



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

October 24, 2013

Mr. and Mrs. Neil and Mary Cotter
2847 Arguello Drive
Burlingame, CA 94010-5817
(sent via E-mail to: neil.cotter@comcast.net)

Mr. and Mrs. John and Antoinette Coyle
2193 Trafalgar Place
Oakland, CA 94611
(sent via E-mail to: trisargil@aol.com)

Subject: Approval for Public Comment and Conditional Approval of Corrective Action Plan for Fuel Leak Case No. RO27 and GeoTracker Global ID T06000102106, Grove Street Wash Rack, 3884 Martin Luther King, Jr. Way, Oakland, CA 94609

Ladies and Gentlemen:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above referenced site including the documents entitled, *Feasibility Study/Corrective Action Plan (FS/CAP)* and the *Draft Public Comment Fact Sheet*, dated October 8, 2013 for the Former Grove Street Wash Rack Site, 3884 Martin Luther King Junior Way, Oakland, CA dated October 8, 2013 prepared on your behalf by URS Corporation (URS).

The FS/CAP proposes soil excavation in the northwest quadrant of the site to 18 feet below ground surface (bgs), placement of two types of in situ chemical oxidation (ISCO) to enhance aerobic biodegradation of petroleum hydrocarbons, and installation of a vapor barrier. ACEH conditionally approves the FS/CAP contingent on successful completion of the public participation comment period and submittal of a Remedial Design Implementation Plan (RDIP) in accordance with the technical comments provided below.

TECHNICAL COMMENTS

1. **Public Participation Notification** – The proposed scope of work to implement the CAP is acceptable for public comment at this time. Therefore, we request that you distribute the revised Fact Sheet to the mailing list (Attachment 2). Following distribution of the Fact Sheet, please provide your personal certification by e-mail or letter, that the Fact Sheet was distributed by U.S. Mail to the attached mailing list no later than the date specified in the Technical Report Request section. At the end of the 30-day public comment period, if appropriate, ACEH requests the submittal of a document that addresses any comments received from the public. If no public comments are received, ACEH will approve implementation of the CAP.

2. **Remedial Design Implementation Plan** – Following completion of the FS/CAP public comment period and prior to implementation of corrective actions at the site, ACEH requests submittal of the Remedial Design Implementation Plan comprised of the following four design documents for review and approval. ACEH approval of this document will be contingent upon addressing any comments received during the public participation period, if appropriate, into a final CAP implementation plan. Please submit the report by the schedule specified in the Technical Report Request section.
 - a. Engineering Design
 - b. Monitoring Well Decommissioning and Reinstallation Work Plan
 - c. Vapor Intrusion and Moisture Barrier Design
 - d. Construction Quality Assurance (CQA) Plan

3. **Groundwater Monitoring** – Following completion of the corrective action, please conduct quarterly monitoring for one year and submit the results in quarterly groundwater monitoring reports. Please submit the reports by the schedule specified in the Technical Report Request section.
4. **Record Report of Construction** - Following completion of the corrective action, please submit a Record Report of Construction documenting the work. Requisite elements include as-built drawings, copies of permits, indoor air sampling results, soil excavation volumes, clean imported fill documentation, waste manifests, and other information relevant to the excavation and groundwater remediation and installation of the vapor barrier and groundwater monitoring wells. Please ensure that fill is imported to the site in accordance with DTSC's *Imported Clean Fill Information Advisory*. Please submit the report by the schedule specified in the Technical Report Request section.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACEH ftp site (Attention: Karel Detterman), and to the State Water Resources Control Board's GeoTracker website according to the following schedule and file-naming convention:

- **October 25, 2013** – Send out Fact Sheet
- **November 1, 2013** – Certification of Fact Sheet Distribution;
File to be named: RO27_CAP_PPRP_CERT_L_YYYY-MM-DD
- **November 23, 2013** – Public Comment Period Ends
- **November 25, 2013** – Notification of Public Comments Received
File to be named: RO27_CORRES_L_YYYY-MM-DD
- **30 Days After Close of Public Participation** – Remedial Design Implementation Plan
File to be named: RO27_RDIP_R_YYYY-MM-DD
- **60 Days After Groundwater Monitoring Well Installation** – First Post Implementation Quarterly Groundwater Monitoring and Well Installation Report;
File to be named: RO27_GWM_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 ST system, and require your compliance with this request.

