Wickham, Jerry, Env. Health

From: Young, Andrew, CDA
Sent: Wednesday, April 22, 2009 2:00 PM
To: Wickham, Jerry, Env. Health
Cc: Markus Niebanck; Urzua, Sonia, CDA
Subject: FW: Site Assessment Report, Corrective Action Plan - Holland Oil - 16301 E 14th
Attachments: Haz Mat MND Excerpt.doc

Hi Jerry:
We were held up from completing the Initial Study for the Youth Campus since late March, but are trying to complete it now.
Since I wrote you before, I have prepared some text summarizing the Ninyo & Moore study, and I obtained and incorporated materials from the Corrective Action Plan prepared by Amicus consulting into the summary. The section addressing these topics is attached as an excerpt from the Initial Study. Please review it and provide comment, and confirm that you do not have any substantial concerns, reservations or objections to the analyses in either of the reports described in my original e-mail, or to the way in which the impact and mitigation measure are defined in my excerpt.
Best regards.

Andrew Young, Alameda County Planning Department,
Community Development Agency
(510) 670-5400, fax 785-8793
direct line: 670-6555

-----Original Message-----
From: Young, Andrew, CDA
Sent: Monday, March 23, 2009 5:27 PM
To: Wickham, Jerry, Env. Health
Cc: Urzua, Sonia, CDA; Orduna, Rodrigo, CDA
Subject: Site Assessment Report, Corrective Action Plan - Holland Oil - 16301 E 14th

Hello, Mr. Wickam –
I believe that you have been sent a copy of the Ninyo & Moore Site Assessment Report, prepared for the Hayward Area Recreation District (December 11k, 2008), as well as a Corrective Action Plan, prepared by Amicus-Strategic Env. Consulting (March 6, 2009). These documents are, as you may well know, essential to the approval and construction of the Ashland Youth Campus, a joint project of the Alameda County Redevelopment Agency and the Hayward Area Recreation District (HARD). Plans for the site are still being developed, but in general, substantial areas of landscaping, picnic areas, and play grounds are planned across the former Holland Oil site, including areas identified as being contaminated.
I am working on the CEQA review document (Mitigated Negative Declaration), and in particular preparing the section dealing with Hazards and Hazardous Materials.
Although at the present time I do not have a draft section to provide you for your assessment, I am anxious to know if you have any substantial concerns, reservations or objections to the analyses in either of these reports. In general, it would be preferable to include your comments (or those of relevant colleagues) in the description of project impacts and viable mitigation measures.
I apologize also, but the Redevelopment Agency is anxious to have the Initial Study/Mitigated Neg. Dec. issued by the end of this week, so your comments on these documents are needed as soon as possible.
Please feel free to call me if you have any questions.
Regards,

Andrew Young, Alameda County Planning Department,
Community Development Agency
(510) 670-5400, fax 785-8793

EXCERPT FROM *DRAFT* INITIAL STUDY – ASHLAND YOUTH CAMPUS

7. HAZARDS AND HAZARDOUS MATERIALS Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant With Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.		X		
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.		X		
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area.				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area.				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.				X

Hazardous Materials: The majority of the project site was used between the 1960s and 1980s as a bulk fuel storage and distribution facility (Holland Oil), and contained 8 separate underground storage tanks (USTs), 20 above-ground tanks, as well as a vehicle maintenance garage and a warehouse, each of which represented a potential source of residual soil and groundwater contamination. Holland Oil ceased operations in the mid 1980s, and beginning in 1990 a series of soil and groundwater tests and studies were conducted. Monitoring wells were installed and the USTs were removed in 1998. Sampling results before 2001 detected gasoline, diesel and kerosene-related constituents in soil areas of the former USTs, at levels which the Alameda County Department of Environmental Health (Hazardous Materials Section) (ACDEH) determined would require further analysis to assess the magnitude, distribution (laterally and vertically) and stability of contaminants that had been detected before, including gasoline, diesel and kerosene-classed petroleum hydrocarbons. The ACDEH continues to have an oversight role in reviewing all test results and activities to prepare the site for the future park and public use as currently proposed.

