

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



SENT 9-29-06

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

September 27, 2006

Mr. Scott Kyman  
Regency Centers  
1850 Mt. Diablo Boulevard, Suite 225  
Walnut Creek, CA 94596

Subject: SLIC Case No. RO0002738, Bridgeside Shopping Center, 2523-2691 Blanding Avenue, Alameda, CA

Dear Mr. Kyman:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site and correspondence entitled, "Response to Comments, SLIC Case RO0002738," dated September 11, 2006. The correspondence, which was prepared on your behalf by URS Corporation, presents responses to technical comments contained in ACEH correspondence dated August 10, 2006. The responses are generally acceptable; however, we require clarification of the revised location of the excavation in the former Dry Cleaner Area as discussed in technical comment 1 below. Upon clarification of the information requested in the technical comments below, the case will be further reviewed for potential case closure.

We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

**TECHNICAL COMMENTS**

1. **Revised Figure 5.** The September 11, 2006 Response to Comments includes a revision of Figure 5, which shows Confirmation Soil Samples in the Former Dry Cleaner excavation. Figure 5 was revised to show the excavation limits and confirmation sample locations on an aerial photograph of the site. The orientation of the excavation and the locations of confirmation soil samples have apparently changed from previous versions of Figure 5. These changes are not discussed in the text of the Response to Comment 3, which discusses Revised Figure 5. Please verify that the revised orientation of the excavation and the confirmation soil sample locations is correct as shown on the current version of Figure 5 provided in the September 11, 2006 Response to Comments.
2. **Units for VOC Concentrations in Legend of Figure 5.** Please verify that the concentrations for VOCs shown on Figure 5 are in milligrams per kilogram rather than g/kg as shown in the legend.

### TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **October 30, 2006 – Verification of Revised Excavation Orientation on Figure 5**

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

Effective **January 31, 2006**, 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. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

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### 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

Scott Kyman  
September 27, 2006  
Page 3

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.

**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.

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Jung Hwan Jeff Paik, URS Corporation, 1333 Broadway, Suite 800, Oakland, CA 94612-1924

Debra Stott, URS Corporation, 915 Wilshire Boulevard, Suite 700, Los Angeles, CA 90017

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



SENT  
8-11-06

ENVIRONMENTAL HEALTH SERVICES  
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1131 Harbor Bay Parkway, Suite 250  
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FAX (510) 337-9335

August 10, 2006

Mr. Scott Kyman  
Regency Centers  
555 South Flowers Street, Suite 3500  
Los Angeles, CA 90071

Subject: SLIC Case No. RO0002738, Bridgeside Shopping Center, 2523-2691 Blanding Avenue, Alameda, CA

Dear Mr. Kyman:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site and correspondence entitled, "Response to Comments, SLIC Case RO0002738," dated July 14, 2006 and received by ACEH on August 1, 2006. The correspondence, which was prepared on your behalf by URS Corporation, provides referenced reports and presents responses to technical comments contained in ACEH correspondence dated April 27, 2006. The ACEH correspondence dated April 27, 2006 indicated that further information was required prior to making a determination regarding case closure. The information in the July 14, 2006 Response to Comments does not fully address our April 27, 2006 comments and does not provide sufficient information to support case closure. As discussed in greater detail in the technical comments below, we request that you survey the locations of the excavations and submit a revised Response to Comments that includes revised figures by **September 15, 2006**.

We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

**TECHNICAL COMMENTS**

1. **Other Potential Sources of Hydrocarbon.** Based on the currently available information, no further investigation of reports of "periodical dumping on the site," is required at this time.
2. **Revised Figure 4 and Documentation of UST Excavation.** Figure 4 was revised by simplification of the displayed analytical data and by adding the locations of water lines at the edges of the excavation. However, Figure 4 does not include any site features or reference points for orientation and no analytical data or sampling locations from previous site investigations to allow a comparison of the limits of the excavation to the extent of contamination identified during previous sampling. The explanation that the location of site features in relation to the UST excavation cannot be shown because the site landmarks were demolished prior to the start of excavation is not sufficient justification for the location of the excavation remaining uncertain and brings into question how the excavation was located in the field.

The Response to Comments indicates that the excavated area included the locations of borings GP-7, GP-8, GP-9, GP-10, and GP-12 but it is not clear how this was determined since the limits of the excavation were not referenced to site features. A comparison of the general outline of the excavations on the Site Plan (Figure 2 of the CAP) to the locations of borings GP-7, GP-8, GP-9, GP-10, and GP-12 shown on Figure 3 of the CAP suggests that borings GP-7, GP-8, GP-10, and GP-12 may be outside the excavation or may be at the edge of the excavation.