Ladies and Gentleman
RO0000027
October 24, 2013
Page 3

If you have any questions, please call me at (510) 567-6708 or send me an electronic mail message karel.detterman@acgov.org. Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>.

Sincerely,

Karel Detterman, PG
Hazardous Materials Specialist

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

Attachment 2 – Public Notification Fact Sheet on Remedial Actions and Mailing List

cc: Des Garner, URS Corp., One Montgomery St., Suite 900, San Francisco, CA 94104 (*Sent via E-mail to: des.garner@urs.com*)

Erik Skov, URS Corp. One Montgomery St., Suite 900, San Francisco, CA 94104 (*Sent via E-mail to: erik.skov@urs.com*)

Leroy Griffith, Oakland Fire Department (*Sent via E-mail to: lgriffin@oaklandnet.com*)

Dilan Roe, ACEH (*Sent via E-mail to: dilan.roe@acgov.org*)

Donna Drogos, ACEH (*Sent via E-mail to: donna.drogos@acgov.org*)

Karel Detterman, ACEH (*Sent via E-mail to: karel.detterman@acgov.org*)

GeoTracker, eFile

ATTACHMENT 1

Attachment 1

Responsible Party(ies) Legal Requirements/Obligations

REPORT/DATA REQUESTS

These reports/data are being requested pursuant to Division 7 of the California Water Code (Water Quality), Chapter 6.7 of Division 20 of the California Health and Safety Code (Underground Storage of Hazardous Substances), and Chapter 16 of Division 3 of Title 23 of the California Code of Regulations (Underground Storage Tank Regulations).

ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (Local Oversight Program [LOP] for unauthorized releases from petroleum Underground Storage Tanks [USTs], and Site Cleanup Program [SCP] for unauthorized releases of non-petroleum hazardous substances) require submission of reports in electronic format pursuant to Chapter 3 of Division 7, Sections 13195 and 13197.5 of the California Water Code, and Chapter 30, Articles 1 and 2, Sections 3890 to 3895 of Division 3 of Title 23 of the California Code of Regulations (23 CCR). Instructions for submission of electronic documents to the ACEH FTP site are provided on the attached "Electronic Report Upload Instructions."

Submission of reports to the ACEH FTP site is in addition to requirements for electronic submittal of information (ESI) to the State Water Resources Control Board's (SWRCB) Geotracker website. In April 2001, the SWRCB adopted 23 CCR, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1 (Electronic Submission of Laboratory Data for UST Reports). Article 12 required electronic submittal of analytical laboratory data submitted in a report to a regulatory agency (effective September 1, 2001), and surveyed locations (latitude, longitude and elevation) of groundwater monitoring wells (effective January 1, 2002) in Electronic Deliverable Format (EDF) to Geotracker. Article 12 was subsequently repealed in 2004 and replaced with Article 30 (Electronic Submittal of Information) which expanded the ESI requirements to include electronic submittal of any report or data required by a regulatory agency from a cleanup site. The expanded ESI submittal requirements for petroleum UST sites subject to the requirements of 23 CCR, Division, 3, Chapter 16, Article 11, became effective December 16, 2004. All other electronic submittals required pursuant to Chapter 30 became effective January 1, 2005. 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, 7835, 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, late 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 SCP)	REVISION DATE: July 25, 2012
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (petroleum UST and SCP) 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 .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 <://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 .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.

ATTACHMENT 2



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

October 25, 2013

FACT SHEET ON ENVIRONMENTAL ASSESSMENT

Grove Street Wash Rack/Lucky Auto

3884 Martin Luther King Junior Way, Oakland, CA 94609

Fuel Leak Case No. RO0000027

GeoTracker Global ID T06000102106

Site Remediation Summary

This fact sheet has been prepared to inform community members and other interested stakeholders about the status of a proposed soil and groundwater cleanup at the former Grove Street Wash Rack/Lucky Auto site, located at 3884 Martin Luther King Junior Way, Oakland. Alameda County Environmental Health (ACEH) is the lead regulatory agency for this fuel leak case. The Responsible Party (RP) for the fuel leak case is proposing excavation and in situ treatment as the remediation method to clean up petroleum hydrocarbon contamination due to an unauthorized release from the former underground storage tanks (USTs).

