

**ADDITIONAL SITE ASSESSMENT REPORT  
925 STANFORD AVENUE  
OAKLAND, CALIFORNIA**

**RECEIVED**

8:41 am, May 19, 2011  
Alameda County  
Environmental Health

**PREPARED FOR:**

Ms. Susan Rosenberg  
Willbett Company  
109 Hartford Road  
Danville, California 94526

**PREPARED BY:**

Ninyo & Moore  
Geotechnical and Environmental Sciences Consultants  
1956 Webster Street, Suite 400  
Oakland, California 94612

May 18, 2011  
Project No. 401559003

May 18, 2011  
Project No. 401559003

Ms. Susan Rosenberg  
Willbett Company  
109 Hartford Road  
Danville, California 94526

Subject: Additional Site Assessment Report  
925 Stanford Avenue  
Oakland, California

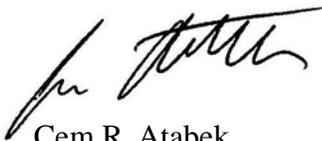
Dear Ms. Rosenberg:

Enclosed please find our Additional Site Assessment Report for the subject property.

The attached report has been prepared to document our recent investigation activities performed for the purpose of re-evaluating the extent and magnitude of petroleum hydrocarbon impacts detected in shallow soil in the vicinity of a former above ground storage tank on site.

We appreciate the opportunity to be of service to you on this project.

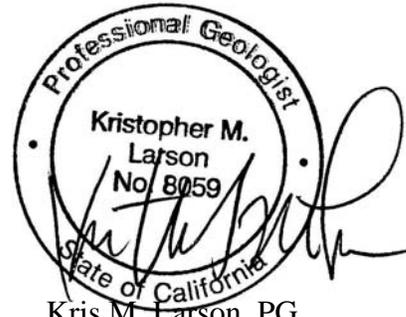
Sincerely,  
**NINYO & MOORE**



Cem R. Atabek  
Project Environmental Engineer

CRA/KML/csj

Distribution: (1) Addressee  
(1) Barbara Jakub, Alameda County Environmental Health (via e-mail)



Kris M. Larson, PG  
Principal Environmental Geologist

May 13, 2011

Subject: Perjury Statement  
Additional Site Assessment Report  
925 Stanford Avenue  
Oakland, California  
RO#00002983

PERJURY STATEMENT BY RESPONSIBLE PARTY

I declare under penalty of perjury that the information and recommendations contained in the attached report are true and correct to the best of my knowledge.

A handwritten signature in cursive script that reads "Susan Rosenberg". The signature is written in black ink and has a long, sweeping underline that extends to the right.

Ms. Susan Rosenberg  
Willbett Company  
109 Hartford Road  
Danville, California 94526

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## 1. INTRODUCTION

Ninyo & Moore has prepared an Additional Site Assessment Report for the property located at 925 Stanford Avenue in Oakland, California (site) (Figure 1). This report has been prepared to document the investigation activities which were performed in general accordance with Ninyo & Moore's Additional Site Assessment Work Plan (work plan), dated March 22, 2011. The work plan was conditionally approved by the Alameda County Environmental Health Department (ACEH) in a letter dated April 28, 2011, which is included in Appendix A. The conditional approval letter requested the following modifications to the work plan:

1. **Delineation of Contamination** – Boring S-8 had detectible concentrations of total petroleum hydrocarbons as diesel (TPHd) and total petroleum hydrocarbons as motor oil (TPHmo) at 0.5 feet below ground surface (bgs), yet no samples were collected for TPHd or TPHmo below this depth. Please submit samples for analysis from below the surface sample in B-9 to determine if hydrocarbons have migrated beneath the surface and define the vertical extent of contamination in this area.
2. **Fuel Fingerprinting** – Ninyo and Moore hypothesized that the TPHd and TPH motor oil were due to asphalt contamination. If asphalt contamination of the sample is expected, please run fuel fingerprinting and EPA Method 8270 analysis or other appropriate analytical methods to support your hypothesis.
3. **Sample Procedure** – Please collect your samples using a slide hammer with a brass liner rather than transferring the sample into a glass jar.

Ninyo & Moore responded to the above comments from ACEH in an e-mail dated April 29, 2011. Ninyo & Moore indicated that a sample was collected at 2 feet bgs in boring B-8 which contained TPHd at 1.3 mg/kg and was non-detect for TPHmo, therefore Ninyo & Moore did not feel that collection of additional deeper samples was necessary. After further discussion with ACEH on this subject, Ninyo & Moore collected a deeper sample from boring B-9 at 1.0 to 1.5 feet bgs and placed the sample on hold pending the analytical results of the surface soil sample from this boring. Ninyo & Moore also requested that additional analysis including fuel fingerprinting and EPA Method 8270 analysis only be performed pending the analytical results for TPHd and TPHmo, and ACEH concurred with this request. Ninyo & Moore used a slide hammer and brass sleeves for the collection of soil samples rather than using a hand auger and glass jars.

### **1.1. Site Description**

The site is located in a mixed industrial/commercial/residential area of Oakland near the Emeryville Boarder. The industrial style building on site is currently occupied by S.T. Johnson, an industrial and commercial burner manufacturing company. The remainder of the site consists of asphalt and concrete parking areas. The site is bordered by Stanford Avenue to the north, Lowell Street to the west, Grace Avenue to the south and a small industrial style facility adjacent to the east. Grace Avenue dead ends on the south side of the site and this unpaved area is used as parking.

### **1.2. Purpose**

The purposes of the additional site assessment activities were:

- To provide an understanding of the site with respect to the site background, previous environmental work; and
- To evaluate potential petroleum hydrocarbon impacts in shallow soil in the vicinity of a former AST on-site.

## **2. BACKGROUND**

### **2.1. UST and AST Removal**

According to the Report of UST Removal Activities, prepared by Gribi Associates (Gribi, 2008), two USTs and an above ground storage tank (AST) were formerly located on site, all of which reportedly contained heating oil which was used in the boiler and furnace manufacturing facility on site. One of the USTs was an approximately 1,300-gallon tank which was located in the northwest corner of the site and the other UST was an approximately 425-gallon tank which was located at the southeast corner of the site (Figure 2). An approximately 650-gallon AST was located off the southwest corner of the site. The AST was removed on March 6, 2008 and the USTs were removed during the week of April 21, 2008 by Golden Gate Tank Removal under the supervision of Gribi Associates. Sampling of soil and groundwater from the UST excavations was performed following removal of the USTs and also after over-excavation activities.

