



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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December 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 and
mary.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 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) thanks you for meeting with us at our office yesterday regarding the October 8, 2013 *Draft Feasibility Study/Corrective Action Plan (FS/CAP)* prepared on your behalf by URS Corporation (URS) for the Former Grove Street Wash Rack Site, 3884 Martin Luther King Junior Way, Oakland, CA. 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.

As detailed in our October 24, 2013 Directive Letter, ACEH conditionally approved the Draft 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 in the October 24th Directive Letter. The 30-day public comment period ended on November 22, 2013, and no public comments were received, therefore ACEH considers the FS/CAP to be final.

The FS/CAP presents recommendations and proposed corrective actions to remediate site impacts in order to progress the site to closure and facilitate site redevelopment as a multi-use residential/commercial project. Based on our review of the FS/CAP ACEH conditionally concurs with the proposed corrective action plan and generally concurs the proposed corrective actions combine appropriate technology to remediate contaminated soil, treat impacted groundwater, and mitigate potential vapor intrusion risks to future site occupants.

ACEH notes that the proposed corrective actions described in the FS/CAP are conceptual in nature and must be fully developed in accordance with the requirements of regulatory agencies with jurisdiction over cleanup activities and site redevelopment prior to implementation. Therefore, prior to implementation please submit the requested documents in accordance with the technical comments provided below.

TECHNICAL COMMENTS

- 1. Project Schedule** – ACEH understands that development plans are still in the process of being finalized. Please submit a proposed schedule for site remediation and site redevelopment activities including submittal of the RDIP (described in Technical Comment 2) and final site redevelopment plans by the schedule specified in the Technical Report Request section.
- 2. Remedial Design Implementation Plan (RDIP)** – 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. Because development plans are still in

the process of being finalized, please submit the proposed site development schedule with a proposed date for the submittal of the RDIP:

- 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:

- **February 28, 2014** - Project Schedule
File to be named: RO27_PROJ_SCH_yyyy-mm-dd
- **To Be Determined** – Remedial Design Implementation Plan
File to be named: RO27_RDIP_R_yyyy-mm-dd
- **60 Days After Completion of Corrective Action** – Record Report of Construction
File to be named: RO27_REM_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 UST system, and require your compliance with this request.

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>.

Ladies and Gentleman
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Sincerely,

Karel Detterman, PG
Hazardous Materials Specialist

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

cc: Erik Skov, URS Corporation (Sent via E-mail to: erik.skov@urs.com)
Kali Futnani, URS Corporation (Sent via E-mail to: kali.futnani@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)
Karel Detterman, ACEH (Sent via E-mail to: karel.detterman@acgov.org)
GeoTracker, eFile

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.