

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 PARKWAY
ALAMEDA, CA 94502
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December 20, 2017

Ms. Ruth Amaro
Amaro Poultry Company, Inc.
5134 Willow View Drive
Pleasanton, CA 94588
(Sent via electronic mail to: ramaro@sbcglobal.net)

Subject: Additional Assessment Activities Report and Meeting Request for Leaking Underground Fuel Tank Case No. RO0003262 and GeoTracker Global ID T10000011031, 401 Jackson Street located at 401 Jackson Street, Oakland, CA 94607

Dear Ms. Amaro:

Alameda County Department of Environmental Health (ACDEH) has reviewed the case file for the subject site in conjunction with the *Additional Assessment Activities Report* (Report) dated November 29, 2017, prepared by AEI Consultants (AEI) on your behalf. The report documents results from additional site characterization activities that were conducted in November 2017 to address data gaps discussed during a meeting with ACDEH, you, AEI Consultants, and the prospective purchaser of the property on September 21, 2017.

Additional characterization activities documented in the Report include results of soil vapor samples collected within the warehouse building to characterize whether residual petroleum hydrocarbons identified in soil and groundwater beneath the site represent an unacceptable risk to indoor air quality. Additionally the Report documents the results of the soil and groundwater samples to further characterize the nature and extent of Total Petroleum Hydrocarbons as motor oil (TPH-mo) in groundwater beneath the site and to identify whether a historical heating oil tank remained present at the Site. The approved scope of work included conducting an additional geophysical survey to identify potential locations of tanks, advancing four soil borings to collect soil and groundwater samples, and installation of three temporary sub-slab soil vapor probes to collect soil gas samples beneath the foundation. The Report states that an addendum to the Phase 1 Environmental Site Assessment Report prepared by AEI and dated June 13, 2017 would be provided under a separate cover to address a third item discussed in the meeting, specifically to assess the potential of unauthorized releases from refrigerant recirculation lines and floor drains located within the warehouse slab. To date, ACDEH has not received this Addendum.

ACDEH has evaluated the data and recommendations presented in the Report, in conjunction with the case files, to determine if the site is eligible for closure as a low risk site under the State Water Resources Control Board's Low Threat Underground Storage Tank Case Closure Policy (LTCP). Based on ACDEH staff review, we have determined that the site fails to meet the LTCP General Criteria b (Petroleum Only), d (Free Product), e (Site Conceptual Model), f (Secondary Source Removal) and the Media-Specific Criteria for Groundwater, the Media-Specific Criteria for Vapor Intrusion to Indoor Air, and the Media-Specific Criteria for Direct Contact (please refer to the LTCP Checklist on Geotracker). ACDEH has also determined that additional investigation is warranted to further evaluate the source of non-petroleum chemicals of potential concern (COPC) detected in soil gas samples beneath the warehouse foundation and assess the potential risk to indoor air quality from these chemicals.

ACDEH's evaluation of the site is presented in the Technical Comments section below and is intended to initiate further discussions, submittal of other available documents, or the collection of additional data to advance the case to closure. ACDEH is aware of the pending property transaction and thus requests a meeting at our office in Alameda to discuss the path forward.

TECHNICAL COMMENTS

- 1. Secondary Source Removal** - The Report states that the geophysical survey did not identify the presence of a historical heating oil tank and that no onsite source of the TPH-mo detected in soil and groundwater has been identified. During our September 21, 2017 meeting, ACDEH discussed the potential of a heating oil tank near the vicinity of soil boring SB-7 due to the highest TPH-mo concentration reported in groundwater at the site. A review of boring logs from borings SB-9 and SB-10 indicate the lithology in the upper five feet is indicative of tank pit backfill (sandy gravel). ACDEH notes that all soil samples analyzed in the vicinity of the potential heating oil tank (SB-7-4.5, SB-9-3.5, and SB-10-2.5) were collected within the potential tank backfill and at a depth above the bottom of a small home heating oil tank (all above 5 feet below ground surface). No data was collected beneath the suspected tank pit to verify that secondary source has been removed in this location. Further investigation is required to meet the LTCP criteria for secondary source removal.
- 2. Vapor Intrusion Risk to Indoor Air** - The Report states that soil vapor sampling did not identify the presence of compounds at or above the San Francisco Bay Regional Water Quality Control Board's Environmental Screening Levels (ESLs) for commercial land use indicating the residual petroleum hydrocarbons identified in soil and groundwater are unlikely to represent an unacceptable risk to indoor air assuming the continued commercial/industrial use of the site. ACDEH's review of the soil gas data indicates that both petroleum and non-petroleum compounds were identified in the sub-slab soil gas samples. Soil vapor probes SV-1 and SV-2 were installed in the vicinity of the suspected location of the former fuel dispenser and gasoline UST inside the warehouse building near the roll up door. The location of soil vapor probe SV-3 was selected to assess the potential of an unknown release to sanitary sewer lines within the warehouse. Petroleum related compounds including TPH as gasoline (TPH-g), benzene, ethylbenzene and naphthalene were detected in sub-slab soil gas samples at low concentrations, significantly below the commercial ESLs for vapor intrusion risk. Non-petroleum related compounds including but not limited to chloroform, tetrachloroethylene (PCE), and methyl ethyl ketone (MEK) were also detected in sub-slab soil gas samples at concentrations below the commercial ESLs for vapor intrusion risk. Chloroform and MEK were detected at maximum concentrations of 435 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) and 14.1 $\mu\text{g}/\text{m}^3$, respectively in soil vapor collected from SV-3. PCE was detected at a maximum concentration of 19.9 $\mu\text{g}/\text{m}^3$ in soil vapor collected from SV-1.