Analytical results revealed elevated concentrations of petroleum compounds in the groundwater samples collected from both UST excavations and slightly elevated concentrations of total petroleum hydrocarbons as diesel (TPHd) and total petroleum hydrocarbons as motor oil (TPHmo) and low concentrations of total petroleum hydrocarbons as gasoline (TPHg) in the soils samples collected from the beneath the former 425-gallon UST.

Benzene, toluene, ethyl-benzene, and xylenes (BTEX) were not detected in the soil or groundwater samples collected from either excavation with the exception of low concentrations of ethyl-benzene and xylenes detected in the soil sample collected at 8 feet below ground surface (bgs) in the former 425-gallon UST excavation.

## **2.2. Preferential Pathways Survey**

A Preferential Pathways Survey was performed for the site as presented in Ninyo & Moore's 2009 Preferential Pathways Survey and Site Assessment Work Plan. The Preferential Pathway Survey was performed to locate utility conduits within the site vicinity to evaluate whether the conduits may have or are currently acting as preferential pathways for contaminant migration away from the site. The Preferential Pathway Survey also included a search of wells located within a quarter mile from the site to evaluate the potential for contaminants originating on-site to impact off-site wells. The utilities identified during the Preferential Pathway Survey are indicated on Figure 2. A sanitary sewer line was identified adjacent to the north of the former 1,300-gallon UST which had the potential to act as a preferential pathway based on its proximity to the former UST.

## **2.3. Site Assessment**

On March 12 and 13, 2010, Ninyo & Moore advanced eight borings (B-1 through B-8) (Figure 2) for the purpose of soil and groundwater sampling to evaluate the lateral and vertical extent of impacts, and to evaluate whether constituents from an off-site UST located at the north end of the eastern adjacent property (Figure 2) may also be impacting the site groundwater.

Impacts in soil and groundwater from TPHd, TPHg, and TPHmo were detected on site in the vicinity of the former USTs. Impacts in shallow soil from TPHd and TPHmo were detected on site in the vicinity of the former AST. Concentrations of BTEX and fuel oxygenates were not detected in the soil or groundwater samples collected on site.

Based on the findings of the soil and groundwater investigation activities, Ninyo & Moore recommended the following:

- Additional sampling in the area of the former USTs should not be performed based on the relatively minor impacts from petroleum compounds detected in the soil and groundwater samples collected in the vicinity of the former USTs.
- Additional sampling in the area of the former AST should not be performed based on the observation of no physical signs of impacts in the soil from boring B-8 and the very low to non-detectable concentrations of TPHd and TPHmo at 2 feet bgs which suggests that the impacts detected were caused by the presence of asphalt fragments in the soil sample.
- A low-risk case closure request should be prepared for the site.

### **3. SCOPE OF WORK**

Ninyo & Moore performed additional soil sampling in the vicinity of the former AST to evaluate the magnitude and extent of potential petroleum hydrocarbon impacts in soil. The proposed scope of work included the following:

#### **3.1. Borings for Evaluation of Potential Petroleum Hydrocarbons in Shallow Soil**

The potential shallow soil impacts from petroleum hydrocarbons in the vicinity of the former AST on-site were evaluated by advancing four borings (B-9 through B-12) in the vicinity of previous boring B-8 (Figure 2). Boring B-9 was advanced directly adjacent to previous boring B-8 for the collection of a soil sample from the ground surface (0.0-0.5 feet bgs) to evaluate whether the petroleum hydrocarbons detected in the shallow soil from boring B-8 were caused by asphalt fragments in the sample. A deeper sample (1.0-1.5 feet bgs) was also collected from this boring and placed on hold. Step-out borings B-10 through B-12 were advanced within 5 feet to the east, south, and west of boring B-9, respectively. A

step-out boring was not be advanced to the north of boring B-9 due to the presence of asphalt pavement which would have prevented a release from the former AST from impacting the shallow soil in that area.

### **3.2. Soil Sampling Methodology**

The borings were advanced using a slide hammer lined with a brass sleeves to a depth of approximately 0.5 ft bgs. Soil samples were collected by removing the brass sleeve from the slide hammer and capping the ends of the brass sleeve with Teflon tape and plastic end caps. Boring B-9 was advanced from 0.5 to 1.0 foot bgs using a hand auger, then the slide hammer was used again to collect a sample from 1.0-1.5 feet bgs. The samples were labeled, inserted into plastic bags, and stored on ice under chain-of-custody for transport to a State certified analytical laboratory. Proposed analytical methods are presented below.

Surface soil samples from step-out borings B-10 through B-12, and the deeper sample from boring B-9 were placed on hold pending the analytical results of the surface sample from boring B-9.

### **3.3. Decontamination**

To minimize the likelihood of cross contamination, all down-hole tooling was decontaminated prior to use at each sample location. Decontamination was performed using a three station wash consisting of a pre-wash rinse of tap water using a brush, if necessary, to remove sediments from the equipment, followed by a rinse in an appropriate detergent solution, followed by a final rinse in distilled water.

### **3.4. Analytical Methods**

Soil samples were submitted to Curtis & Tompkins Laboratories, a state-certified laboratory located in Berkeley, California, for analysis. Elevated concentrations of TPHd and TPHmo were detected in the shallow soil sample from boring B-8 in the past sampling event, therefore the surface sample from boring B-9 was analyzed for TPHd and TPHmo by EPA

Method 8015B. Ninyo & Moore contacted the laboratory to inquire whether asphalt fragments were present in soil sample B-9-0.0-0.5. A laboratory representative indicated that fragments of asphalt were present in the sample, and that the laboratory would avoid inclusion of these asphalt fragments in the soil to be analyzed.

Additional samples beyond sample B-9-0.0-0.5 were not analyzed based on the analytical results for this sample which are discussed below.

#### **4. ANALYTICAL RESULTS**

Soil sample analytical results are presented in Table 1 and a copy of the laboratory analytical report is presented in Appendix B. Soil sample analytical results are compared to the RWQCB Shallow Soil Environmental Screening Levels (ESLs) for commercial land use where groundwater is a potential drinking water resource (ESLs Table A-2) and the Direct Exposure ESLs for commercial/industrial worker exposure scenario (ESLs Table K-2).

Concentrations of TPHd (110 milligrams per kilogram [mg/kg]) and TPHmo (460 mg/kg) were detected in soil sample B-9-0.0-0.5. The detected concentrations were significantly lower than the concentrations detected in previous sample B-8-0.0-0.5. The concentration of TPHd slightly exceeds the lowest commercial ESL of 83 mg/kg, however it is well below the commercial/industrial worker direct exposure ESL of 450 mg/kg. Based on these results, the samples placed on hold (including the surface soil samples from step-out borings B-10 through B-12, and the deeper sample from boring B-9) were not analyzed.