Site Background

The Site is the former location of the Grove Street Wash Rack and Lucky Auto, located at the corner of Martin Luther King Junior Way (MLK) and 39th Street in Oakland. A gas station operated on Site in the 1950s and 1960s and three USTs from the gas station were removed in 1995. An auto body shop operated on the eastern part of the Site until at least 2004. Investigations have been completed to characterize site contamination and aid in selection of the appropriate remedial technology. The next step is to implement corrective action and after remediation is completed, the site will be developed into a multiuse development with low-income family housing, retail space, and an underground parking garage.

Remediation Alternative: Soil Excavation and Removal

Soil excavation and off-site disposal is proposed to remediate the soil and groundwater beneath the site. Contaminated material will be removed and transported to permitted off-site treatment and/or disposal facilities. Clean backfill material will be imported as necessary. Soil excavation is effective because it will remove contaminated soil, which will be confirmed by soil and groundwater sampling and analysis. The site remediation also includes the addition of products to remove residual fuel contamination in the excavation pit. The application of oxygen reducing compound (ORC) in the excavation pit prior to backfilling will address post-excavation residual hydrocarbon impacts to groundwater beneath the site. This product enhances the degradation of residual fuel contamination by naturally-occurring microbes. A second treatment product (RegenOx) will also be added to the base of

the excavation to remove fuel contamination in both the soil and groundwater by oxidation. Confirmation soil samples in the excavation pit will be collected to assess the effectiveness of the treatment. As a further precautionary measure, a vapor barrier will be installed on the base of the excavation and around the parking garage walls to prevent vapor migration into the underground parking structure once the building is complete.

What This Means to You

During the proposed remediation there will be short-term affects to the local vicinity and will include an increase in noise due to the use of heavy equipment to excavate the contaminated soil and dewater the excavation, a potential increase in incidental dust due to the presence of the heavy equipment and excavation at the site, and an increase in truck traffic as the contaminated soil is hauled from the site to the accepting landfill. Dust control measures will be employed, including soil wetting with publicly supplied water, on-site truck speed limits, soil drop height limits, load tarping, and truck inspection and cleaning prior to departure. A traffic control plan will also be followed.

