

**From:** [Detterman, Karel, Env. Health](#)  
**To:** [Everett Cleveland](#); [Jason Vargas](#); "Nik Lahiri"; [rodger@esseltek.com](mailto:rodger@esseltek.com)  
**Cc:** [Roe, Dilan, Env. Health](#)  
**Subject:** RE: Fuel Leak Case No. RO0003153 and GeoTracker Global ID T10000006348, Bekins 760 22nd Street, Oakland, CA 94612  
**Date:** Monday, January 04, 2016 5:17:48 PM  
**Attachments:** [Attachment 1 and ftpUploadInstructions 2014-05-15.pdf](#)

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Hello Everyone:

Thank you for attending the meeting held at Alameda County Environmental Health's (ACEH) offices on December 30, 2015. The purpose of the meeting was to discuss deliverables requested in our December 18, 2015 Directive Letter (below) and identify the next steps to simultaneously facilitate site redevelopment and progress the case to closure. The submitted deliverables consisted of *Data Submittal Plates 1 through 9, an Environmental Schedule - Gantt chart, and the Property Parcel Numbers A-C*, prepared and submitted by Essel Environmental Engineering and Consulting (Essel) on behalf of for the East Bay Asian Local Corporation (EBALDC). Also submitted was the *West Grand and Brush Street 90% Schematic Design Set* dated February 12, 2015 prepared by Pyatok Architects. The proposed development is a mixed use residential/commercial building with a sub-grade parking stacker, offices and parking on the ground floor, a day care center on the 2nd floor, and residential units on higher floors.

As shown on Plate 2, *Site Plan and Future Ground Floor*, two elevators and a stair well are proposed to be located in the northeast corner of property in vicinity of former underground storage tanks (USTs).

The following bulleted list summarizes ACEH's main concerns presented by the November 6, 2015 *Soil and Groundwater Investigation Report*. Please submit a draft work plan addressing the concerns as per the schedule discussed during the meeting and presented below. ACEH is committed to rapid document review turnaround times to facilitate the site redevelopment.

1. The proposed location of the stair well and two elevator shafts coincide with the location of the former USTs in the northeast corner of property. Vinyl chloride (VC) was detected in a groundwater sample and tetrachloroethene (PCE) was detected in a soil vapor sample taken in the vicinity of the former USTs in the northeast corner of property. Due to the potential for vertical migration of VC and PCE in the stair wells and elevator shaft, ACEH requests addressing the following concerns in a draft work plan:
  - a. Propose additional field investigation activities to identify the source and extent of the VC and PCE including, but not limited to, collection of additional soil gas samples from the existing vapor wells;
  - b. Preparation of a Human Health Risk Assessment (HHRA) by an independent consultant. Prior to submittal of the draft work plan, obtain input from the Risk Assessor regarding additional data needs that may be required for the risk assessment to evaluate risk to day care receptors on the second floor. The HHRA should include evaluation of site risks with and without mitigation measures.
2. During the underground utility location, a geophysical anomaly was detected adjacent to soil boring ECB-10 and a standpipe was observed that was similar in appearance to a vent pipe associated with a UST system. ACEH requests investigation of the geophysical anomaly including delineation of the extent of

petroleum hydrocarbon impacts to soil and groundwater in this area.

3. Soil boring ECB-7 was drilled at an angle in an effort to determine conditions beneath the oil changing pit; however, due to site constraints, the drilling angle was found to be inadequate to accomplish the task; therefore, ACEH requests additional investigation of the oil changing pit, including, but not limited to, the dimensions, construction, and condition of the pit, and delineation of the extent of petroleum hydrocarbons beneath the pit. During our meeting we agreed that hand auguring may be an acceptable method for collection of soil samples and collection of groundwater samples in this area may not be necessary unless prompted by the results of soil samples.