#### **5. FINDINGS AND CONCLUSIONS**

Based on the field observation of no physical signs of impacts in the soil from borings B-8 or borings B-9 through B-12, the relatively minor concentrations of TPHd and TPHmo detected in the surface soil sample from boring B-9, and the very low to non-detectable concentrations of TPHd and TPHmo at 2 feet bgs in boring B-8, it is likely that the elevated concentrations of

TPHd and TPHmo detected in Sample B-8-0.0-0.5 were caused by the presence of asphalt fragments in the soil sample.

## **6. RECOMMENDATIONS**

Based on the findings of the recent additional site assessment activities and previous investigations performed on-site, Ninyo & Moore recommends that a low-risk case closure request should be prepared for the site.

## 7. REFERENCES

Gribi Associates, 2008, Report of Underground Storage Tank Removal Activities, 925 Stanford Avenue, Oakland, California, dated June 4.

Ninyo & Moore, 2009, Preferential Pathways Survey and Site Assessment Work Plan, 925 Stanford Avenue, Oakland, California, dated July 28.

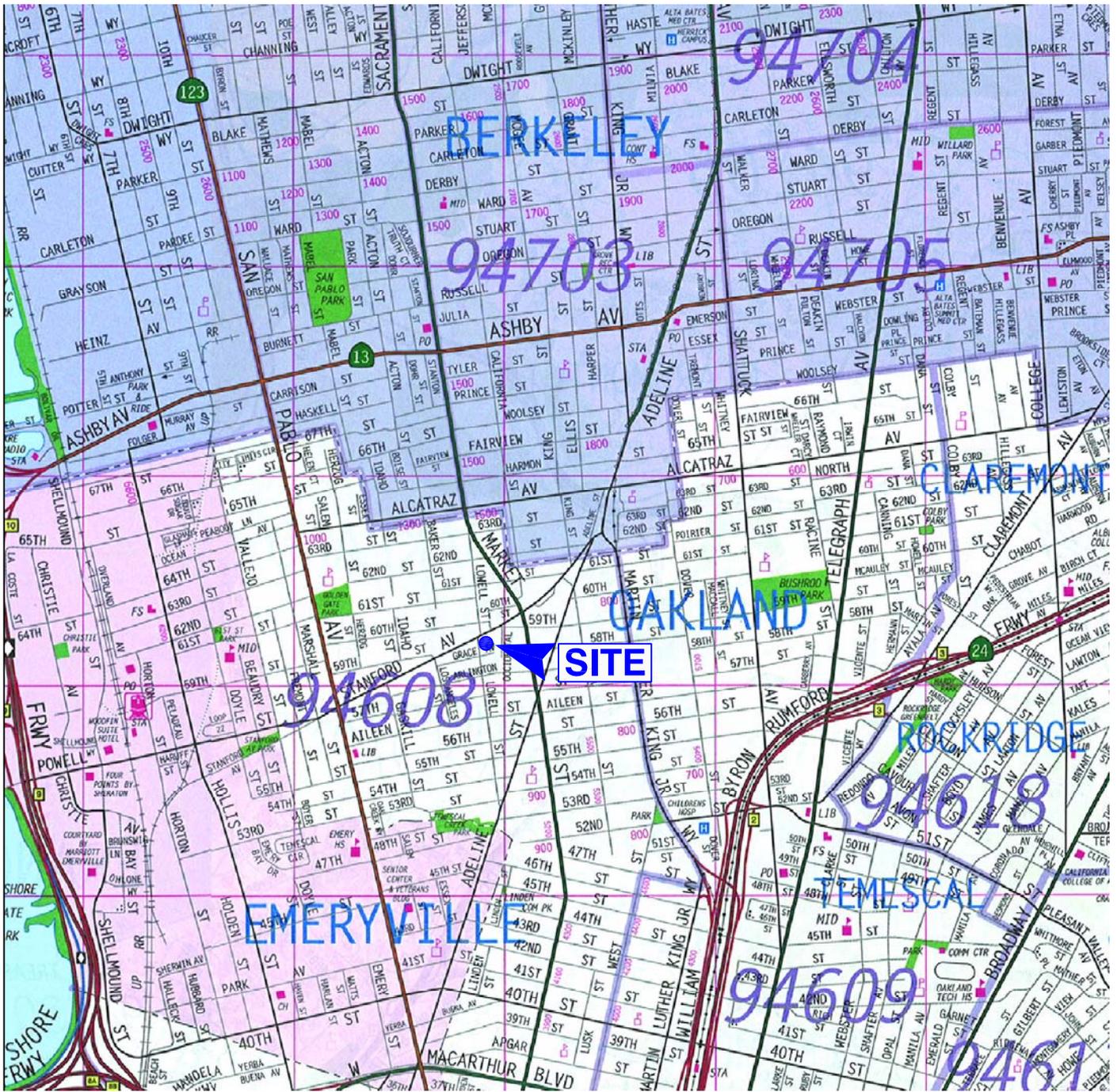
Ninyo & Moore, 2010, Soil and Groundwater Investigation Report, 925 Stanford Avenue, Oakland, California, dated June 2.

Ninyo & Moore, 2011, Additional Site Assessment Work Plan, 925 Stanford Avenue, Oakland, California, dated March 22.