A *Site Assessment Report* (Ninyo and Moore, 2008)[1] provides detailed information and reporting data from both the past monitoring and new soil studies at both shallow and deeper elevations. The *Report* describes in detail the detected levels of petroleum hydrocarbons and derivatives, including gasoline,

[1] Ninyo and Moore, Geotechnical and Environmental Sciences Consultants, *Site Assessment Report*, Dec. 11, 2008.

diesel fuel, and a variety of volatile organic compounds (benzene, toluene and similar compounds referred to as BTEX, and methyl tertiate butyl ether, or MTBE). The deep boring indicated the affected soil extended from near the ground surface to approximately 14.5 feet below ground. The area around the former USTs was the most affected area, generally in the southwest quadrant and over 100 feet from East 14th Street. The eastern and northern areas had very minimal levels of total petroleum hydrocarbons (TPHs as diesel or gasoline), primarily limited to shallow soils, that appeared to be the result of isolated, random fuel spills during the period in which Holland Oil operated on the site. In most of the northern and eastern samples, the potential contaminants were not detected at or above laboratory reporting limits. The *Report* concluded that the presence of TPHs were generally limited to the areas around the USTs as the source of contamination. In addition, it was determined that a plume of TPH groundwater contamination was stable and that only low concentrations of TPH as gasoline have migrated outside of the site. No significant quantity of TPH appeared in the deeper water bearing zones, and soil vapor analysis of the eastern area of the site resulted in a finding of no hazardous conditions. Further testing to observe trends and changes in soil contamination levels was suggested through the middle of 2009.

Impacts: The proposed use of the site is for a mixture of park, playground and recreational facility uses, as well as a commercial-type structures for use by teen students, young mothers, non-profit agencies, and therefore no substantial quantities of hazardous materials would be transported to or from the site, used on the site, or disposed on or from the site, other than general domestic waste such as cleaning materials, and minor amounts of insect sprays, paints and fertilizer materials. Most maintenance equipment, fertilizers, paint or insecticides would be retained off-site by the facility operators (HARD and GSA - ***??***). As discussed further below, soil material that has been deemed contaminated by potentially hazardous materials such as petroleum derivatives will be exported from the site to an approved landfill prior to the commencement of construction. Although an estimated __ truck trips will be required to carry the contaminated soil off the site, it does not represent routine transport of such materials, and therefore the potential for creating a hazard to the public or the environment through their movement is considered ***less-than-significant***. Planning Department staff have also determined that the site is not on the state Cortese List of sites containing hazardous waste materials, compiled pursuant to Government Code Section 65962.5, (http://www.dtsc.ca.gov/database/Calsites), and as a result, there would be ***no impact*** or potential hazard to the public or the environment due to state-designated sites of toxic or hazardous waste.

Based on existing soil conditions on the site as defined in the Ninyo and Moore *Site Assessment Report*, without appropriate soil remediation, treatment or removal, there would be a ***potentially significant*** risk and hazard of exposing the public and the environment to harmful levels of total petroleum hydrocarbons (TPH), either generally or from its various individual constuents. Such risks may result from accident or upset conditions, if the TPH remained in place, or during excavation to prepare the site or to remove and transport contaminated soil (Impact 6). The Occupational Safety and Health Administration has set an exposure limit of 500 parts of petroleum distillates (TPH) per million parts of air.[2] In addition, because of the health risks to humans of regular or repeated exposure to hydrocarbons, which may adversely affect the central nervous system, headaches and dizziness and various other possible health effects, and because young persons are more sensitive to such exposure, the possible emission of TPHs during grading and excavation activity directly bordering the Edendale Middle School would be ***potentially significant*** (Impact 7).

Mitigation: A *Corrective Action Plan* (*CAP*) for remediation of the contaminated soil was prepared for HARD (Amicus Consulting, March 6, 2009), based on the evidence provided in the Ninyo and Moore *Site Assessment Report* that contamination of the shallow soils by TPHs is not compatible with the Project

[2] Agency for Toxic Substances and Disease Registry (ATSDR). 1999. Toxicological Profile for total petroleum hydrocarbons (TPH) (http://www.atsdr.cdc.gov/toxprofiles/tp123.html). Atlanta, GA: U.S. Department of Health and Human Services, Public Health Service.

use. The Project objective includes eliminating any land use limitations from both the Holland Park area and the youth center building site. The specific objectives of the *CAP* are to guide removal of sediments containing the highest concentrations of hydrocarbon compounds, with the benefit of enabling deeper soil materials to revert naturally to an inert state, and furthermore, to remove or grade the shallow soils or sediments around the former USTs and the defined footprint of the Holland Oil facility to prevent the exposure of park visitors and workers to TPH-bearing material. The authors of the *CAP* propose to use U.S. Environmental Protection Agency (EPA) "National Contingency Plan" (NCP) criteria to evaluate the effectiveness of the program, such as ensuring overall protection of human health and the environment, long-term effectiveness, reduction of toxicity or volume of the contaminant, practicality, and acceptance by both relevant governmental agencies and the community.

