

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



SOJT  
04-03-06

April 3, 2006

Mr. Curtis Eisenberger  
1396 Fifth Street Associates  
555 Florida St., #100  
San Francisco, CA 94110

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

Dear Mr. Eisenberger:

Subject: Toxics Case RO0002896, 1396 Fifth St., Oakland, CA 94607

Alameda County Environmental Health (ACEH) staff has received and reviewed the Phase I & II Environmental Site Assessment: Alameda County Assessor's Parcel Number 004-69-004 prepared by Remediation Services, Inc. (RS) submitted by Treadwell & Rollo. We are aware that the proposed plans are to construct residential units consisting of four stories of residential units above podium garages that will occupy the entire site. Before we can concur with this proposal, we request that you address the following technical comments and submit the technical report requested below.

#### TECHNICAL COMMENT

1. We have been informed that the historic use of this site consisted of a yeast production facility, vinegar production facility and a brewery. We also are aware that the City of Oakland documented the storage of hazardous materials including ammonia, sulfuric acid, hydrochloric acid, sodium hydroxide and zinc sulfate. Please provide a map or Hazardous Materials Business Plan (HMBP) indicating the storage locations of these chemicals and all other locations of hazardous materials use or disposal.
2. Please provide the justification for the locations of the four borings sampled in the RS report. Please explain how their locations and the analytical results characterize impacts to and from this site and are consistent with the information requested in comment #1. The location of boring SB-2 is assumed to be down-gradient of the petroleum release from 1395 7<sup>th</sup> St., Trucker's Friend. Given the lack of information and investigation at this site, the location of SB-2 may or may not be representative of up-gradient impacts. What if any additional data is necessary to complete site characterization?
3. The sampling plan in the RS report references a report, ERM 2000, which show locations and buildings of potential chemical concern. Please provide a copy of this report and use it to respond to comment #2.

#### TECHNICAL REPORT REQUEST

Please submit the following technical report according to the following schedule:

- April 28, 2006- Map indicating areas of concern, ERM 2000 report and response to technical comment 2.

### 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.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

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 [barney.chan@acgov.org](mailto:barney.chan@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

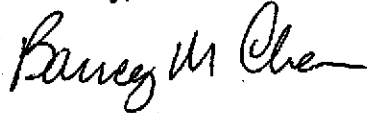
The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For 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.

Mr. Curtis Eisenberger  
1396 Fifth St., Oakland  
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Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

If you have any questions, please call me at (510) 567-6765.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: files, D. Drogos

Mr. Peter Cusack, Treadwell & Rollo, 555 Montgomery St., Ste. 1300, SF, CA 94111

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