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May 4, 2015

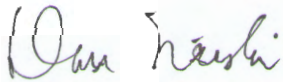
Mr. Mathew Soby  
Alameda County Health Care Services Agency  
1131 Harbor Bay Parkway, Ste. 250  
Alameda, CA 94502-6577  
[mathew.soby@acgov.org](mailto:mathew.soby@acgov.org)

Subject: **Initial Soil and Water Investigation Workplan and Site Conceptual Model**  
357 105<sup>th</sup> Avenue, Oakland, CA  
Fuel Leak Case No. RO0003156; Global ID T10000006426

Dear Mr. Soby

I declare, under penalty of perjury, that the information and/or recommendations contained in the attached *Initial Soil and Water Investigation Workplan and Site Conceptual Model* prepared by Almar Environmental are true and correct to the best of my knowledge.

Sincerely,



Mr. Dan Neishi  
Responsible Party Representative



***Initial Soil and Water Investigation Workplan  
And Site Conceptual Model***

**357 105<sup>th</sup> Avenue  
Oakland, California**

**May 4, 2015**

***Prepared for:***

Neishi Brothers Nursery  
c/o Dan S. Neishi Trust & Mitsugi Neishi Heirs of Estate  
357 105<sup>th</sup> Avenue  
Oakland, CA 94603

***Prepared by:***

Almar Environmental  
407 Almar Avenue  
Santa Cruz, California 95060

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## 1.0 INTRODUCTION

Almar Environmental (Almar) appreciates the opportunity to work on the 359 105<sup>th</sup> Avenue project in San Carlos, California (Figures 1 through 3). Almar has been retained by the Dan S. Neishi Trust & Mitsugi Neishi Heirs of Estate to prepare and implement this *Initial Soil and Water Investigation Workplan and Site Conceptual Model* for the subject site. On March 13, 2015 the Alameda County Health Care Services Agency (ACHCSA) issued a directive letter (Appendix A) requesting a workplan be prepared to further assess the extent of contamination at the subject site and to characterize the case. The purpose of this workplan is to present a series of tasks to comply with these regulatory directives. In general, Almar is proposing to advance up to eight (8) temporary borings in areas around the former tank location and in the assumed up and down gradient groundwater flow directions. Almar will collect soil and “grab” groundwater samples from each boring. Herein, Almar presents the specific proposed tasks to complete this investigation; additionally an initial site conceptual model is presented in Appendix B.

## 2.0 SITE INFORMATION

The project site is located at 359 105<sup>th</sup> Avenue in the city of Oakland, California (Figure 1). The site consists of roughly rectangular residential/commercial property associated with Alameda County Assessor’s parcel number 45-5370-9-2. An Aerial Photograph of the Site Area is included as Figure 2 and a detailed Site Map is included as Figure 3.

### 2.1 Physical Setting

Based on the U.S. Geological Survey San Leandro, California Quadrangle 7.5 Minute Series Topo Map, the subject property is approximately 20 feet (ft) above mean sea level (msl). The topographic slope of the subject property and surrounding areas is generally to the west, towards the San Francisco Bay (Figure 1).

According to the *Preliminary Geologic Map Emphasizing Bedrock Formations in Alameda County, California*, the site lies upon Holocene and Pleistocene surficial undivided sediments (Qu) (Graymer, Jones, Brabb, 1996). Site specific soils, encountered during tank removal activities were described by the tank removal contractor as predominantly Silty Clay (CL).

The nearest surface water to the site is San Leandro Creek, located approximately 1,000 feet south of the subject site, and the San Francisco Bay which is located approximately 2.0 miles southwest of the site (Figure 1). Based upon topography of the area, regional groundwater flow is expected to be to the west/southwest (towards the San Francisco Bay and San Leandro Creek). Site specific groundwater data is unavailable. However, based upon local topography, review of other leaking underground storage tank sites in the area, and the site’s relatively close proximity to the San Francisco Bay, groundwater is expected to be first encountered between 10 and 15 feet bgs and flow in a southwesterly direction.

