



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

November 25, 2014

Mr. John Murray
John Murray Productions
1196 32nd Street, Oakland, CA 94608
(Sent via email to johnm@johnmurray.com)

Mr. Reid Settlemier
RWW Properties LLC
6114 LaSalle Avenue, #535
Oakland, CA 94611
(Sent via email to reid@rww-llc.com)

Subject: Work Plan Request; Site Cleanup Program (SCP) Case No. RO0003142, Adeline Foundry, 3037-3115 Adeline Street, Oakland, CA 94608

Dear Mr. Murray and Mr. Settlemier:

Alameda County Environmental Health (ACEH) has reviewed the case file including the *Subsurface Soil Investigation Report*, dated November 13, 2014. The report was prepared and submitted on your behalf by ERAS Environmental Inc. (ERAS). Thank you for submitting the report.

Based on ACEH staff review of the case file, we request that you address the following technical comments and send us the reports described below.

TECHNICAL COMMENTS

- 1. Work Plan Request** – The referenced report indicates that an area of soil contamination is present in the vicinity of soil bores PES-B2, B-2, B-6, and B-3 at the subject site, that the contamination appears to be limited to a depth less than approximately 10 – 15 feet below grade surface (bgs), and that it does not appear to impact groundwater. These bore locations appear to be associated with a former furnace for the former bronze foundry once located at the site. The northerly extent of the contamination is undefined but is inaccessible beneath the southerly building at the site. Concentrations up to 540 milligrams per kilogram (mg/kg) Total Petroleum Hydrocarbons as gasoline (TPHg), 20,000 mg/kg TPH as diesel (TPHd), 11,000 mg/kg TPH as oil (TPHo), 1,200 mg/kg copper, and 650 mg/kg lead were detected.

Because some of the hydrocarbon concentrations are particularly elevated and the fuel stock is unknown, ACEH requests a brief work plan for the collection and submittal of shallow soil samples for additional laboratory analysis, some not previously analyzed for at the site. This includes analysis for semi-volatile organic compounds (SVOCs), including poly-aromatic compounds (PAHs) and pentachlorophenol, poly-chlorinated biphenyls (PCBs), dioxins, and creosote by appropriate EPA analytical methods. Please be aware that PAH analysis must include naphthalene, acenaphthene, acenaphthylene, anthracene, chrysene, fluorine, fluoranthene, phenanthrene, pyrene, benzo(b)fluoranthene, benzo(a)pyrene, benzo(k)fluoranthene, benzo(a)anthracene, indeno(1,2,3-c,d)pyrene, dibenzo(a,b)anthracene, and benzo(g,h,i)perylene. Please submit the work plan by the date identified below.

- 2. GeoTracker Compliance** – A review of the State Water Resources Control Board's (SWRCB) GeoTracker website indicates the site has not been claimed. Because this is a state requirement, ACEH requests that the site be claimed in GeoTracker by the date identified below.

In accordance with California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, 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 UST or LUST program, must be transmitted electronically to the SWRCB GeoTracker system via the internet. Also, 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 to sub-meter accuracy using NAD 83. A California licensed surveyor may be required to perform this work. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs, including SCP programs such as this site. Additionally, pursuant to California Code of Regulations, Title 23, Division 3, Chapter 30, Articles 1 and 2, Sections 3893, 3894, and 3895, beginning July 1, 2005, the successful submittal of electronic information (i.e. report in PDF format) shall replace the requirement for the submittal of a paper copy. Please claim your site and upload all future submittals to GeoTracker and ACEH's ftp server by the date specified below. Electronic reporting is described below on the attachments.

Additional information regarding the SWRCB's GeoTracker website may be obtained online at http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/ and http://www.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml) or by contacting the GeoTracker Help Desk at geotracker@waterboards.ca.gov or (866) 480-1028.

- 3. Site Management Plan and Deed Restriction** – At present, it appears that there are limited volatile compounds beneath the site (however, this can change with the addition of additional data requested above), and that it is unlikely that the full extent of contamination can be successfully removed due to the presence of the southern onsite building. Additionally, contaminated soil is isolated from the surface by approximately 2 feet of fill material (baserock). Consequently, it appears that there are two methods to manage residual contaminated soil beneath the site. These include:

- Interim remedial excavation of known areas of contaminated soil, and
- Management of residual soil with a Site Manage Plan (SMP) and a Deed Restriction.

Because it is unlikely that all contaminated soil can be removed, it appears likely that a SMP and deed restriction would still be required after a remedial excavation. ACEH has been informed that the use of a SMP and deed restriction has been discussed with you by your consultant and that this is the preferred option by you for the site. As you may know, the intent of a SMP to define health and safety protocols for future subsurface work, and procedures for the characterization and management of contaminated soil and groundwater when subsurface intrusion is necessary, such as for utility repair, building expansion, or site redevelopment. A deed restriction is required for all Site Cleanup Program (SCP) cases to document the presence of contamination for future landowners. The SMP should also define contaminated areas, should additional characterization be required at a future date. As indicated above, provided there is limited additional contaminants that change the understanding of low contaminant volatility at the site, an SMP and deed restriction appear appropriate at the site.

Consequently, ACEH requests the submittal of a draft SMP and deed restriction in conjunction with the results of the planned work, by the date identified below.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with Attachment 1 and the specified file naming convention below, according to the following schedule:

- **December 12, 2014** – Work Plan
File to be named: RO3142_SWI_R_yyyy-mm-dd
- **December 19, 2014** – Claim Geotracker and Upload Required Documents
File to be named: RO3142_CORRES_L_yyyy-mm-dd
- **60 Days After Work Plan Approval** – Site Investigation
File to be named: RO3142_SWI_R_yyyy-mm-dd

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Online case files are available for review at the following website: <http://www.acgov.org/aceh/index.htm>. If your email address does not appear on the cover page of this notification, ACEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,

Mark E. Detterman, P.G., C.E.G.
Senior Hazardous Materials Specialist

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

cc: Clinton Stockton, John Murray Productions, Inc, 1196 32nd Street, Oakland, CA 94608; (Sent via E-mail to: Clinton@johnmurray.com)

David Siegel, ERAS Environmental, Inc., 1533 B Street, Hayward, CA 94541 (Sent via E-mail to: dave@eras.biz)

Dilan Roe (sent via electronic mail to dilan.roe@acgov.org)

Mark Detterman, ACEH, (sent via electronic mail to mark.detterman@acgov.org)
Geotracker, Electronic File

Attachment 1

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/).

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.

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	REVISION DATE: May 15, 2014
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: 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
 - 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 as they are NOT being supported at this time.
 - b) Click on Page located on the Command bar on upper right side of window, and then scroll down to Open FTP Site in Windows Explorer.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
 - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
 - a) Send email to 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.