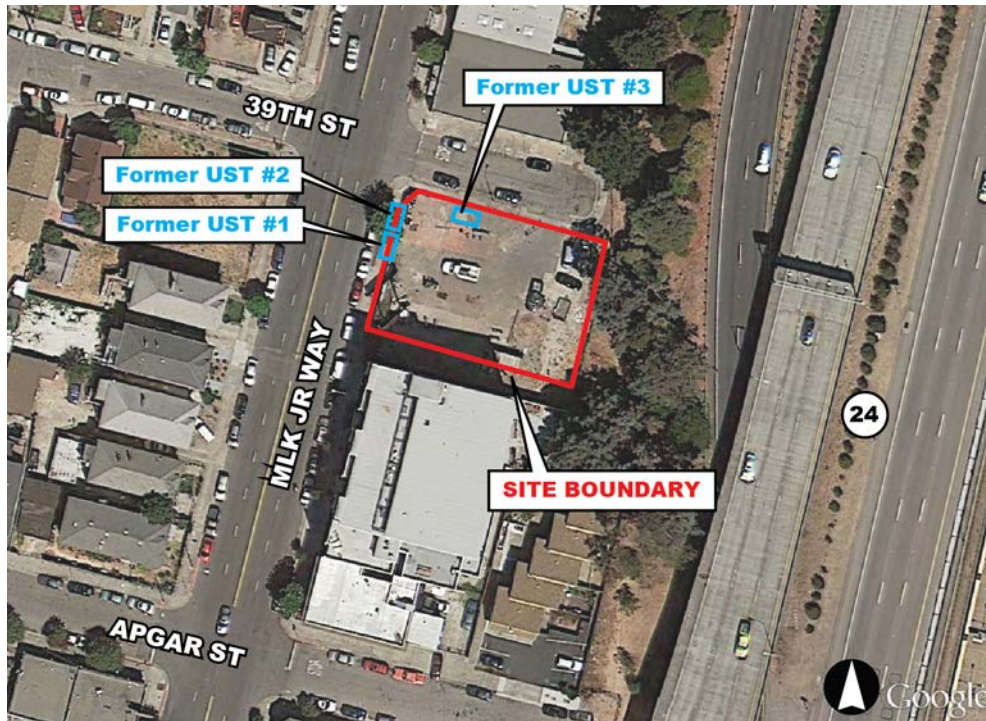
Next Step

The RP is working with ACEH to implement the soil and groundwater cleanup at the site. The cleanup will be conducted concurrently with the construction of the new building. The proposed corrective action is described in the *Feasibility Study/Corrective Action Plan (FS/CAP)* dated October 8, 2013, prepared by URS Corporation Inc., on behalf of the RP. The public is invited to review and comment on the cleanup action proposed in the FS/CAP, which is available on ACEH's website (<http://www.acgov.org/aceh/lop/ust.htm>) or the State Water Resources Control board's GeoTracker website (<http://getotracker.waterboards.ca.gov>). Please send written comments regarding the proposed corrective action to Karel Detterman at the address below. All written comments received by **November 23, 2013**, will be forwarded to the Responsible Party, and will be considered and responded to prior to a final determination on the proposed cleanup.

For additional information, please contact:

Karel Detterman
Alameda County Environmental Health
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502
Phone: 510-567-6708
E-mail: karel.detterman@acgov.org

Kali Futnani
URS Corporation, Inc.
1 Montgomery Street, Ste. 900
San Francisco, CA 94104
Phone: 415-243-3878
E-mail: kali.futnani@urs.com



Aerial View of Property (Google Earth Pro, 2013)

Owner	Sort Parcel	Print Parcel	Address	City	Zip	OID
CLEMENTS LILLIE M & JOSEPH A TRS	012 096300200	12-963-2	3869 M L KING JR WAY	OAKLAND CA	94609	224332
COTTER & COYLE LLC	012 096803003	12-968-30-3	2847 ARGUELLO DR	BURLINGAME CA	94010	
COTTER & COYLE LLC	012 096805600	12-968-56	2847 ARGUELLO DR	BURLINGAME CA	94010	
COTTER NEIL & MARY ETAL	012 096803100	12-968-31	2847 ARGUELLO ST	BURLINGAME CA	94010	
DELALUZMARTINEZ MARIA & VALDEZCRUZ SANTOS ETAL	012 096300400	12-963-4	3861 M L K JR WAY	OAKLAND CA	94609	221418
GHEBREMICAEL ASMEROM	012 096300300	12-963-3	1538 HAIGHT ST	SAN FRANCISCO CA	94117	224940
JUDD TODD M	012 096902800	12-969-28	76 FAIR DR	SAN RAFAEL CA	94901	5434
PHILIPPOS YOSIEF & GHEBREMICAEL ASMEROM	012 096300100	12-963-1	1825 POGGI ST #311A	ALAMEDA CA	94501	227417
RESIDENT	012 096200202	12-962-2-2	3901 M L KING JR WAY	OAKLAND CA	94609	224329
RESIDENT	012 096300100	12-963-1	3881 M L KING JR WAY	OAKLAND CA	94609	227417
RESIDENT	012 096300400	12-963-4	3863 GROVE ST	OAKLAND CA	94609	221418
RESIDENT	012 096300300	12-963-3	3867 M L KING JR WAY	OAKLAND CA	94609	224940
RESIDENT	012 096803003	12-968-30-3	3860 M L KING JR WAY	OAKLAND CA	94609	
RESIDENT	012 096803100	12-968-31	3884 M L KING JR WAY	OAKLAND CA	94609	
RESIDENT	012 096805600	12-968-56	3860 M L KING JR WAY	OAKLAND CA	94609	
RESIDENT	012	12-	632 39TH ST	OAKLAND CA	94609	228444

	096902602	969-26-2				
RESIDENT	012 096902800	12-969-28	3910 M L KING JR WAY	OAKLAND CA	94609	5434
RICHARDSON BLANCHE A	012 096902602	12-969-26-2	3900 M L KING JR WAY	OAKLAND CA	94609	228444
RICHARDSON BLANCHE A	012 096902700	12-969-27	3900 M L KING JR WAY	OAKLAND CA	94609	224938
WRIGHT JOHNIE M & SAWYER LAVERNE R TRS	012 096200202	12-962-2-2	2137 HAVENSCOURT BLVD	OAKLAND CA	94621	224329

East Bay Municipal Utility District
Ken Minn
P.O. Box 24055,
Oakland, CA 94623

kminn@ebmud.com

Cherie McCaulou
Engineering Geologist
Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay St, Ste 1400
Oakland, CA 94612

cmccaulou@waterboards.co.gov