electronic Report and Data Upload Compliance** – A review of the case file and the State's Geotracker database indicates that the site is not in compliance with previous directive letters. Compliance is also a State requirement. 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 SLIC programs. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites was required in GeoTracker.

At present missing data includes, but may not be limited to recent EDF submittals, recent GEO MAPS, and recent bore logs (last uploaded are October to November 2017). ACDEH requests notification of, and a list of, the documents uploaded to Geotracker. Please upload all submittals to GeoTracker as well as to ACDEH's ftp website by the date specified below.

### **TECHNICAL REPORT REQUEST**

Please submit the following technical reports and deliverables to the State Water Board's Geotracker website and notify your case worker by electronic mail ([mark.detterman@acgov.org](mailto:mark.detterman@acgov.org)), in accordance with the following specified file naming convention and schedule, as provided below, and in the Responsible Party(ies) Legal Requirements/Obligations which is included as Attachment 1. Please note ACDEH no longer accepts reports on the ftp site.

- **August 17, 2018** – Geotracker Compliance Uploads  
Please email your case worker upon completion
- **Prior to Concrete Pour or No Later Than October 5, 2018** – Soil Export Report  
File to be named: RO3194\_REM\_R\_yyyy-mm-dd

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.

Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

If you have any questions, please call me at (510) 567-6876 or send me an electronic mail message at [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org).

Sincerely,



Mark E. Detterman, PG 4799, CEG 1788  
Senior Geologist  
Senior Hazardous Materials Specialist

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

Attachments From Adjacent Sites

cc: Peter Krasnoff, West Environmental Services & Technology, 711 Grand Avenue, Suite 220, San Rafael, CA 94901; (Sent via electronic mail to: [peterk@westenvironmental.com](mailto:peterk@westenvironmental.com))

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Peter Morris, West Environmental Services & Technology, 711 Grand Avenue, Suite 220, San Rafael, CA 94901; (Sent via electronic mail to: [peterm@westenvironmental.com](mailto:peterm@westenvironmental.com))

Tom Graff, GrafCon, P.O. Box 1105, Tiburon, CA 94920  
(Sent via electronic mail to: [Tom@grafcon.us](mailto:Tom@grafcon.us))

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))  
Mark Detterman, ACDEH, (Sent via electronic mail to: [mark.detterman@acgov.org](mailto:mark.detterman@acgov.org))  
Electronic File; GeoTracker

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> December 14, 2017
	<b>ISSUE DATE:</b> July 25, 2012
	<b>PREVIOUS REVISIONS:</b> September 17, 2013, May 15, 2014, December 12, 2016
<b>SECTION:</b> ACDEH Procedures	<b>SUBJECT:</b> 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/](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 values<sup>1</sup> 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
<b>2016 Subsurface Investigation Report</b>	2016 S1	✓	✓	Effluent	SO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
<b>2012 Site Assessment Work Plan</b>	2012	✓	✓			<input type="checkbox"/>				
<b>2010 GW Investigation Report</b>	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	✓	✓	✓	✓	✓

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

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> NA
	<b>ISSUE DATE:</b> December 14, 2017
	<b>PREVIOUS REVISIONS:</b> September 17, 2013, May 15, 2014, December 12, 2016
<b>SECTION:</b> ACDEH Procedures	<b>SUBJECT:</b> 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**