Based on the limited information presented in the CAP and Response to Comments, the UST excavation appears to have been poorly documented. There is no description of observations or screening during excavation or how confirmation soil sampling locations were selected. The CAP indicates that confirmation samples were collected at approximately 10-foot intervals along the sidewalls; however, inspection of Figure 4 indicates that several sidewall samples are more than 20 feet apart. The depth at which the confirmation soil samples were collected is generally described as 8 feet below ground surface. The apparent collection of confirmation soil samples at a standard depth and lack of descriptions of contaminated soil or screening brings into question whether soil contamination, which occurred at depths other than 8-foot bgs, was left in place and excluded from confirmation sampling. The depths at which soil samples were collected from the bottom of the excavation were not specified. It is not clear whether the excavation was extended to a uniform depth and what that depth was or whether the excavation was extended to greater depths in areas of heavier contamination. Review of the 2003 Northgate boring logs, indicates that soil contamination in this area extended below depths of 8 feet bgs. The effectiveness of the excavation cannot be evaluated due to the generally poor documentation of the excavation along with the uncertainty of the location for the excavation. Therefore, we request that the location of the excavation be verified by surveying the corners of the UST excavation, at a minimum. The outline of the UST excavation is to be plotted on a revised UST excavation figure that shows the surveyed location of the UST excavation, outlines of demolished buildings, outlines of planned buildings, and locations of subsurface utilities. The revised UST Excavation figure is to be submitted along with a revised Response to Comments.

- 3. Revised Figure 5 and Documentation of Dry Cleaner Excavation.** The Dry Cleaner excavation was apparently extended to a depth of four to five feet bgs. Confirmation samples were apparently collected at the bottom of the excavation (assumed to be four to five feet bgs) but no depths are indicated for individual samples. No sidewall samples were collected although the highest concentrations of VOCs detected during previous investigations were collected at depths of less than 1.5 feet bgs. The highest concentrations of VOCs were previously detected at depths of 1 to 1.5 feet bgs at sampling locations GP-16 and GP-17. No soil samples were collected below a depth of 5 feet at either sampling location; therefore, the vertical extent of contamination in one likely source area has not been determined.

The Response to Comments presents an assumption that the excavation would have included at least a portion of the sewer line since the excavation was "rather large." Since the location of the excavation is apparently uncertain and the sanitary sewer line may be more than four to five feet below ground surface, the assumption that the sewer line would have been excavated does not appear to be a good assumption. Therefore, it appears that the sewer line, which is a potential source of VOCs, was not investigated and probably was not part of the excavation.

Since the location of the excavation is apparently uncertain, there is no documentation of the use of screening to determine the extent of excavation, confirmation samples were apparently collected from a uniform depth, the vertical extent of contamination is not known in the source area, and the sewer line was not investigated or excavated, it is not possible based on the information presented to assess the effectiveness of the excavation. We request, at a minimum, that the location of the Dry Cleaner Excavation be verified by surveying the corners of the excavation and the sanitary sewer manhole shown on Figure 3 of the July 2003 Northgate report. The outline of the Dry Cleaner Excavation is to be plotted on a revised figure that shows the surveyed location of the Dry Cleaner Excavation, sanitary sewer manhole, outlines of demolished buildings (particularly the walls of the former dry cleaners), outlines of planned buildings, and locations of subsurface utilities. The revised Dry Cleaner Excavation Figure is to be submitted along with a revised Response to Comments. The need for additional investigation or cleanup of the Dry Cleaner area will be evaluated based upon the information presented.

4. **UST Contents and Laboratory Analyses for Soil Samples in the UST Area.** Based on the discussion in the Response to Comments, the history of use and contents of the former UST are apparently not known. The site was not listed as a fuel leak case by ACEH.
5. **Site Grading in Railroad Right-of-way.** Please present the results of the planned stockpile sampling and describe the disposition of surface soils from the railroad right-of-way in the Revised Response to Comments below. The surface soils from the railroad right-of-way should not be mixed with soils from other areas of the site prior to stockpile sampling in order to dilute concentrations of chemicals in soils from the railroad right-of-way.

#### **TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **September 15, 2006** – Revised Response to Comments with UST Excavation and Dry Cleaner Excavation Figures Showing Surveyed Locations of Excavations

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**

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#### PERJURY STATEMENT

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#### 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.