### 2.2 Site Background and Summary of Previous Environmental Investigations

#### UST Removal – November, 2014

On November 25, 2014, one, approximately 1,000 gallon underground storage tank (UST), was removed under permit from the Oakland Fire Department (OFD) by Environmental Restoration Services, a licensed hazardous materials removal contractor. The tank was originally believed to have contained diesel but during the removal activities was found to contain gasoline. As required by the removal

permit and under direction from the OFD inspector, ERS collected two soil samples, one from below either end of the tank, at approximately 7.5 to 8.0 feet bgs. One additional, sample was also collected from below the former dispenser at approximately 3.0 feet bgs. Elevated concentrations of Total Petroleum Hydrocarbons as gasoline (TPHg) (up to 497 mg/Kg), ethylbenzene (up to 10.6 mg/Kg), and total xylenes (up to 48.3 mg/Kg) were reported in the samples collected from below the tank. Excavated overburden soil and clean imported baserock was compacted back into the tank pit following sampling. A full summary of the historical soil analytical data from the tank removal is presented in Table 1. Based upon these results, a leaking underground fuel tank (LUFT) case was opened by the ACHCSA and a directive letter was issued requesting a workplan be prepared to further assess the extent of contamination at the subject site and to characterize the case. A copy of the directive letter is presented in Appendix A.

The following sections of this Workplan propose a detailed scope of work to provide the required additional assessment necessary to further define the extent of the previously identified subsurface contamination at the subject site.

### **3.0 PROPOSED SOIL AND WATER INVESTIGATION SCOPE OF WORK**

Almar proposes to advance a total of up to eight (8) temporary borings at the subject site. Almar will collect soil and “grab” groundwater samples from each of the borings. The borings will be referred to as DP-1 through DP-8. A site map showing the proposed boring locations is included as Figure 3. The rationale for the proposed boring locations is based on locations of important site features, historical sampling data, and the assumed groundwater flow direction (i.e., to the southwest). The actual number and/or locations of the borings may be moved in the field at the discretion of the field geologist based upon encountered subsurface conditions.

#### **3.1 Task 1: Regulatory Liaison, Permitting, and Project Management**

Almar will represent the client with regulatory agencies and onsite businesses or residences in meetings and/or communications. A representative of Almar will also coordinate, oversee, and/or conduct all activities detailed in this Workplan. Almar will obtain the appropriate subsurface drilling permit from the ACHCSA. As required by law, Almar will mark the subject property and notify Underground Service Alert (USA) to clear the proposed boring locations of underground utilities prior to drilling activities. A Health and Safety Plan (HASP) will be prepared, maintained onsite, and will comply with 29 CFR 1910.120 and Cal OSHA regulations.

#### **3.2 Task 2: Drilling and Soil Sampling**

Soil borings will be drilled by a C57 licensed driller under the direction of a licensed State of California Professional Geologist. As required by law, the top five (5) feet of each boring will be dug by hand to ensure that underground utilities are not encountered. Following hand clearing, a truck-mounted Geoprobe™ direct-push sampling rig capable of continuous core soil sampling will be used to drill each of the proposed borings (DP-1 through DP-8). The Geoprobe™ will direct-push (hammer) a 2-inch diameter steel Macrocore barrel until groundwater is first encountered (estimated 10 - 15 ft bgs). The core barrels will be lined with clear plastic disposable tubing to facilitate continuous soil coring and soil logging for description. Soils will be logged using the United Soil Classification System (USCS). Soil samples will be collected at five (5) foot intervals, where contamination is observed in the field, and at the soil-groundwater interface. A minimum of two (2) soil samples from each boring will be retained for laboratory analysis. All soil samples will be collected by cutting the desired section of disposable plastic tubing, sealing the ends of the tube with Teflon™ tape, and capped. The caps will be sealed with silicone

tape, labeled, sealed in individual plastic bags, and placed in a pre-chilled ice chest with ice to remain at 4° Celsius (°C) until they arrive at the lab.