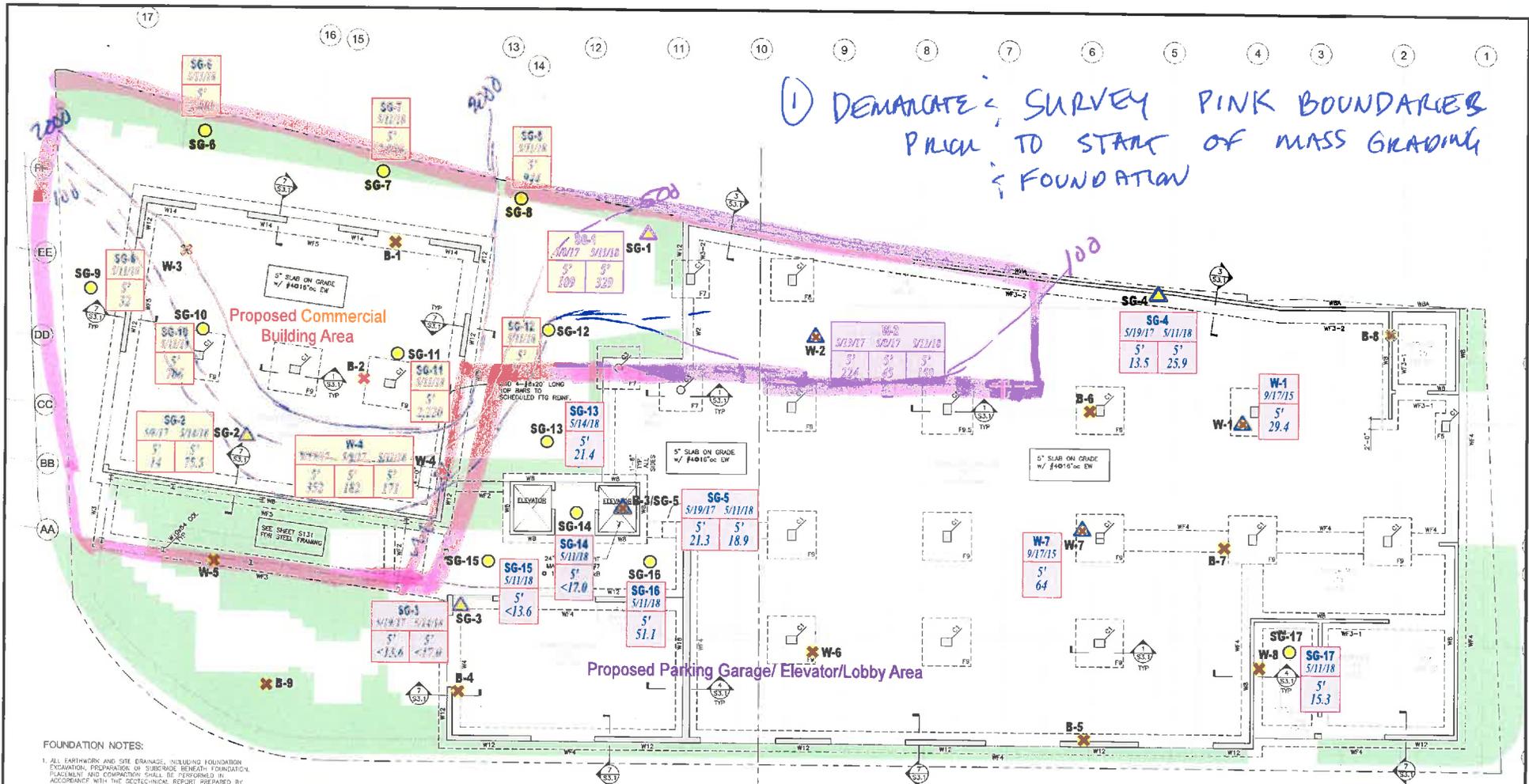
The California Business and Professions Code (Sections 6731, 6735, and 7835) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately licensed or certified professional and include 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/](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.



① DEMARCATÉ SURVEY PINK BOUNDARIES PRIOR TO START OF MASS GRADING & FOUNDATION

**FOUNDATION NOTES:**

1. ALL EARTHWORK AND SITE DRAINAGE, INCLUDING FOUNDATION EXCAVATION, PREPARATION OF SUBGRADE BENEATH FOUNDATION, PLACEMENT AND COMPACTION SHALL BE PERFORMED IN ACCORDANCE WITH THE GEOTECHNICAL REPORT PREPARED BY SATYI SYSTEMS ENGINEER.
2. NOTIFY THE GEOTECHNICAL ENGINEER AT LEAST 48 HOURS PRIOR TO START OF ALL GRADING EARTHWORK AND FOUNDATION EXCAVATION.
3. THE GEOTECHNICAL ENGINEER SHALL BE RETAINED TO PROVIDE ON-SITE OBSERVATION AND TESTING DURING SITE PREPARATION, GRADING, PLACEMENT AND COMPACTION OF FILL AND FOUNDATION INSTALLATION.
4. ALL FOOTINGS TO BEAR ON IMPROVED SUBGRADE. REFER TO SOILS REPORT FOR ACCEPTED PROCEDURES.
5. SPREAD FOOTINGS TO BE SUNK TO ELEVATION AT 8.0' F1 WHERE CONFLICTS WITH ELEVATOR PITS OCCUR.
6. FOUNDATION DESIGN IS BASED ON THE SOILS REPORT:
  - A. ALLOWABLE SOIL PRESSURE FOR DEAD PLUS LIVE LOADS: 6,000 PSF
  - DEAD PLUS LIVE PLUS SEISMIC: 4,000 PSF