TABLE 1 - SOIL SAMPLE ANALYTICAL RESULTS FOR TPH AND VOCs

Sample ID	Date Sample Collected	Sample Depth (feet bgs)	TPH Analytical Results (mg/kg)			VOCs Analytical Results (µg/kg)												
			TPH diesel	TPH gasoline	TPH motor oil	1,2-Dibromoethane	1,2-Dichloroethane	Benzene	Di-isopropyl ether	Ethyl tert-butyl ether	Ethyl-benzene	mp-xylenes	Methyl tert-butyl ether	o-Xylenes	Tert-amyl methyl ether	Tert-Butanol	Toluene	
B-2-6.0-6.5	5/12/2010	6.0-6.5	280	5	75	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<10	ND<5.0	ND<5.0	ND<5.0	ND<100	ND<5.0
B-2-9.5-10.0	5/12/2010	9.5-10.0	26	ND<1.0	10	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<10	ND<5.0	ND<5.0	ND<5.0	ND<100	ND<5.0
B-2-11.5-12.0	5/12/2010	11.5-12.0	9	ND<1.0	6	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<10	ND<5.0	ND<5.0	ND<5.0	ND<100	ND<5.0
B-3-5.5-6.0	5/12/2010	5.5-6.0	340	120	88	ND<250	ND<250	ND<250	ND<250	ND<250	ND<250	ND<250	ND<500	ND<250	ND<250	ND<250	ND<5,000	ND<250
B-3-9.5-10.0	5/12/2010	9.5-10.0	110	ND<1.0	110	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<10	ND<5.0	ND<5.0	ND<5.0	ND<100	ND<5.0
B-3-12.0-12.5	5/12/2010	12.0-12.5	3.8	ND<1.0	3.1	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<10	ND<5.0	ND<5.0	ND<5.0	ND<100	ND<5.0
B-4-6.0-6.5	5/12/2010	6.0-6.5	1.1	1.2	1.4	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<10	ND<5.0	ND<5.0	ND<5.0	ND<100	ND<5.0
B-4-9.5-10.0	5/12/2010	9.5-10.0	ND<1.0	ND<1.0	ND<1.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<10	ND<5.0	ND<5.0	ND<5.0	ND<100	ND<5.0
B-4-11.0-11.5	5/12/2010	11.0-11.5	14	ND	9.7	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<10	ND<5.0	ND<5.0	ND<5.0	ND<100	ND<5.0
B-5-4.5-5.0	5/12/2010	4.5-5.0	160	1.3	140	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<10	ND<5.0	ND<5.0	ND<5.0	ND<100	ND<5.0
B-5-6.0-6.5	5/12/2010	6.0-6.5	1.7	ND<1.0	ND<1.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<10	ND<5.0	ND<5.0	ND<5.0	ND<100	ND<5.0
B-5-8.0-8.5	5/12/2010	8.0-8.5	ND<1.0	ND<1.0	ND<1.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<10	ND<5.0	ND<5.0	ND<5.0	ND<100	ND<5.0
B-6-7.0-7.5	5/12/2010	7.0-7.5	7.1	ND<1.0	3.9	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<10	ND<5.0	ND<5.0	ND<5.0	ND<100	ND<5.0
B-6-15.0-15.5	5/12/2010	15.0-15.5	38	2.4	12	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<10	ND<5.0	ND<5.0	ND<5.0	ND<100	ND<5.0
B-6-18.0-18.5	5/12/2010	18.0-18.5	ND<1.0	ND<1.0	ND<1.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<10	ND<5.0	ND<5.0	ND<5.0	ND<100	ND<5.0
B-7-7.5-8.0	5/12/2010	7.5-8.0	15	1.0	5.8	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<10	ND<5.0	ND<5.0	ND<5.0	ND<100	ND<5.0
B-7-14.0-14.5	5/12/2010	14.0-14.5	400	65	90	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<10	ND<5.0	ND<5.0	ND<5.0	ND<100	ND<5.0
B-7-19.0-19.5	5/12/2010	19.0-19.5	ND<1.0	ND<1.0	ND<1.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<10	ND<5.0	ND<5.0	ND<5.0	ND<100	ND<5.0
B-8-0.0-0.5	5/12/2010	0.0-0.5	4,800	ND<1.0	15,000	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<5.0	ND<10	ND<5.0	ND<5.0	ND<5.0	ND<100	ND<5.0
B-8-2.0-2.5	5/12/2010	2.0-2.5	1.3	NA	ND<1.0	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
B-9-0.0-0.5	5/12/2010	2.0-2.5	110	NA	460	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
<b>Commercial/Industrial ESLs</b>			83	83	2,500	0.33	4.5	44	NE	NE	3,300	2,300*	23	2,300*	NE	75	2,900	
<b>Direct Exposure ESLs</b>			450	450	3,700	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

**Notes:**  
 TPH – Total Petroleum Hydrocarbons analyzed by EPA Method 8015B  
 VOCs = volatile organic compounds analyzed by EPA Method 8260B  
 C/I ESLs - Shallow Soil Environmental Screening Levels for commercial land use where groundwater is a potential drinking water resource (ESLs Table A-2)  
 Direct Exposure ESLs - Direct Exposure Soil Screening Levels for commercial/industrial worker exposure scenario (ESLs Table K-2)  
**Bold** indicates concentration in excess of ESL  
 mg/kg – milligrams per kilogram  
 µg/kg – micrograms per kilogram  
 \* - indicates the ESL for total xylenes was used as there are no specific ESLs for o-xylenes or mp-xylenes  
 NE - indicates that an ESL does not exist  
 bgs – below ground surface  
 NA - not analyzed or not applicable  
 ND< indicates concentration below laboratory detection limits



REFERENCE: METRO AREAS OF ALAMEDA, CONTRA COSTA, MARIN, SAN FRANCISCO, SAN MATEO, AND SANTA CLARA COUNTIES, THOMAS GUIDE, 2008.