ACDEH notes that the source(s) of non-petroleum COPC have not been identified nor the extent of the soil vapor impacts delineated. Additionally, no soil vapor samples have been collected within the warehouse near the vicinity of the suspected former home heating oil tank location.

Further investigation is required to evaluate the risk of the COPC identified in soil vapor samples to indoor air quality. ACDEH notes that vapor intrusion risk evaluation for petroleum compounds under the LTCP requires collection of soil gas samples at a depth of five feet below ground surface (bgs) or the bottom of the foundation. ACDEH further notes that the investigation of petroleum UST related contaminants and non-petroleum contaminants are regulated under different programs in the State of California. Petroleum UST contaminants are regulated under the LUFT program while non- petroleum are regulated under the Site Cleanup Program.

3. **Petroleum Hydrocarbon Groundwater Plume Delineation** - The Report states that the petroleum hydrocarbon impacts in groundwater beneath the southeast corner of the site are likely due to an offsite source. ACDEH notes that the assumed groundwater flow direction presented in the Report is to the southeast, contradicting the Report conclusions suggesting onsite migration in this area. Additionally, ACDEH's review of the data indicates that the TPH-mo, TPH-g, and TPH as diesel (TPH-d) groundwater plumes are not delineated as follows:

- a. The highest TPH concentrations in groundwater appear to be localized around SB-7 and SB-4. Groundwater collected from boring SB-7, located in the suspected vicinity of the former home heating oil tank has the highest concentrations of TPH-mo and TPH-d with reported concentrations of 45,000 micrograms per liter ($\mu\text{g/L}$) and 3,400 $\mu\text{g/L}$, respectively. ACDEH notes that TPH-mo concentrations reported in groundwater collected from boring SB-7 is indicative of free product. Groundwater samples collected from boring SB-4, located in the vicinity of the former reported gasoline UST, have the only detections of TPH-g and benzene at the site, with reported concentrations of 3,800 $\mu\text{g/L}$ and 21 $\mu\text{g/L}$, respectively. The lateral extent of the TPH-g, TPH-d, and TPH-mo groundwater plumes are undefined.
- b. TPH-g was detected in only one groundwater sample (SB-4) at a concentration of 3,800 $\mu\text{g/L}$. The sole TPH-g detection does not correlate with the TPH-mo and TPH-d contaminant distribution trend found across the site.

Further delineation of the TPH-g, TPH-d, and TPH-mo plumes is required to satisfy the LTCP media specific criteria for groundwater.

4. **Direct Contact** - The site does not meet LTCP direct contact and outdoor air criteria since soil samples were not collected from 5 to 10 feet bgs interval. Additionally, ACDEH notes a discrepancy with the reporting for the soil sample collected at boring SB-4. The soil sample is referred to as SB-4-7, indicating the sample was collected at 7 feet bgs, however, the boring log does not indicate a sample was collected at 7 feet bgs. Additional data will be required to be collected in the 5 to 10 foot interval to satisfy the LTCP direct contact criteria.

5. **GeoTracker Database Compliance** – Site data and documents are maintained in the State Water Board's GeoTracker website. The database acts as repositories for Portable Document Format (PDF) files of regulatory directives and reports and has the functionality to store electronic compliance data in Electronic Deliverable Format (EDF) including analytical laboratory data for soil, vapor, and groundwater samples, monitoring well depth-to-water measurements, and surveyed location and elevation data for sampling locations.