Soil cuttings generated during drilling operations will be contained 55-gallon drums and remain on site. Water used in the decontamination and cleaning of drilling equipment will also be stored on site in 55-gallon drums.

### **3.3 Task 3: Groundwater Sampling**

Once groundwater is encountered in each of the borings, and a sufficient amount is present for sampling, the Macrocore sampler will be removed from the boring, and a temporary flush threaded, ¾-inch schedule 40 polyvinyl chloride (PVC) casing will be placed within the boring. The bottom cap will be flush threaded, and based on previously observed conditions, the screened casing will be 0.010-inch slots. Groundwater samples will then be collected from the temporary casing using a disposable polyethylene bailer or a peristaltic pump.

Each groundwater sample will be collected in laboratory supplied EPA Testing Method approved containers, labeled, sealed in individual plastic bags, and placed in a pre-chilled ice chest with ice to remain at 4 degrees Celsius (°C) until they arrive at the lab. Samples will be properly decanted into 40 ml VOAs using bailer attachments to minimize agitation of the sample. Samples collected in VOAs will be checked for headspace. VOA vials will be ordered with hydrochloric acid preservative and amber liters without preservatives. Typically, three VOAs and one amber liter will be collected for each groundwater sample.

### **3.4 Task 4: Laboratory Analysis**

Once all soil and groundwater samples are collected and appropriately packed, they will be transported, observing formal chain-of-custody (COC) procedures to a State of California-certified testing laboratory. All soil and groundwater samples will be collected and analyzed for Total Petroleum Hydrocarbons as gasoline (TPHg) by EPA Test Method 8015 and benzene, toluene, ethylbenzene, xylenes (BTEX), MtBE and naphthalene by EPA Test Method 8260b. Although at the time of removal the UST contained gasoline, based upon historical documentation it is possible that the tank formerly contained diesel, as such all groundwater samples will additionally be analyzed for Total Petroleum Hydrocarbons as diesel (TPHd) with silica gel cleanup.

### **3.5 Task 5: Wastewater and Soil Disposal**

Drill cuttings and decontamination water produced from drilling and sampling activities will be temporarily stored on-site in properly labeled and secured 55-gallon Department of Transportation (DOT) steel drums. The drums will remain on-site and are the responsibility of the client.

### **3.6 Task 6: Reporting**

A written report documenting work performed will be provided by Almar approximately two (2) weeks following completion of the field work and receipt of the laboratory results. The report will include field sheets, boring logs, laboratory data, etc. The report will contain the appropriate conclusions and recommendations based upon the conditions encountered in the field and the laboratory analytical results. The report will be signed and stamped by a registered professional.

#### 4.0 TIMELINE

The following is an estimated timeline to complete the tasks outlined in Section 3.0:

Task 1 – Will be completed within two (2) weeks of regulatory approval of this Workplan.

Tasks 2 and 3 – Will take place within two (2) weeks of receipt of the required permit from the ACHCSA (Task 1). Almar expects these tasks to be completed in one business day.

Task 4 – Will occur two weeks following completion of Tasks 2 and 3.

Task 5 – Is the responsibility of the client.

Task 6 – Will be completed no more than two (2) weeks following receipt of the laboratory analytical data.

#### 5.0 CERTIFICATION AND DISTRIBUTION

To the best of our knowledge, all statements made in this workplan are true and correct. This workplan is based on data provided by the client and others, site conditions observed, samples collected and analytical data. No warranty whatsoever is made that this workplan addresses all contamination found on the site.

Respectfully submitted,



Forrest N. Cook  
Owner/Principal Scientist  
Almar Environmental  
California Professional Geologist #8201 (exp 9/16)

CC:

Mr. Mathew Soby  
Alameda County Health Care Services Agency  
1131 Harbor Bay Parkway, Ste. 250  
Alameda, CA 94502-6577  
[mathew.soby@acgov.org](mailto:mathew.soby@acgov.org)

#### 6.0 REFERENCES

Brabb, E.E., Graymer, R.W., and Jones, D.L., 1996, *Preliminary Geologic Map Emphasizing Bedrock Formations in Alameda County, California: Derived from the Digital Database Open-File 96-252*. U.S. Geological Survey, Menlo Park, CA.