An analysis of alternatives to accommodate development of the site eliminated simple capping or sealing of the site, without any removal, because the residual mass of hydrocarbon compounds would continue to affect groundwater quality. Another alternative, to excavate a substantial quantity of soil and carry out a soil amendment program (to accelerate the biological degradation of the TPHs) before replacing it on the site, was also rejected as not absolutely certain to prevent exposure, and would require a substantial period of additional time for the amendment process to be completed. The preferred means of achieving the NCP criteria would consist of excavation, removal of contaminated materials, and importing clean fill material to backfill the excavated areas. This alternative would meet all nine NCP criteria, including human health and safety, environmental protection, restoration of the site to conditions appropriate for the future park use, permanent restoration, reduction or elimination of the contaminants and their source, as well as short-term effectiveness, cost and practicality.

- *MITIGATION MEASURE 5: Soil Removal and Clean Fill Replacement Program*. The Applicant shall initiate a Soil Removal and Clean Fill Replacement Program, with oversight by ACDEH, to remove all soils in Areas A, B & C as shown in **Figure 6** in a two-stage process, and import new, clean fill in each designated area.

  The *Program* will require a detailed schedule and project management, including obtaining required permits, profiling the excavated materials for acceptance by the destination landfill, and sampling of soil materials after the excavation to assess effectiveness. Other requirements include monitoring of ambient air quality (using hand held instruments), and dust suppression if warranted due to dry and/or windy conditions before the excavated material is exported from the site. Excavation and removal is expected to occur in a short period during California's dry season, and therefore weatherization (covering), extra securitization, and storm water runoff controls are not anticipated to be required.

  Three main areas will be excavated in stages, beginning with Areas A & B, material from which would be stockpiled in Area C. Areas A and B, which lie within the future picnic grounds and play area (in the HARD jurisdiction) will be backfilled with clean fill materials delivered by trucks that will in turn carry the excavated materials to a designated, ACDEH-approved landfill site. Once Areas A and B Area have been backfilled and compacted, Area C will be excavated and materials stored on an adjacent ground surface area. After export of the excavated material from Area C, the adjacent ground surface area would be scraped of loose material and also exported to the approved landfill. Area B and two excavations in Area C will each have excavation dimensions of about 36 feet on each side, while Area A will be excavated in a rectangular shape with dimensions of roughly 45 feet by 60 feet. Areas A and B will be excavated to a depth of 10 feet, and the two Area C excavations will initially be to six feet in depth.

  Once excavation is completed, sampling of the sidewalls and bottom of the excavation will be taken to determine that the remaining soil meets appropriate criteria. Based on the planned use of the site for recreational uses with paving and landscaping, the residential use standard adopted by the San

Francisco Bay Regional Water Quality Control Board (RWQCB) (using *Environmental Screening Levels* criteria) is considered appropriate for the Project site. In the event that the samples from the sidewalls and bottom of the Area C excavations exceed the target concentrations of gasoline or diesel-range hydrocarbons (greater than 100 mg/kg), and judged necessary by the ACDEH, the excavations will be enlarged (and/or deepened) and resampled and the requires excavation enlargement. Backfilling of the excavations, with clean, imported fill material, shall be done with suitable equipment to achieve the appropriate compaction standards of the Alameda County Grading Ordinance.

In order to minimize exposure of area residents to upset and accident conditions, or to loose soil particles, the remediation contractor shall utilize East 14th Street between the site and the Lewelling Avenue on-ramps to Interstate I-238, about three-quarters of a mile to the southeast (and in turn to I-580 or I-880, depending on the destination). Hauling during peak commute hours (7-9 AM and 4-6 PM) shall not be allowed.

Implementation of Mitigation Measure 5 would reduce the potential for exposure to the public of contaminated soils through upset or accident conditions (Impact 6), or exposure due to the proximity of the contaminated soil to a school (Impact 7), to ***less-than-signficant*** levels.