A review of the State Water Board's GeoTracker database indicates that this site is not in compliance with the State's electronic submittal requirements. As a result, ACDEH requests Amaro Poultry Company, Inc upload all historical environmental documents related to the subject site including but not limited the missing soil and groundwater analytical data, documents and reports, maps, and boring logs to GeoTracker. See Attachment 1 regarding electronic submittal requests to GeoTracker. Notification of, and a list of, the documents uploaded to GeoTracker can be emailed to my attention (Attention Drew York). File naming conventions for Geotracker uploads is included in Attachment 2.

MEETING REQUEST

At this juncture, ACDEH requests a meeting at our office with you and your consultant and the prospective buyers of the property to discuss the status and path forward for this case.

ACDEH is available the following dates and times:

- Thursday, December 28, 1:00-3:00pm
- Friday, January 5, 1:00-3:00pm
- Thursday, January 11, 3:30-5:00pm

Please select a date and time from above that is convenient for you and contact me to confirm our meeting. If you are unavailable during the above listed dates and times, please propose a date and time that is convenient for you and ACDEH will try to accommodate your request.

Thank you for your cooperation. ACDEH looks forward to working with you to advance the case toward closure. If you have any questions, please call me at (510) 639-1276 or send me an email message at andrew.york@acgov.org.

Sincerely,



Drew J. York
Senior Hazardous Materials Specialist



Dilan Roe, PE, C73703
Chief - Land Water Division

Encl.: Attachment 1 – Responsible Party (ies) Legal Requirement/Obligations
Attachment 2 – Electronic File Naming Conventions

cc: Trent Weise, AEI (Sent via E-mail to: tweise@aeiconsultants.com)
Mike Berenstein, Alpen Glow (Sent via E-mail to: mpb@alpenglowbeer.com)
Dilan Roe, ACDEH, Chief, Land and Water Division (Sent via E-mail to: dilan.roe@acgov.org)
Paresh Khatri, ACDEH (Sent via E-mail to: paresh.khatri@acgov.org)
Drew York, ACDEH (Sent via E-mail to: andrew.york@acgov.org)
Electronic File, GeoTracker

ATTACHMENT 1

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"/>				
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.

ATTACHMENT 2

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: August 1, 2017
	PREVIOUS REVISIONS: July 17, 2017, November 8, 2016, December 15, 2015, December 16, 2014, June 19, 2013, June 15, 2011, March 26, 2009, April 29, 2008
	ISSUE DATE: June 16, 2006
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: File Names for Electronic Reports

Format: REPORT_NAME_R_YYYY-MM-DD
Ex: SWI_R_VOL1_2006-05-25

LOP and SCP (VRAP) INCOMING REPORTS AND LETTERS	
Document Name	Abbreviation File Name= Abbreviation + Date (yyyy- mm-dd)
Abandoned Well Information/Water Supply Well Information	ABWELLINF_R
Addendum	ADEND_R (added after report name)
Additional Information Report	ADD_R
Analytical Reports (Loose data sheets not in report)	ANALYT_R
As Built Drawings (or Plans)	AS_BUILT
Case File Scanned By OFD	CASE_FILE
Cleanup and Abatement Report	CAO_R
Case Transfer Form (from CUPA)	CASE_TRNSFR_F
Conduit Study/Well Search/Sensitive Receptor/Well Survey/Preferential Pathway Study	COND_WELL_R
Corrective Action Plan (CAP)	CAP_R
Correspondence	CORRES_L
Court Injunctions	INJ_L
Development Plans (Includes Plan Set, Cross-sections, and Related Drawings)	DEV_PLAN_date
Development Schedule (Project Schedule, Gant Chart, etc.)	DEV_SCHD_date
DWR Confidential Well Logs (Report containing)	report name_R_CONFIDENTIAL_YYYY-MM-DD (Ex: SWI_R_CONFIDENTIAL_YYYY-MM-DD)
DWR Well Completion Report-Confidential (Loose well logs)	DWR_WELL_CONFIDENTIAL_YYYY-MM-DD (Date of Well Log)
ESI/DAR (Environmental Site Investigation, Data Assessment Report)	ESI_R
Excavation Report	EX_R
Extension Request Letter	EXT_RQ_L
Fact Sheet	FACT_SHT