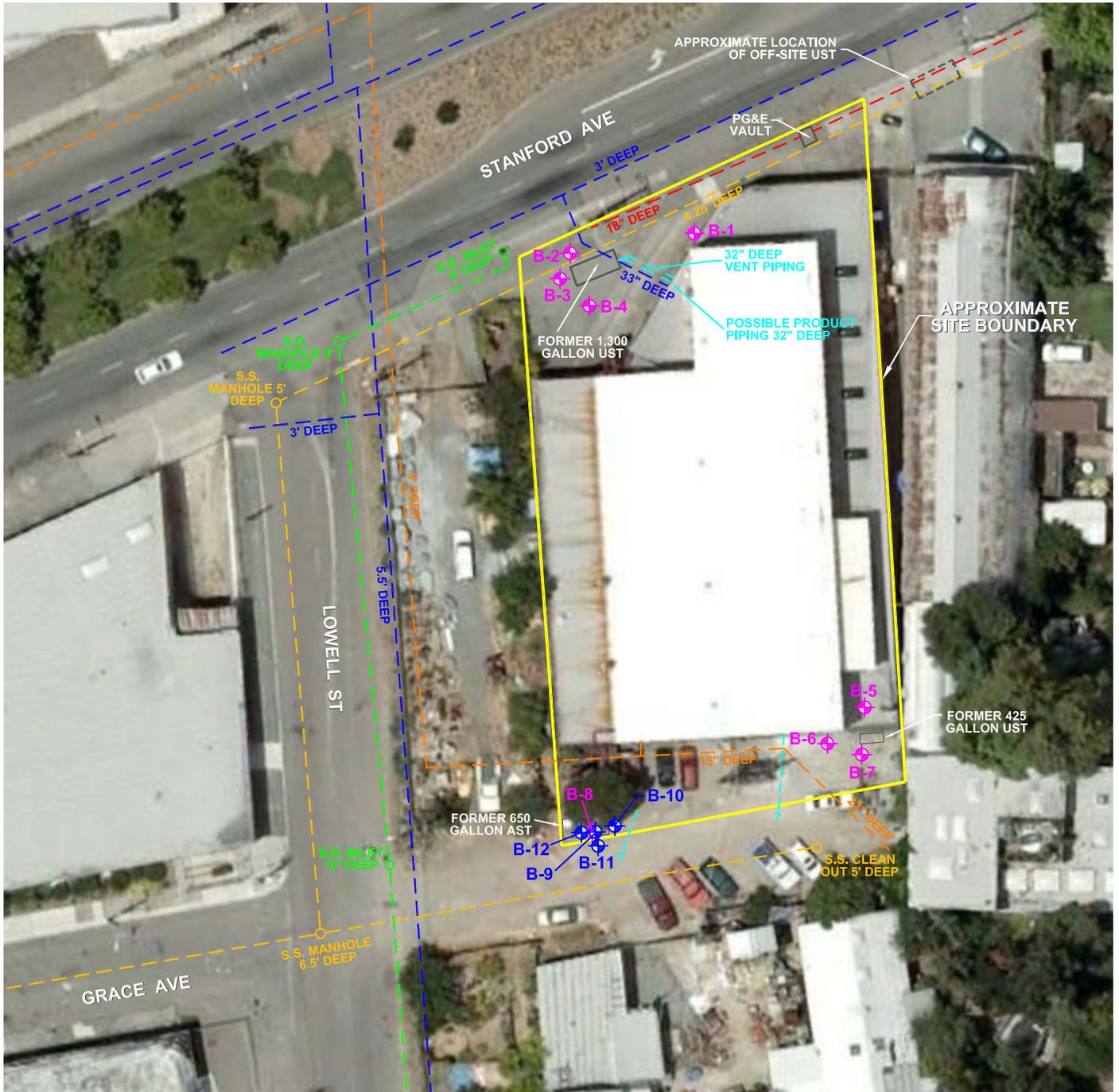


SCALE IN FEET



NOTE: ALL DIMENSIONS, DIRECTIONS AND LOCATIONS ARE APPROXIMATE.

		<b>SITE LOCATION</b> ADDITIONAL SITE ASSESSMENT REPORT 925 STANFORD AVENUE OAKLAND, CALIFORNIA		<b>FIGURE</b>  <b>1</b>



REFERENCE: GOOGLE EARTH, 2010.



SCALE IN FEET



LEGEND	
<span style="color: red;">---</span>	ELECTRIC LINE
<span style="color: orange;">---</span>	GAS LINE
<span style="color: blue;">---</span>	WATER LINE
<span style="color: yellow;">---</span>	SANITARY SEWER
<span style="color: green;">---</span>	STORM DRAIN
<span style="color: cyan;">---</span>	OTHER PIPELINES
<span style="color: magenta;">◆</span> B-8	APPROXIMATE LOCATION OF 2010 BORING
<span style="color: blue;">◆</span> B-12	APPROXIMATE LOCATION OF 2011 BORING

NOTE: ALL DIMENSIONS, DIRECTIONS AND LOCATIONS ARE APPROXIMATE.

		<b>BORING LOCATIONS</b> ADDITIONAL SITE ASSESSMENT REPORT 925 STANFORD AVENUE OAKLAND, CALIFORNIA	FIGURE
			2
PROJECT NUMBER	DATE		
401559003	5/11		

**APPENDIX A**

**ACEH CORRESPONDENCE LETTER**



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

April 28, 2011

Ms. Susan Rosenberg (sent via e-mail: Rosenberg.4@comcast.net)  
Willbett Company  
109 Hartford Road  
Danville, CA 94526

Subject: Work Plan Approval for Fuel Leak Case No. RO00002983 and Geotracker Global ID T10000000420, Willbett Company, 925 Stanford Avenue, Oakland, CA 94608

Dear Ms. Rosenberg:

Thank you for the recently submitted document entitled, *Additional Site Assessment Work Plan* dated March 22, 2011, which was prepared by Ninyo and Moore for the subject site. Alameda County Environmental Health (ACEH) staff has reviewed the case file including the above-mentioned report/work plan for the above-referenced site. The work plan proposes four step out borings to determine the lateral extent of contamination from the above ground storage tank. However, no proposal to define the vertical extent of contamination is presented.

The proposed scope of work may be implemented provided that the modifications requested in the technical comments below are addressed and incorporated during the field implementation. Submittal of a revised Work Plan is not required unless an alternate scope of work outside that described in the Work Plan and technical comments below is proposed.

#### **TECHNICAL COMMENTS**

1. **Delineation of Contamination** – Boring S-8 had detectible concentrations of total petroleum hydrocarbons as diesel (TPHd) and total petroleum hydrocarbons as motor oil (TPHmo) at 0.5 feet below ground surface (bgs), yet no samples were collected for TPHd or TPHmo below this depth. Please submit samples for analysis from below the surface sample in B-9 to determine if hydrocarbons have migrated beneath the surface and define the vertical extent of contamination in this area.
2. **Fuel Fingerprinting** – Ninyo and Moore hypothesized that the TPHd and TPH motor oil were due to asphalt contamination. If asphalt contamination of the sample is expected, please run fuel fingerprinting and EPA Method 8270 analysis or other appropriate analytical methods to support your hypothesis.

Ms. Rosenberg  
RO0002983  
April 28, 2011, Page 2

3. **Sample Procedure** – Please collect your samples using a slide hammer with a brass liner rather than transferring the sample into a glass jar.

### **TECHNICAL REPORT REQUEST**

Please submit technical reports to ACEH (Attention: Barbara Jakub), according to the following schedule:

- **July 15, 2011** – Soil and Water Investigation Report

Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, please call me at (510) 639-1287 or send me an electronic mail message at [barbara.jakub@acgov.org](mailto:barbara.jakub@acgov.org).