Environmental Restoration Services. November 15, 2014. *Underground Tank Technical Closure Report*. 357 105<sup>th</sup> Avenue, Oakland, California.

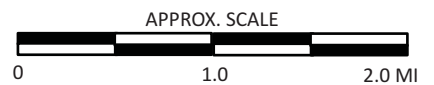
United States Department of the Interior Geologic Survey (USGS). 1954, Revised 1994. San Leandro, California 7.5-Minute Quadrangle.

## FIGURES





SOURCE: USGS 1:24,000 SCALE SERIES SAN LEANDRO, CA QUAD

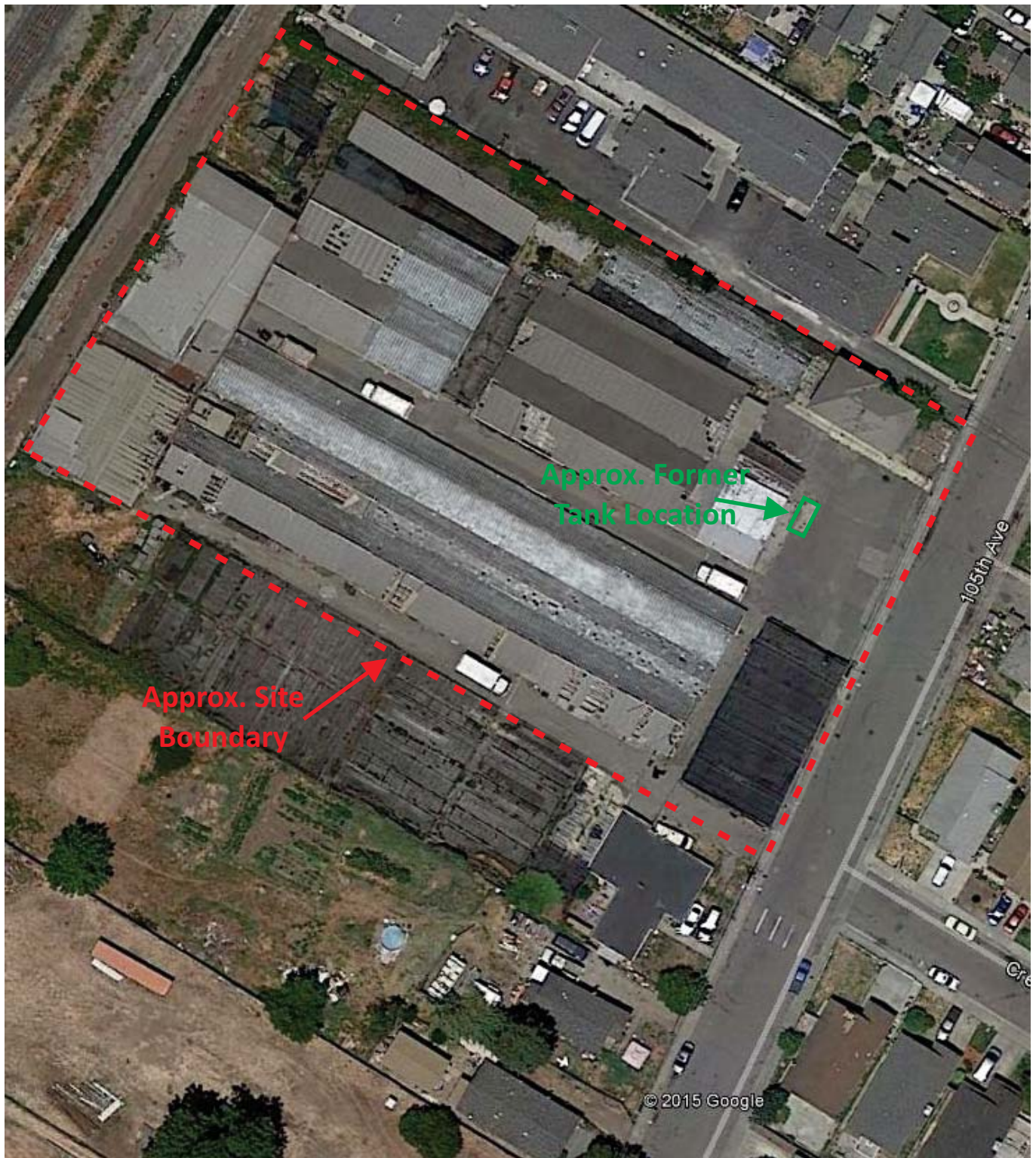


357 105th AVENUE  
OAKLAND, CALIFORNIA

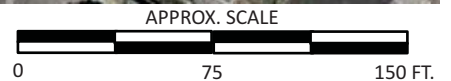
SITE VICINITY TOPO MAP

FIGURE

1



SOURCE: Google Earth, 2015

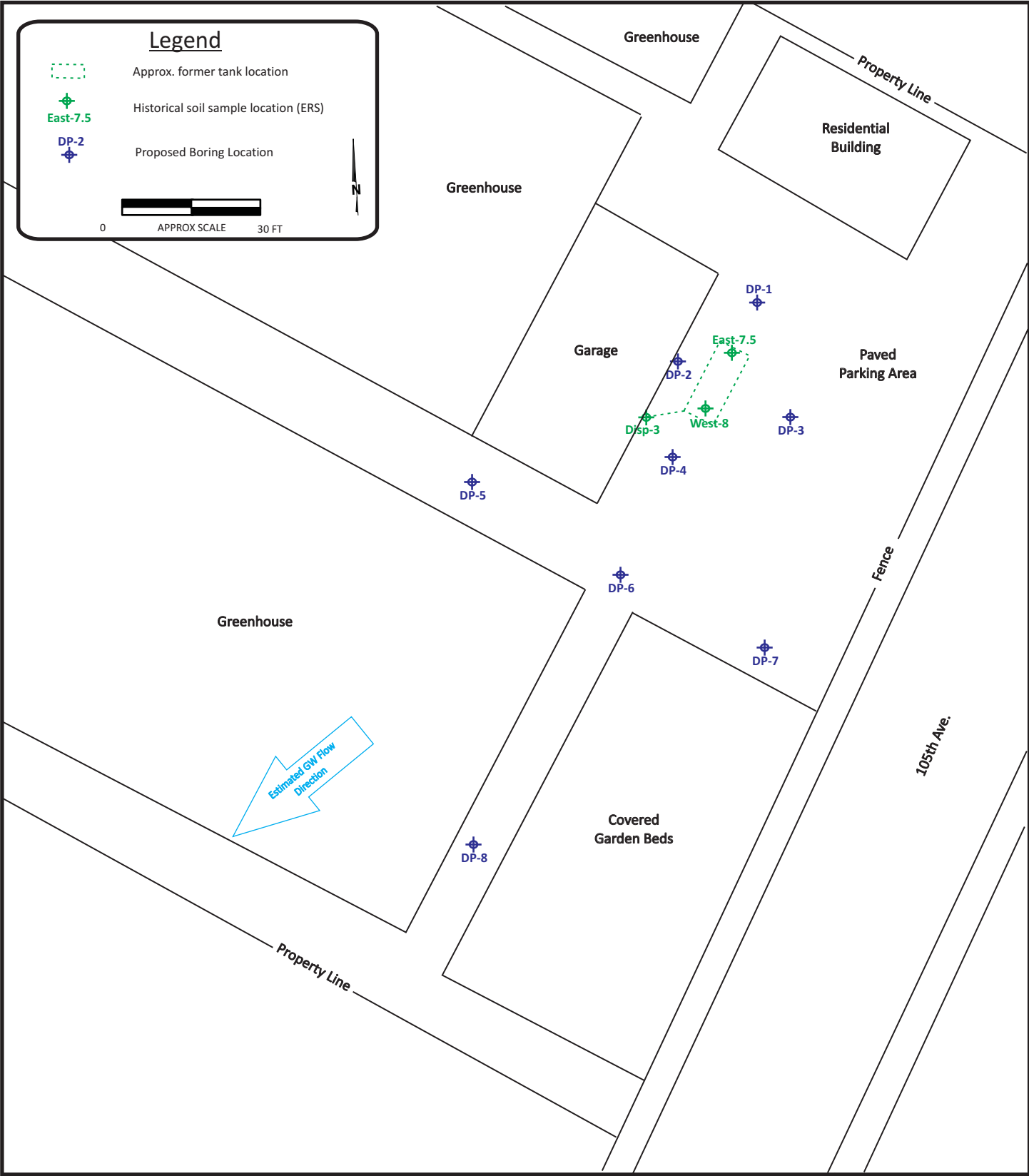


357 105th AVENUE  
OAKLAND, CALIFORNIA

AERIAL PHOTOGRAPH  
OF SITE AREA

FIGURE

2



357 105th AVENUE  
OAKLAND, CALIFORNIA

SITE MAP SHOWING  
PROPOSED BORING LOCATIONS

FIGURE

3

## TABLES

**TABLE 1**  
**SUMMARY OF HISTORICAL SOIL ANALYTICAL DATA**  
**359 105th Avenue**  
**Oakland, California**

Sample ID	Sample	Sample Date	TPHg	B	T	E	X	MtBE	DIPE	TAME	TBA	Lead