**ESTIMATED DELIVERABLE SCHEDULE:**

Based on the discussions during our meeting and to facilitate the site redevelopment, ACEH proposed the following *estimated* schedule and requests submittal of the requested reports by the dates provided below:

- January 8, 2016: Submittal of draft work plan via e-mail to [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org)
- January 15, 2016: ACEH provides technical comments to incorporate into draft work plan to finalize and approve work plan;
- Week of January 18, 2016: start of field work;
- Week of January 25, 2016: laboratory results received; discuss results in a conference call and commence human health risk assessment (HHRA);
- First week of March 2016: submittal of the Site Delivery Review (SDR) with appendices containing a conceptual Remedial Action Plan (RAP), geotechnical report, and the HHRA;
- Last week of March 2016: ACEH provides technical comments on the SDR;
- Upon approval of SDR and prior to implementation of RAP: submittal of a remedial design implementation plan (RDIP);

These submittals 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.

Thank you,

Karel Detterman, PG  
Hazardous Materials Specialist  
Alameda County Environmental Health

1131 Harbor Bay Parkway  
Alameda, CA 94502  
Direct: 510.567.6708  
Fax: 510.337.9335  
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PDF copies of case files can be downloaded at:

<http://www.acgov.org/aceh/lop/ust.htm>

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**From:** Detterman, Karel, Env. Health  
**Sent:** Friday, December 18, 2015 11:17 AM  
**To:** Everett Cleveland; Jason Vargas; 'Nik Lahiri'; rodger@esseltek.com  
**Cc:** Roe, Dilan, Env. Health  
**Subject:** Fuel Leak Case No. RO0003153 and GeoTracker Global ID T10000006348, Bekins 760 22nd Street, Oakland, CA 94612

Hello Everyone:

Thank you for attending the meeting at our office on December 9, 2015. Attached are ACEH's meeting notes for your use. The purpose of the meeting was to discuss the results of the *Soil and Groundwater Investigation Report Properties at 760 22<sup>nd</sup> Street and 2201 Brush Street, Oakland, CA 94612* (Report dated November 6, 2015 prepared by Essel Environmental Engineering and Consulting (Essel) for the East Bay Asian Local Corporation (EBALDC) in conjunction with the Low Threat Closure Policy (LTCP) Evaluation. The following list summarizes the main discussion topics during the meeting to assist in clarifying the proposed redevelopment with respect to remaining data gaps on the path to closure.

Please submit the requested items at our next meeting with ACEH to develop a path forward.

**ACEH's concerns:**

1. Delineation of onsite fill material as indicated in the boring logs;
2. Secondary source material associated with the two former underground storage tanks (USTs);
3. Anomaly (possible former UST or former UST void) west of vehicle maintenance shop;
4. Abundant surface oil staining;
5. Current site use as a bus parking and storage facility and resulting oil staining;
6. Elevated concentrations of gasoline, diesel, and motor oil in soil and groundwater;

**ACEH's requested submittals for the next meeting:**

1. ~~Set of size "D" development plans~~; Received 12/16/2015 – thank you!
2. Preparation of cross-sections that include:
  - a. Thickness of fill across site;
  - b. Depths of proposed redevelopment stairwells, puzzle lift garage, elevators, and any underground structure;
  - c. Depths of former USTs, suspected USTs, surface staining, product lines, and dispenser;
  - d. Depth of existing concrete vehicle maintenance trench;
  - e. Approximate location of anomaly adjacent to ECB-10;
  - f. Depth to groundwater;
  - g. All soil borings including historical soil borings;
3. Plan view figure using an aerial photograph base and indicating:
  - a. Thickness of fill across site;
  - b. Foot print of proposed redevelopment stairwells, puzzle lift garage, elevators, and any

- underground structure;
- c. Former USTs, suspected USTs, surface staining, product lines, and dispenser;
- d. Existing structures and concrete vehicle maintenance trench;
- e. Approximate location of anomaly adjacent to ECB-10;
- f. Depth to groundwater in soil bores;
- 4. All soil borings including historical soil borings
- 5. Preparation of a cross section indicating angle soil boring, soil sample locations, depth to groundwater, and anomaly (possible former UST or former UST void) west of vehicle maintenance shop with respect to concrete vehicle maintenance trench;
- 6. Gantt Chart for construction including ACEH submittals and reviews;
- 7. Submittal of Alameda County Public Works Agency 2,000-foot radius well survey plotted on a site vicinity figure.

These submittals 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.

Thank you,

Karel Detterman, PG  
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Alameda County Environmental Health  
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Direct: 510.567.6708  
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<http://www.acgov.org/aceh/lop/ust.htm>

## 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/](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> May 15, 2014
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 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 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](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.