Feasibility Study	FEASSTUD_R
Groundwater Monitoring/Quarterly Summary Report	GWM_R
Financial Assurance/Letter of Credit	FNCL_ASSRNC_LOC
Interim Remedial Action Plan	IRAP_R
Interim Remediation Results (Includes Pilot Test Reports, Vapor Mitigation Reports, Soil Reports, Free Product Removal Reports, & Dual-Phase Extraction Reports)	IR_R
Lawsuit	LAWSUIT_R
Migration Control Report	MIG_R
Miscellaneous Report/Soil Sample	MISC_R
Miscellaneous Sample Report (analytical results)	MISC_SAMP_R
Notification Letter	NOT_L
NPDES Miscellaneous Reports	NPDES_R
Operations & Maintenance Plan	OM_P
Operations & Maintenance Report	OM_R
Pay for Performance	PFP_R
Petition	PETITION_R
Phase 1 Environmental Assessment Report	PHASE1_R
Photos	PHOTO_date
Preliminary Site Assessment Report/Phase 2 (historic reports only)	PSA_R
Remedial Action Plan	RAP_R
Remedial Design & Implementation Plan	RDIP_R
Remediation Progress Report	REM_R
Request for Closure	RFC(_L or _R)
Risk Assessment Report	RISK_R
Risk Based Corrective Action	RBCA_R
List of Landowners Forms	LNDOWNR_F_DATE
SB2004 Letter of Commitment	LOC_L
Site Conceptual Model/Conceptual Site Model	SCM_R
Site Health & Safety Plan	SFTY_PLAN_R
Site Management	SITE_MANAGE_R_
Site Management Plan	SMP_R
Site Summary Report	SITE_SUM_R

Soil and Water Investigation Report (Includes soil gas/vapor reports, indoor, additional site investigation, well installation, site characterization, cross section, indoor air, additional onsite investigation, Phase II/preliminary site assessment)	SWI_R
Soil Disposal Report	SOIL_DSPL_R
Source Area Characterization	SOURCAREA_R
State Information	STATE_INFO (no date)
Status Report(monthly remediation status reports addressed to sanitary district requires no stamp/perjury)	STAT_R
Tank/Tank System Removal Report	TNK_R
Tentative Order Report	TENT_R
Unauthorized Release Form	URF_R
UST Sampling Report	UST_SAMP_R
USTCF 5 Year Review	USTCF_5YR
USTCF issued Public Notice	USTCF_PP_L
Well Construction Report (limited to water supply wells)	WELL_CST_R
Well Decommissioning Report/Letter (well destruction/abandonment)	WELL_DCM_R
Work Plan	WP_R

**LOP and SLIC
ACEH OUTGOING LETTERS AND CASE FILE DOCUMENTATION**

Document Name	Abbreviation File Name= Abbreviation + Date (yyyy-mm-dd)
90 Day Letter	90D_L
CAP Approval	CAP_AP_L
RP Certification of Public Notice	CAP_CERT_L
CAP Public Participation Letter	CAP_PP_L
CAP Public Participation Letter to RP	CAP_PPRP_L
Certified Mail Receipt	CERT_MAIL_RECEIPT
Cleanup and Abatement Order	CAO_L
Closure Public Participation Letter	CL_PP_L
Closure Package (Letter, RACC, Summary, Deed Restriction)	CLOS_L
Correspondence	CORRES_L
Deed Restriction	DEED_L_ (Copied from CLOS_L_)
Directive Letter containing Public Notice and/or Landowner request form	DIR_PP_L
Directive Letter (Landowner form, site management requirements, well decommission scheduling prior to closure of PP, copy of PP to all RPs)	DIR_L
Enforcement	ENF_L
Enforcement Referral Letter	ENF_REF_L
Extension Approval Letter	EXT_AP_L
Extension Denial Letter	EXT_DNY_L
Fund Requests	FUND_REQ_L
Final Voluntary Remedial Action Agreement	FVRAA_date
GeoTracker info	GEOTRACK_R
Late Letter	LATE_L
List of Landowners Forms	LNDOWNR_F_DATE
Mailing List for Public Notice in Excel Format	MAIL_PP_DATE
Maps & Assessor's Parcel Information	MAPS_ASSESSOR (no date)
Meeting Agenda, Minutes, Sign in Sheet	MEETING
Miscellaneous Letter	MISC_L
New Landowner Letters	LNDOWNR_REQ_L
Notice of Responsibility	NOR_L
Notice of Violation	NOV_L
Phone Log	PHONE_LOG
Photos	PHOTO_date
Post Closure Monitoring	PCMP_L
QA/QC Checklist (confidential)	QAC_report name_date
Responsible Parties Information	RPINFO_L_DATE OF THE LETTERHEAD
Returned Mail	RTN_MAIL_date

Site Visit/Inspection Report	SITEVISIT_R
Transfer Letter	TRANS_L
UST Permit	UST_PRMT
Voluntary Remedial Action Notice to State Agencies	VRA_NOTICE
Voluntary Remedial Action Request Form from RP	VREQ_F