	Depth (ft.)		(mg/Kg)	(mg/Kg)	(mg/Kg)	(mg/Kg)	(mg/Kg)	(mg/Kg)	(mg/Kg)	(mg/Kg)	(mg/Kg)	(mg/Kg)
<b>EAST-7.5</b>	7.5	11/25/14	<b>497</b>	ND<0.630	ND<0.630	<b>10.6</b>	<b>48.3</b>	ND<1.3	ND<0.630	ND<0.630	ND<13	<b>5.1</b>
<b>WEST-8</b>	8.0	11/25/14	<b>165</b>	ND<0.190	ND<0.190	<b>2.12</b>	<b>9.92</b>	ND<3.8	ND<0.190	ND<0.190	ND<3.80	<b>7.2</b>
<b>DISP-3</b>	3.0	11/25/14	ND<0.049	ND<0.0005	ND<0.0005	ND<0.0005	ND<0.001	ND<0.001	ND<0.0005	ND<0.0005	ND<0.01	<b>6.2</b>
<b>ESL Residential</b>			<b>100</b>	<b>0.044</b>	<b>2.9</b>	<b>3.3</b>	<b>2.3</b>	<b>0.023</b>	---	---	<b>0.075</b>	<b>80</b>
<b>LTCP Residential (0' to 5')</b>			---	<b>1.9</b>	---	<b>21.0</b>	---	---	---	---	---	---
<b>LTCP Residential (5' to 10')</b>			---	<b>2.8</b>	---	<b>32.0</b>	---	---	---	---	---	---

**Notes:**

11/25/14 samples collected by ERS

--- = Parameter not analyzed

<0.5 / ND = Not present at or above reporting detection limit

mg/Kg = micrograms per kilogram = parts per million = ppm

ESLs = RWQCB Environmental Screening Levels shallow soil (Table A: Potential source of drinking water)

LTCP = Low Threat Closure Policy - Table 1: Concentrations of Petroleum Constituents in soil

that will have no significant risk of adversely affecting human health

TPHg = Total Petroleum Hydrocarbons as diesel

B = Benzene

T = Toluene

E = Ethylbenzene

X = Total Xylenes

MtBE = Methyl-t-butyl ether

DIPE = Di-isopropyl ether

TAME = Tert-Amyl Methyl ether

TBA = Tert Butyl Alcohol

**Bolded Value** =detected concentration

**Shaded Value** = concentration exceeds either ESL or LTCP value

## **APPENDIX A**

### **Directive Letter**



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-933

March 13, 2015

Neishi Brothers Nursery  
c/o: Dan S. Neishi Trust &  
Mitsugi Neishi Heirs of Estate et al.  
357 105<sup>th</sup> Avenue  
Oakland, CA 94603