#### 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.

Scott Kyman  
August 10, 2006  
Page 5

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Jung Hwan Jeff Paik, URS Corporation, 1333 Broadway, Suite 800, Oakland, CA 94612-1924

Donna Drogos, ACEH  
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April 27, 2006

Mr. Scott Kyman  
Regency Centers  
555 South Flowers Street, Suite 3500  
Los Angeles, CA 90071

Subject: SLIC Case No. RO0002738, Bridgeside Shopping Center, 2523-2691 Blanding Avenue, Alameda, CA

Dear Mr. Kyman:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site and the report entitled, "Corrective Action Report, Bridgeside Shopping Center, Alameda, California," dated February 13, 2006 and received by ACEH on February 16, 2006. The report was prepared on your behalf by URS Corporation and discusses the results of soil excavation in two areas of the site and soil sampling in the area of a former railroad right-of-way. The Corrective Action Report also includes a request for site closure.

Based upon our review of the case file and the Corrective Action Report, we request additional information prior to making a determination regarding case closure. We request that you address the technical comments below in a Response to Comments and provide the items listed below in the Request for Information by **June 30, 2006**.

**REQUEST FOR INFORMATION**

ACEH's case files for the subject site only contain the reports entitled, "Corrective Action Report, Bridgeside Shopping Center, Alameda, California," prepared by URS Corporation and dated February 13, 2006 and "Phase II Environmental Investigation, Bridgeside Shopping Center, Alameda, California," Prepared by Northgate and dated July 18, 2003. Several additional reports including unspecified environmental reports prepared in 1987, 1990, and 1995 are referenced in these reports. We request that you submit copies of the reports listed below along with other reports or documents you have documenting additional investigation activities or other environmental work related to this site:

- Phase I Environmental Site Assessment (E2C, April 10, 1995)
- Additional Soil Testing and Preliminary Investigation of Groundwater Quality, Alpha Beta #541, Alameda, California (Kaldveer 1988)
- Letter Recommending that Soils be Excavated and Removed (Kaldveer, August 9, 1990).

### TECHNICAL COMMENTS

1. **Previous Site Data.** Analytical data from previous site investigations are not included in the Corrective Action Report. A base map showing sampling locations (not referenced) from the Phase II Environmental Investigation (Northgate, July 18, 2003) is included as Figure 3 but no supporting information is presented. Please describe in the Response to Comments how previous site data were considered in making the recommendations in section nine of the Corrective Action Report.
2. **Other Potential Sources of Hydrocarbons.** The Site History section of the "Phase II Environmental Investigation, Bridgeside Shopping Center, Alameda, California," dated July 18, 2003, contains a reference to a 1988 Kaldveer Associates report that, "cites unconfirmed reports from several sources that waste hydrocarbons may have periodically been dumped on the site." Please provide any additional background information on these unconfirmed reports. Please also describe the suspected location of these releases, if known, and whether the investigations and excavations conducted at the site have addressed these possible releases.
3. **Proposal Dated May 26, 2005.** Section one of the Corrective Action Report indicates that the soil removal was conducted in accordance with a proposal dated May 26, 2005. No proposal or Work Plan is in the ACEH files. Please confirm whether a Work Plan was or was not submitted to ACEH for the corrective action.
4. **Figure 4 in Corrective Action Report.** Figure 4 does not include any site features or reference points for orientation. No analytical data or sampling locations from previous site investigations are shown on the figure to allow a comparison of the limits of the excavation to the extent of contamination identified during previous sampling. Please revise Figure 4 to include analytical data from previous investigations and site features that provide some reference points for the figure. The presentation of all analytical detections on Figure 4 is not necessary; the figure may be simplified to show only TPHg, TPHd, BTEX, and naphthalene for clarity. Please see comment 7 regarding laboratory analyses for soils in the UST area. A 6-inch water main is included in the Legend but not shown on the figure. The revised figure is to be included in the Response to Comments.
5. **Figure 5 in Corrective Action Report.** Please revise Figure 5 to include analytical data from previous investigations and site features that provide some reference points for the figure. Specifically, the locations of the former building walls, floor drain, boiler room, dry cleaning machine, and sewer line are to be shown on the revised figure. Please revise the Legend to indicate the correct units for the VOCs. Table 3 and the laboratory analytical reports in the appendix report the VOC concentrations in mg/kg but the Legend indicates the VOC concentrations are in  $\mu\text{g}/\text{kg}$ .
6. **Limits of Excavation.** The limits of excavation are shown as a single line on Figures 4 and 5 and the report does not describe the angle of the sidewalls. Please describe in the Response to Comments or show on revised Figures 4 and 5, the configuration of the excavation sidewalls.