Sincerely,

Barbara J. Jakub, P.G.  
Hazardous Materials Specialist

Enclosure: Responsible Party(ies) Legal Requirements/Obligations  
ACEH Electronic Report Upload (ftp) Instructions

cc: Cem Atabek, Ninyo and Moore, 1956 Webster St., Oakland, CA 94612 (Sent via email to [catabek@ninyoandmoore.com](mailto:catabek@ninyoandmoore.com))  
Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032 (Sent via E-mail to: [lgriffin@oaklandnet.com](mailto:lgriffin@oaklandnet.com))  
Donna Drogos, ACEH (Sent via E-mail to: [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org))  
Barbara Jakub, ACEH (Sent via E-mail to: [barbara.jakub@acgov.org](mailto:barbara.jakub@acgov.org))  
GeoTracker, e-file

## Responsible Party(ies) Legal Requirements/Obligations

### REPORT REQUESTS

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

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of reports in electronic form. The electronic copy replaces paper copies and is expected to 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 Instructions." 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. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all 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 monitoring wells, and other data to the GeoTracker database over the Internet. Beginning July 1, 2005, these same reporting requirements were added to Spills, Leaks, Investigations, and Cleanup (SLIC) sites. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites is required in GeoTracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.waterboards.ca.gov/water\\_issues/programs/ust/electronic\\_submittal/](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, 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.

### UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, later 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.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)</b>	<b>REVISION DATE:</b> July 20, 2010
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> Electronic Report Upload (ftp) Instructions

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.

## 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 [deh.loptoxic@acgov.org](mailto:deh.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 <ftp://alcoftp1.acgov.org>
    - (i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site.
  - 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 [deh.loptoxic@acgov.org](mailto:deh.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.

**APPENDIX B**

**ANALYTICAL LABORATORY REPORT**



**Curtis & Tompkins, Ltd.**  
Analytical Laboratories, Since 1878





Curtis & Tompkins, Ltd., Analytical Laboratories, Since 1878

2323 Fifth Street, Berkeley, CA 94710, Phone (510) 486-0900

**Laboratory Job Number 227734  
ANALYTICAL REPORT**

Ninyo & Moore  
1956 Webster St.  
Oakland, CA 94612

Project : 401559003  
Location : 925 Stanford Ave.  
Level : II

<u>Sample ID</u>	<u>Lab ID</u>
B-9-0.0-0.5	227734-001
B-9-1.0-1.5	227734-002
B-10-0.0-0.5	227734-003
B-11-0.0-0.5	227734-004
B-12-0.0-0.5	227734-005

This data package has been reviewed for technical correctness and completeness. Release of this data has been authorized by the Laboratory Manager or the Manager's designee, as verified by the following signature. The results contained in this report meet all requirements of NELAC and pertain only to those samples which were submitted for analysis. This report may be reproduced only in its entirety.

Signature: *Deviné N. Tetrault*  
Project Manager

Date: 05/11/2011

NELAP # 01107CA

**CASE NARRATIVE**

Laboratory number: 227734  
Client: Ninyo & Moore  
Project: 401559003  
Location: 925 Stanford Ave.  
Request Date: 05/04/11  
Samples Received: 05/04/11

This data package contains sample and QC results for one soil sample, requested for the above referenced project on 05/04/11. The sample was received cold and intact.

**TPH-Extractables by GC (EPA 8015B):**

B-9-0.0-0.5 (lab # 227734-001) was diluted due to the dark and viscous nature of the sample extract. No other analytical problems were encountered.



COOLER RECEIPT CHECKLIST



Curtis & Tompkins, Ltd.

Login # 227734 Date Received 5/4/11 Number of coolers 1
Client NINYO & MOORE Project 925 STANFORD CTR.

Date Opened 5/4/11 By (print) M. Villanueva (sign) [Signature]
Date Logged in 5/5/11 By (print) R. Poms (sign) [Signature]

1. Did cooler come with a shipping slip (airbill, etc) YES NO
Shipping info

2A. Were custody seals present? ... YES (circle) on cooler on samples YES NO
How many Name Date

2B. Were custody seals intact upon arrival? YES NO

3. Were custody papers dry and intact when received? YES NO

4. Were custody papers filled out properly (ink, signed, etc)? YES NO

5. Is the project identifiable from custody papers? (If so fill out top of form) YES NO

6. Indicate the packing in cooler: (if other, describe)

- Bubble Wrap, Foam blocks, Bags, None, Cloth material, Cardboard, Styrofoam, Paper towels

7. Temperature documentation:

Type of ice used: Wet Blue/Gel None Temp(C)

Samples Received on ice & cold without a temperature blank

Samples received on ice directly from the field. Cooling process had begun

8. Were Method 5035 sampling containers present? YES NO
If YES, what time were they transferred to freezer?

9. Did all bottles arrive unbroken/unopened? YES NO

10. Are samples in the appropriate containers for indicated tests? YES NO

11. Are sample labels present, in good condition and complete? YES NO

12. Do the sample labels agree with custody papers? YES NO

13. Was sufficient amount of sample sent for tests requested? YES NO

14. Are the samples appropriately preserved? YES NO N/A

15. Did you check preservatives for all bottles for each sample? YES NO N/A

16. Did you document your preservative check YES NO N/A

17. Are bubbles > 6mm absent in VOA samples? YES NO N/A

18. Was the client contacted concerning this sample delivery? YES NO
If YES, Who was called? By Date:

COMMENTS

[Blank lines for comments]

Total Extractable Hydrocarbons			
Lab #:	227734	Location:	925 Stanford Ave.
Client:	Ninyo & Moore	Prep:	EPA 3550B
Project#:	401559003	Analysis:	EPA 8015B
Field ID:	B-9-0.0-0.5	Batch#:	174463
Matrix:	Soil	Sampled:	05/04/11
Units:	mg/Kg	Received:	05/04/11
Basis:	as received	Prepared:	05/05/11

Type: SAMPLE Diln Fac: 10.00  
 Lab ID: 227734-001 Analyzed: 05/06/11

Analyte	Result	RL
Diesel C10-C24	110 Y	10
Motor Oil C24-C36	460	50

Surrogate	%REC	Limits
o-Terphenyl	DO	52-130

Type: BLANK Diln Fac: 1.000  
 Lab ID: QC590471 Analyzed: 05/05/11

Analyte	Result	RL
Diesel C10-C24	ND	1.0
Motor Oil C24-C36	ND	5.0

Surrogate	%REC	Limits
o-Terphenyl	102	52-130

Y= Sample exhibits chromatographic pattern which does not resemble standard  
 DO= Diluted Out  
 ND= Not Detected  
 RL= Reporting Limit

Batch QC Report

Total Extractable Hydrocarbons			
Lab #:	227734	Location:	925 Stanford Ave.
Client:	Ninyo & Moore	Prep:	EPA 3550B
Project#:	401559003	Analysis:	EPA 8015B
Type:	LCS	Diln Fac:	1.000
Lab ID:	QC590472	Batch#:	174463
Matrix:	Soil	Prepared:	05/05/11
Units:	mg/Kg	Analyzed:	05/06/11

