



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
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March 2, 2015

East Bay Asian Local Development
1825 San Pablo Avenue, Suite 200
Oakland, CA 94607-6527
Attention: Everett Cleveland
(Sent via e-mail to: ecleveland@ebaldc.org)

East West Bank
9300 Flair Drive, Floor 5
El Monte, CA 91731-2802

West Grand & Brush LLC
1825 San Pablo Avenue, Ste. 200
Oakland, CA 94612

West Grand Development Group LLC
1375 Sutter Street, #308
San Francisco, CA 94109-5466

GTG Investors
45 Mitchell Blvd., Suite 14
San Rafael, CA 94903-2011

GTG Investors
PO Box 946
Tiburon, CA 94920-0846

GTG Investors
55 Main Street
Tiburon, CA 94920-2507

Bekins Company
2101 Brush Street
Oakland, CA 94612

Bekins Company
2116 Brush Street
Oakland, CA 94920-0846

Subject: Technical Report Request for Fuel Leak Case No. RO0003153 and GeoTracker Global ID T10000006348, Bekins 760 22nd Street, Oakland, CA 94612

Ladies and Gentlemen:

Alameda County Environmental Health (ACEH) was forwarded the *Request for Underground Storage Tank Case Closure, Properties at 760 22nd Street and 2201 Brush Street, Oakland, CA 94612* (Request) dated October 17, 2014, prepared by Essel Environmental and Engineering (Essel) on behalf of East Bay Asian Local Development (EBALD). The underground storage tanks (USTs) of concern were located at 760 22nd Street, Assessor Parcel Number 3-25-10. Upon review, ACEH determined that none of the listed addresses were associated with a previously known case, which prompted ACEH to list the subject case.

The Request Report was comprised of five attachments:

1. Attachment 1, a sketch map dated April 7, 1987 prepared by Hageman-Schank;
2. Attachment 2, *Request for Closure, Beacon Storage Company, 2227 San Pablo Avenue, Oakland, CA* prepared by PES Environmental, Inc. dated November 26, 1997;
3. Attachment 3, ACHCSA correspondence regarding Closure of Underground Storage Tank, dated December 8, 1997;
4. Attachment 4, *Phase I Environmental Site Assessment, 760 22nd St., 756 21st St., and 2116 and 2201 Brush Street, Oakland, CA* (Phase I) prepared by PES Environmental, Inc. dated August 30, 2011;

5. Attachment 5, *Human Health Risk Assessment, Commercial Properties at 756 21st St., and 2116 and 2201 Brush Street, Oakland, CA* (HHRA) prepared by Essel dated September 15, 2014.

The 1987 sketch map provided the location of two side-by-side underground storage tanks (USTs) in the sidewalk of the 760 22nd Street property. According to the Phase I, in October 1986, a 7,000 gallon diesel UST and a 2,000 gallon gasoline UST were removed from the Site. Additional investigations were conducted at the Site in 2005 and 2011 as part of real estate due diligence and planned residential redevelopment. During the 2005 Phase II investigation, conducted at 760 22nd Street concentrations of up to 190 milligrams per kilogram (mg/kg) Total Petroleum Hydrocarbons as Gasoline (TPHg), 250 mg/kg TPH as diesel (TPHd), and 47 mg/kg TPH as waste oil (TPHmo) were documented in soil samples. Concentrations of up to 3,200 micrograms per liter (ug/L) TPHd and 490 ug/L TPHmo were documented in grab groundwater samples.

ACEH has evaluated the data and recommendations presented in the above-mentioned reports, in conjunction with the case files, and the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case Closure Policy (LTCP). Based on ACEH staff review, we have determined that the Site fails to meet the LTCP General Criteria d (Free Product), e (Site Conceptual Model), f (Secondary Source Removal), Media-Specific Criteria for Groundwater, Media-Specific Criteria for Vapor Intrusion to Indoor Air, and the Media-Specific Criteria for Direct Contact. Therefore, ACEH requests that you prepare a Data Gap Investigation Work Plan by the date specified below to define the horizontal and vertical extent of soil and groundwater contamination and determine if contamination is present beneath your Site. This type of investigation usually involves drilling several soil borings surrounding the UST and collection of soil and grab groundwater samples for chemical analyses. The work plan should be prepared by an environmental consultant qualified to undertake the work.

As described in the attached Responsible Party(ies) Legal Requirements/Obligations, all technical reports must be submitted to both the ACEH ftp website and the State Water Resource Control Board (SWRCB) GeoTracker website. To upload to the Geotracker website you will need to claim your site on GeoTracker and then upload the Work Plan and all future reports to the GeoTracker website. Pursuant to CCR Sections 2729 and 2729.1, all analytical data 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, should groundwater wells be required, 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). Please upload all reports prepared after July 1, 2005 to the SWRCB's Geotracker database website in accordance with the above-cited regulation. Please additionally upload the reports to the ACEH ftp website.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please be aware that site investigation/site cleanup costs may be reimbursable from the California Underground Storage Tank Cleanup Fund. The application and additional information is available at the State Water Resources Control Board's website at http://www.waterboards.ca.gov/water_issues/programs/ustcf. Please be aware that reimbursement monies are contingent upon maintaining compliance with directives from ACEH. Additional information about the USTCF can be found below in the attachments to this letter.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACEH ftp site (Attention: Karel Detterman), and to the State Water Resources Control Board's GeoTracker website according to the following schedule and file-naming convention:

- **April 3, 2015** – Claim site in Geotracker
- **May 4, 2015** – Soil and Groundwater Investigation Work Plan
File to be named: RO3153_WP_R_yyyy-mm-dd

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. Online case files are available for review at the following website: <http://www.acgov.org/aceh/lop/ust.htm>

Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, please call me at (510) 567-6708 or send me an e-mail message at karel.detterman@acgov.org

Sincerely,

Karel Detterman, PG
Hazardous Materials Specialist

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

cc: Nik Lahiri, Essel Environmental and Engineering, (Sent via E-mail to: nlahiri@esseltek.com)
Dilan Roe, ACEH (Sent via E-mail to: dilan.roe@acgov.org)
Karel Detterman, ACEH (Sent via E-mail to: karel.detterman@acgov.org)
GeoTracker, Electronic Case 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.