7. **UST Contents and Laboratory Analyses for Soil Samples in the UST Area.** The history of use and contents of the former UST are not described in the Corrective Action Plan. Please indicate whether the history of use and contents of the former UST are known. Soil samples from the UST excavation were analyzed for TPHg, TPHd, and full scan VOCs by EPA Method 8260. If the tank history and contents were unknown, please indicate why the Recommended Minimum Verification Analyses for Underground Fuel Tank Leaks for Unknown Fuel or Waste, Used, or Unknown Oil (Water Board, April 16, 2004) were not performed for selected soil samples from the UST Area.
8. **Site Grading in Railroad Right-of-way.** Please expand the discussion of site grading to indicate the final disposition of surface soils in the railroad right-of-way. Please identify the area(s) where these soils were graded, the area(s) where graded soils were moved to, and whether the graded areas are currently covered by pavement or other surfaces. In addition, please describe why the soluble lead present in soil and ballast at concentrations exceeding the soluble limit for hazardous waste does not pose a risk to groundwater.
9. **Site Plans.** Please describe in the Response to Comments, the temporal differences or other reasons why the Site Plan (Figure 2) in Appendix A is significantly different than the Site Plans (Figures 2 and 3) in the Corrective Action Report. Figures 2 and 3 in the Corrective Action Plan appear to be copies of a base map used in the Northgate (July 18, 2003) report but are presented with different orientations and scales. The use of a consistent base map or base maps with temporal labels is preferred.
10. **Geotracker EDF Submittals -** A review of the case file and the State Water Resources Control Board's (SWRCB) Geotracker website indicate that electronic copies of analytical data have not been submitted for your site. Pursuant to CCR Sections 2729 and 2729.1, beginning September 1, 2001, all analytical data, including monitoring well samples, submitted in a report to a regulatory agency as part of the LUFT program, must be transmitted electronically to the SWRCB Geotracker website via the Internet. Additionally, beginning January 1, 2002, all permanent monitoring points utilized to collect groundwater samples (i.e. monitoring wells) and submitted in a report to a regulatory agency, must be surveyed (top of casing) to mean sea level and latitude and longitude accurate to within 1-meter accuracy, using NAD 83, and transmitted electronically to the SWRCB Geotracker website. Beginning July 1, 2005, electronic submittal of a complete copy of all reports (LUFT or SLIC) is required in Geotracker (in PDF format). In order to remain in regulatory compliance, please upload all SLIC analytical data and copies of reports post July 1, 2005, to the SWRCB's Geotracker database website in accordance with the above-cited regulation. Please perform the electronic submittals for applicable data and submit verification to this Agency with the requested Response to Comments.

### TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **June 30, 2006** – Response to Comments

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.

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In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org).

### 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**

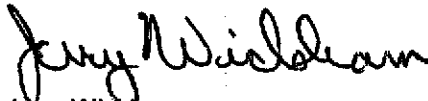
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**AGENCY OVERSIGHT**

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If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Lois Autie, URS Corporation, 1333 Broadway, Suite 800, Oakland, CA 94612-1924

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



505/12-15-04

December 3, 2004

Scott Kyman  
Regency Centers  
555 South Flower St.  
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Subject: Toxics Case RO0002738, Bridgeside Shopping Center, 2523-691 Blanding Avenue, Alameda, California - Request for Funds

Dear Mr. Kyman:

Pursuant to your request for input regarding site investigation and the potential need for mitigation to address volatile organic compounds (VOCs) detected in the site subsurface, Alameda County Environmental Health is submitting this request for funds. Under California Health and Safety Code Sections 25187, 25187.1 and 101480, ACEH has the authority to establish site cleanup goals and to certify cleanup of a contaminated site. In order for ACEH to review reports and oversee environmental work at the site, we require an oversight account for the above-referenced site. To set up your account, please send a check for \$6,000 to Alameda County Environmental Health, attn. Finance Department. Please make your check payable to Alameda County Environmental Health.

This deposit may or may not be sufficient to provide all necessary regulatory oversight. ACEH will deduct actual costs incurred based upon the hourly rate specified below. If these funds are insufficient, additional deposit will be requested. Otherwise, any unused monies will be refunded to you or your designee.

The deposit is authorized by Section 6.92.040 of the Alameda County Ordinance Code. Work on this project will be debited at the Ordinance specified rate, currently \$160.00 per hour.

Please write "Toxics" (the type of project), the site address and AR# 312 477 on your check.

If you have any questions regarding this request, please call Bob Schultz at (510) 567-6719.

Sincerely,

  
Ariu Levi  
Division Chief

cc: Donna Drogos, ACEH  
Bob Schultz, ACEH