Cleanup Method: EPA 3630C

Analyte	Spiked	Result	%REC	Limits
Diesel C10-C24	49.95	36.02	72	44-151

Surrogate	%REC	Limits
o-Terphenyl	81	52-130

## Batch QC Report

Total Extractable Hydrocarbons			
Lab #:	227734	Location:	925 Stanford Ave.
Client:	Ninyo & Moore	Prep:	EPA 3550B
Project#:	401559003	Analysis:	EPA 8015B
Field ID:	ZZZZZZZZZZ	Batch#:	174463
MSS Lab ID:	227750-002	Sampled:	05/05/11
Matrix:	Soil	Received:	05/05/11
Units:	mg/Kg	Prepared:	05/05/11
Basis:	as received	Analyzed:	05/06/11
Diln Fac:	1.000		

Type: MS Lab ID: QC590473

Analyte	MSS Result	Spiked	Result	%REC	Limits
Diesel C10-C24	74.57	50.30	118.8	88	39-146

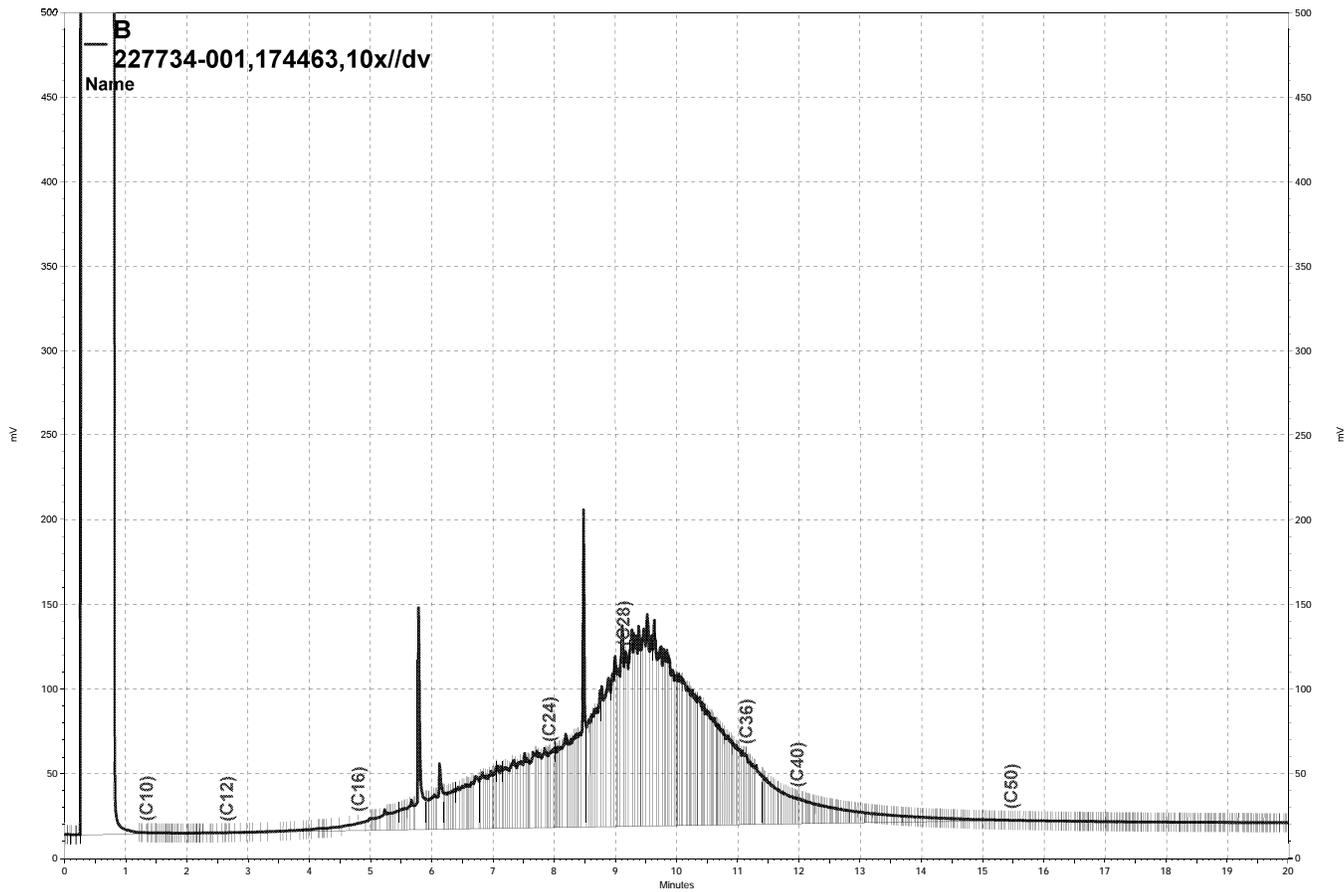
Surrogate	%REC	Limits
o-Terphenyl	96	52-130