**LEGEND**

- INDICATES TYPE OF CONCRETE COLUMN, SEE S3.1
- INDICATES TYPE OF CONCRETE WALL, SEE S3.1
- INDICATES DEPRESSIONED SLAB AREA OR SLAB ELEVATION CHANGED
- INDICATES TYPE OF CONCRETE COLUMN FOOTING, SEE S3.1
- INDICATES TYPE OF WALL FOOTING OR GRADE BEAM, SEE S3.1

**EXPLANATION**

- SUPPLEMENTAL SOIL GAS SAMPLE LOCATION
- SOIL SAMPLE LOCATION
- SOIL/SOIL GAS SAMPLE LOCATION
- SOIL GAS SAMPLE LOCATION
- LANDSCAPING/PLANTER AREAS

1 LEVEL 1 - FOUNDATION PLAN SOUTH 1/8" = 1'-0"

Sample ID	Date	Depth (ft)	PCE (µg/m3)
SG-13 5/11/18	5/11/18	5'	21.4
SG-12 5/11/18	5/11/18	5'	97.2



**SUMMARY OF SOIL GAS ANALYTICAL RESULTS**

5th and Magnolia Street  
Oakland, California



Figure 3

June 2018

② ALL SOIL (EXCAVATED OR GRADED) W/ PINK BOUNDARIES MUST BE DISPOSED OF @ A PERMITTED OFFSITE LANDFILL

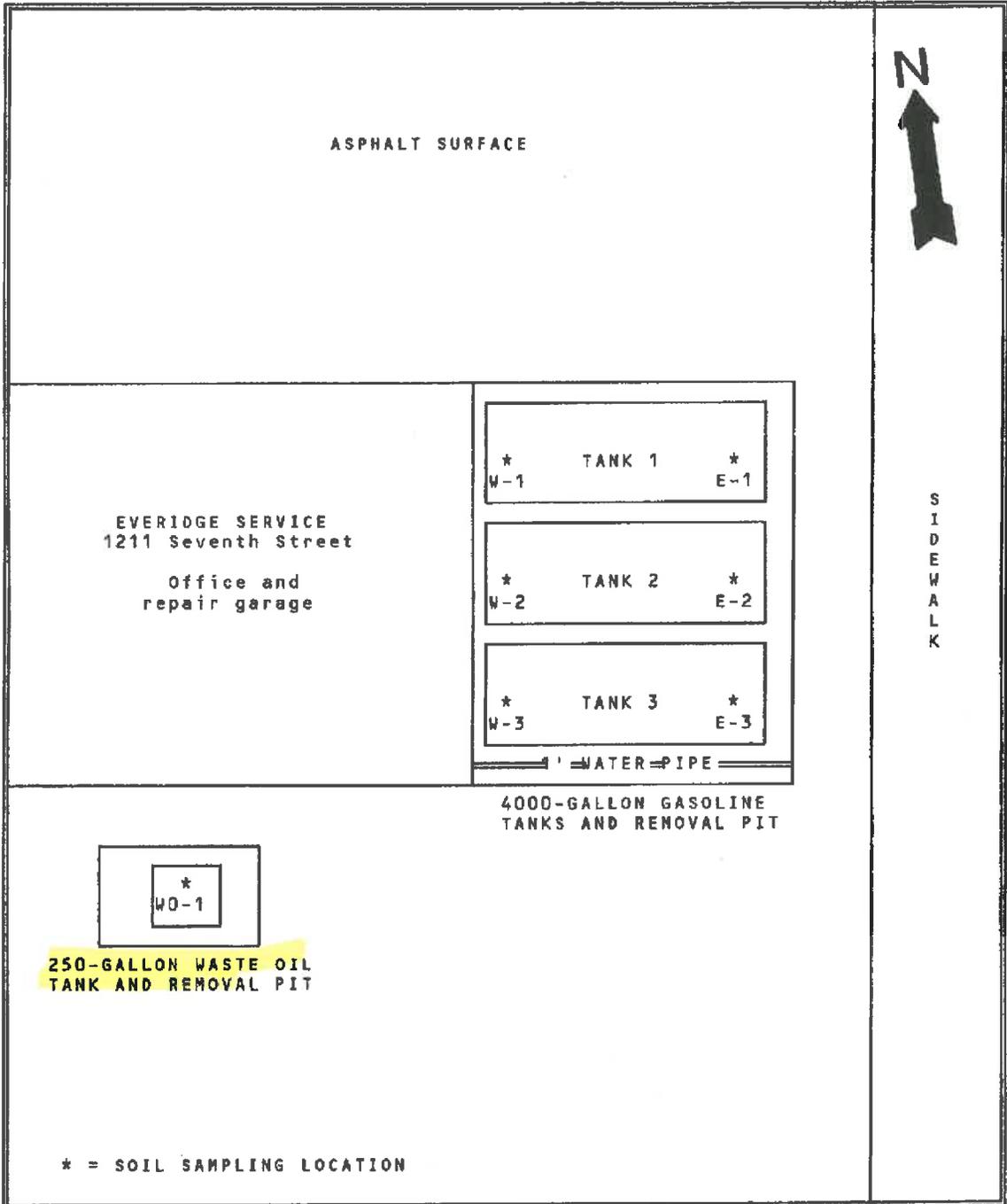
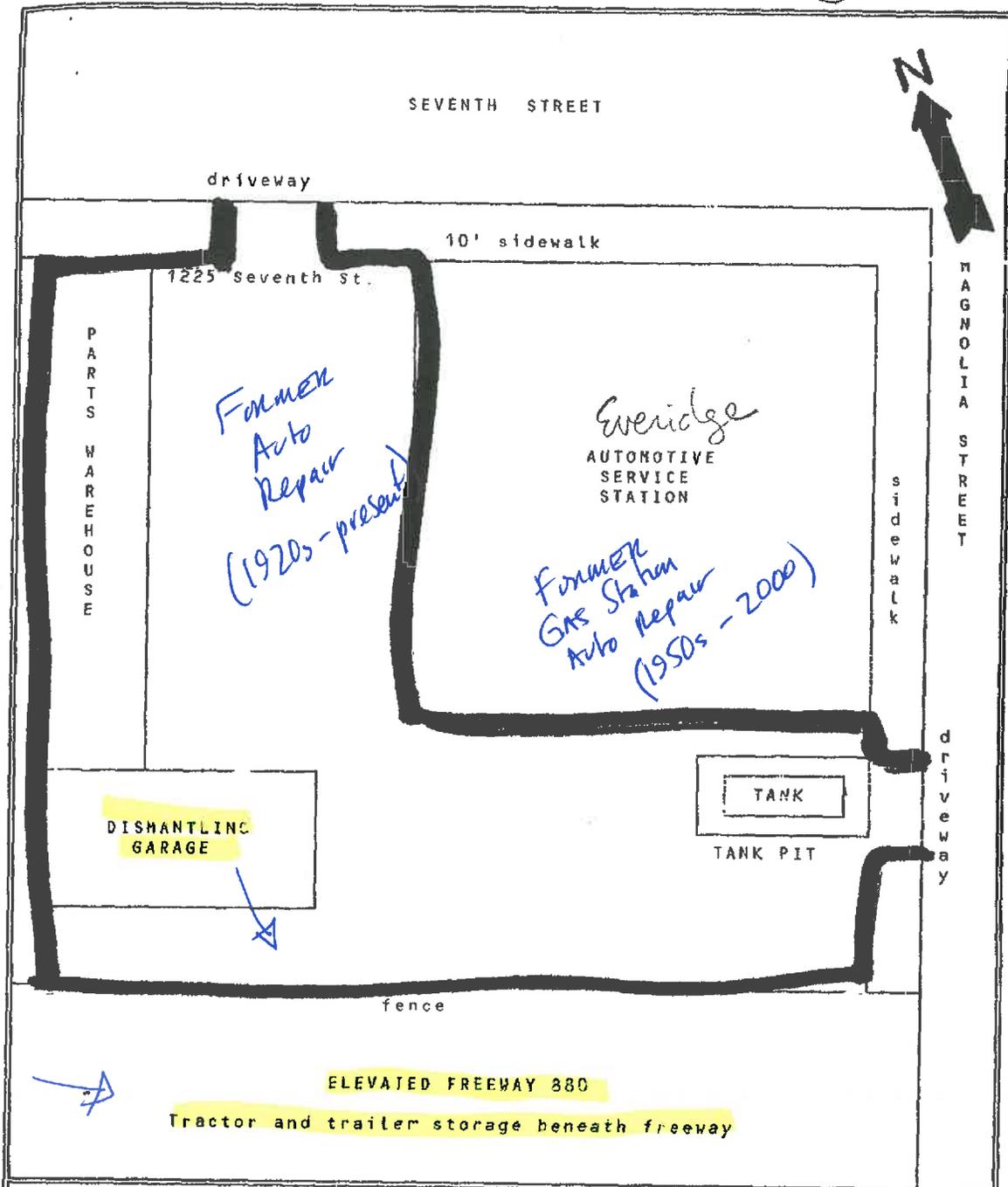


