



November 3, 2016

Mr. Ronnie Turner
Turner Development Resource Group
4100 Redwood Road, #170
Oakland, CA 94619
(Sent via electronic mail to:
RTdevelops@comcast.net)

Mr. Bradford Flewellen
CEF Realty Advisors, Inc.
882 Wood Street, Unit 1
Oakland, CA 94607
(Sent via electronic mail to:
brad@cefrealty.com)

Subject: Conditional Work Plan Addendum Approval; Site Cleanup Program Case No. RO0003226 and Geotracker Global ID T10000009223, 914 W. Grand; 914 W. Grand, Oakland, CA 94607

Dear Messrs. Turner and Flewellen:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the *Work Plan Addendum* which was emailed to ACDEH, at the request of ACDEH, on November 3, 2016. The document was generated and submitted on your behalf, by the Cornerstone Earth Group (Cornerstone). Thank you for submitting the document addendum.

The referenced work plan addendum modified certain aspects of the previously submitted *Conceptual Site Model and Data Gap Investigation Work Plan*, dated October 4, 2016. This included the depth proposed bores would be drilled to in order to vertically define potential contamination beneath the site, the addition or relocation of several bores to cover concerns expressed by ACDEH in the October 28, 2016 directive letter, and provided additional information about several aspects of the site that allowed ACDEH further insight into the proposed work.

Based on ACDEH staff review of the addendum, the scope of work is conditionally approved for implementation provided that the technical comments below are incorporated during the proposed work. Submittal of a revised work plan or a work plan addendum is not required unless an alternate scope of work outside that described in the work plan or these technical comments is proposed. 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) prior to the start of field activities.

TECHNICAL COMMENTS

1. **Work Plan and Work Plan Addendum 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. Please submit a report by the date specified below.
 - a. **City Ventures Data** – The Work Plan Addendum referenced a 1994 Levine Fricke report that may have provided incorrect location information of two additional former underground storage tank (UST) locations that could affect the site. ACDEH has not been able to locate the report in the City Ventures case file. Because the information has the potential to affect this case, please forward a copy. In an additional effort to quickly eliminate this concern, it appears appropriate to install a soil bore along the western property line of 914 West Grand adjacent to the suspect offsite former UST location for the purpose of collecting soil and grab groundwater samples, including chlorinated volatile organic compounds (VOCs).
 - b. **Subsurface Hydraulic Lifts** – Thank you for indicating where the likely hydraulic lifts are located at the site. In order to identify potential residual contamination and associated concentrations, ACDEH requests the installation of at minimum of one soil bore at the hydraulic lift locations to collect soil samples for TPH as hydraulic oil (TPHho), petroleum VOCs, wear metals, and poly-

chlorinated biphenyls (PCBs) which are typical contaminants associated with hydraulic lifts. The bore intended to sample groundwater at a minimum downgradient of the hydraulic lift locations appears appropriate. It may additionally be appropriate to collect one or more soil samples dependent on indications of contamination (staining, odors, PID response, etc) at the downgradient bore.

- c. Additional Groundwater Sample Location** - In order to collect sufficient data, and hopefully limit future remobilizations, it also appears appropriate to additionally collect a grab groundwater sample from the center bore along Myrtle Street at the 914 West Grand Avenue address. The presence of a former UST pit downgradient of MW-1 has the potential to generate groundwater contamination downgradient of MW-1 that can potentially affect the future development. ACDEH recognizes that the sample will be a grab sample and may bias higher than a repeat sample obtained at a well; however, this will be similar to the other two groundwater bores along that property line.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACDEH ftp site (Attention: Mark Detterman), 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:

- **January 16, 2016** – Site Investigation Report
File to be named: RO3226_SWI_R_yyyy-mm-dd

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 mark.detterman@acgov.org.

Sincerely,

Mark E. Detterman, PG, CEG
Senior Hazardous Materials Specialist

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

cc: Peter Langtry, Cornerstone Earth Group, 1270 Springbrook Road, Suite 101, Walnut Creek, CA 94597, (Sent via electronic mail to: plangtry@cornerstoneearth.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)

Mark Detterman, ACDEH, (Sent via electronic mail to: mark.detterman@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.