Type: MSD Lab ID: QC590474

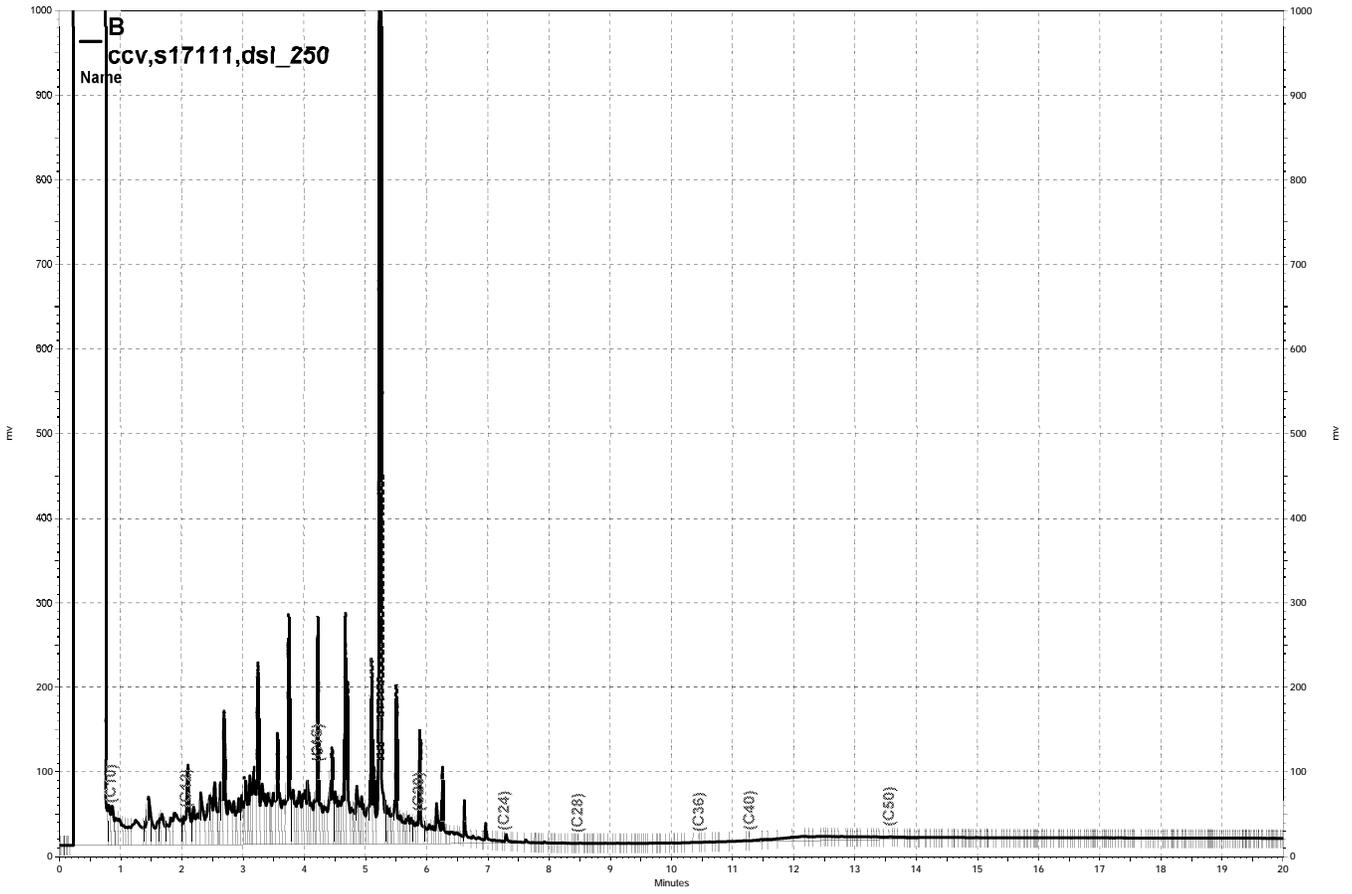
Analyte	Spiked	Result	%REC	Limits	RPD	Lim
Diesel C10-C24	50.38	99.17	49	39-146	18	61

Surrogate	%REC	Limits
o-Terphenyl	84	52-130

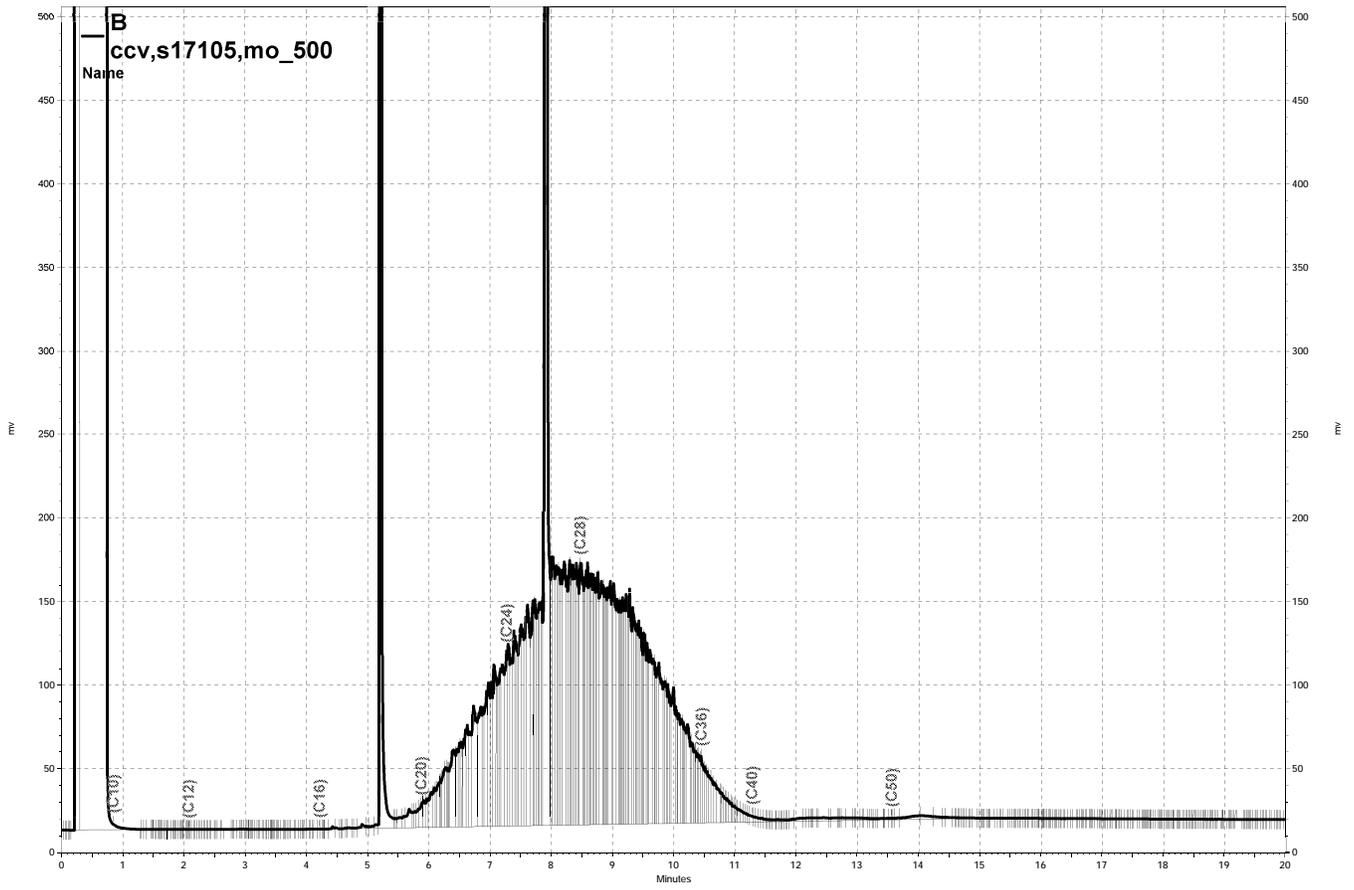
RPD= Relative Percent Difference



\\Lims\gdrive\ezchrom\Projects\GC14B\Data\125b035, B



\\Lims\gdrive\ezchrom\Projects\GC15B\Data\125b012, B



\\Lims\gdrive\ezchrom\Projects\GC15B\Data\125b013, B