FIGURE 3: SOIL SAMPLING LOCATION MAP		November 23, 1992
EVERIDGE SERVICE	APPLIED ENVIRONMENTAL SOLUTIONS INC.	
SCALE: 1 inch = 10 feet	Working towards a pollution free environment.	
Mark L. Wuest Staff Geologist		

Figure 1



<del>FIGURE 2</del> : SITE CHARACTERIZATION MAP		November 22, 1992
ALL MERCEDES DISMANTLERS INC.	APPLIED ENVIRONMENTAL SOLUTIONS INC.	
SCALE: 1 INCH = 30 FEET	Working towards a pollution free environment.	
Mark L. Wuest Staff Geologist		

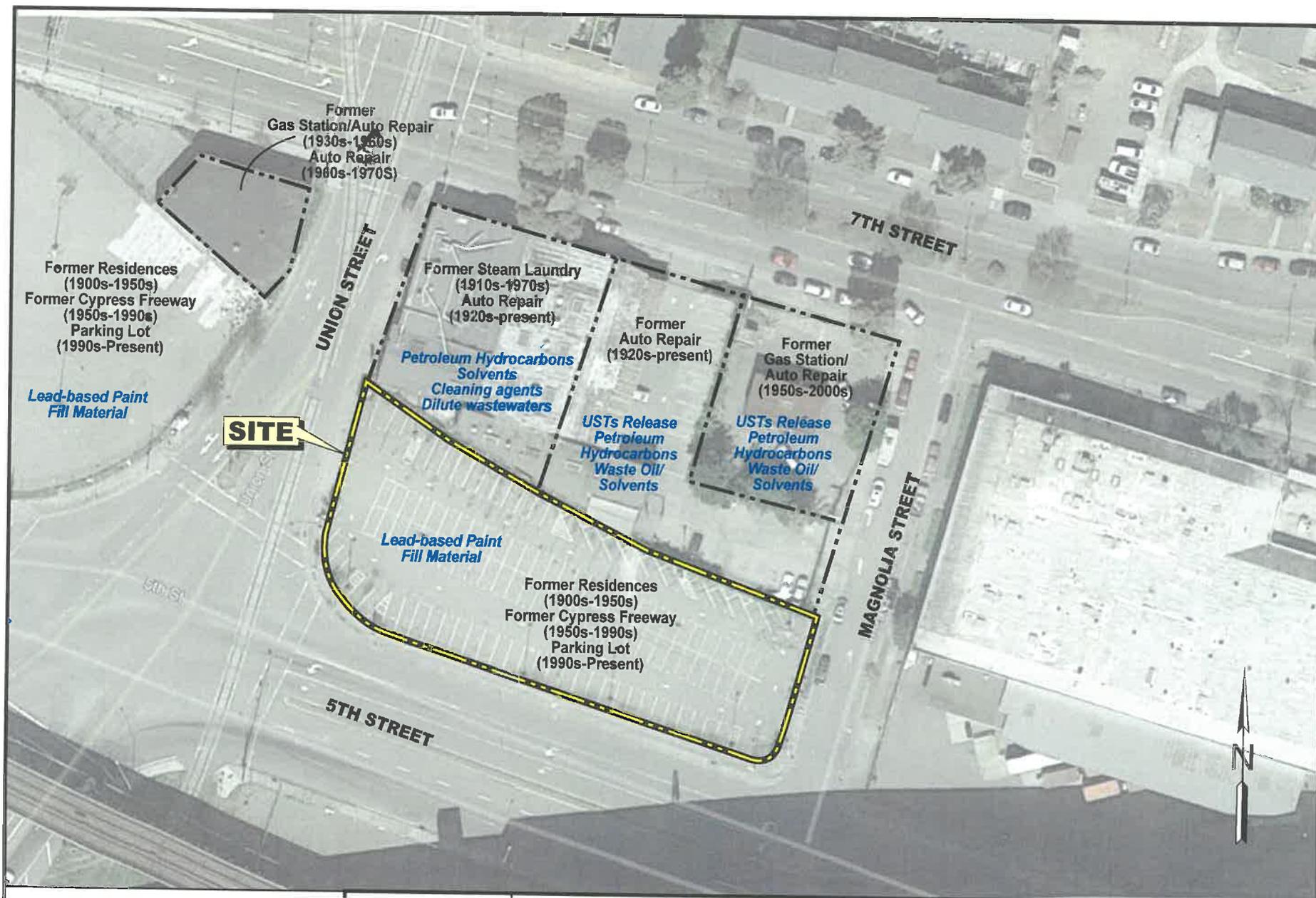


Figure 2

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**SITE LAYOUT**

5th and Magnolia Streets, Oakland, California