Subject: Request for Site Investigation Work Plan; Fuel Leak Case No. RO0003156 and GeoTracker Global ID T1000006426, Neishi Brothers Nursery, 357 105<sup>th</sup> Avenue, Oakland, CA 94603

Dear Neishi Brothers Nursery:

Alameda County Environmental Health (ACEH) has reviewed the case file, including the December 30, 2014 report titled "*Underground Tank Technical Closure Report*" generated by Environmental Restoration Services. The report documents the November 2014 removal and disposal of one 1,000-gallon underground storage tank (UST), fuel dispenser, and related product piping that are reported to have stored gasoline or diesel. The UST was found to have one hole and corrosion. Soil discoloration and hydrocarbon odors were observed in the tank bed materials. Two soil samples were collected at 7.5 and 8 feet below ground surface (bgs) from the east and west ends of the UST and one sample was collected at 3 feet bgs from underneath the former dispenser location on November 25, 2014. Maximum concentrations were detected of 497 milligrams per kilogram (mg/kg) Total Petroleum Hydrocarbons as gasoline (TPH-g), 10.6 mg/kg ethylbenzene, and 48.3 mg/kg total xylenes. Neither groundwater nor rinsate water were encountered during the excavation.

ACEH has also evaluated the data and recommendations presented in the above-mentioned report to determine if the site is eligible for closure as a low risk site under the *California State Water Resources Control Board's (SWRCB) 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), the Media-Specific Criteria for Groundwater, the Media-Specific Criteria for Petroleum Vapor Intrusion to Indoor Air, and the Media-Specific Criteria for Direct Contact and Outdoor Air Exposure (see GeoTracker ([http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/resolutions/2012/rs2012\\_0016atta.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2012/rs2012_0016atta.pdf)) and ([http://geotracker.waterboards.ca.gov/profile\\_report.asp?global\\_id=T1000006426](http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T1000006426)) for a copy of the LTCP and case-specific files).

Further work is required to assess the extent of contamination around the area of the former UST and to characterize the case. Please ensure that the case is characterized is light of the requirements contained in the LTCP. ACEH requests that you prepare a Work Plan that is supported by a Site Conceptual Model to address the technical comments provided below.

#### **TECHNICAL COMMENTS**

- 1. Request for Total Petroleum Hydrocarbons as diesel and naphthalene analysis** – Please address the discrepancy between the Oakland Fire Dept. UST Closure/Removal Field Inspection Report that denotes the UST material last stored was diesel; conversely, the Environmental Restoration Services UST Technical Closure Report denotes the tank usage was gasoline.

Therefore, ACEH requests representative soil and groundwater samples be additionally analyzed via US EPA Method 8015 (for TPH as diesel) and naphthalene via US EPA Method 8260. Include the appropriate analytical methods and sampling locations in the Work Plan. Otherwise, in lieu of analytical testing, submit further documentation regarding the fuel type stored in the former UST.

2. **Request for Fate of Excavated UST Soils and Tank Bedding Material** - The UST removal report is unclear if soil was utilized as backfill or properly disposed off-site; please detail the fate of excavated soils. If impacted, excavated UST soil was utilized as backfill, this soil may act as an on-going secondary source of contamination.
3. **Request for Potential Future Land Use Redevelopment Plans** – LTCP closure may be more or less conservative (or restrictive) based on reasonably anticipated future land use (e.g. residential vs. commercial/industrial) and potential redevelopment. In order to guide ACEH evaluation, please include a description of the reasonably anticipated future land use and potential redevelopment with the Work Plan.
4. **Request for a Site Investigation Work Plan and Site Conceptual Model** – ACEH requests the submittal of a site investigation Work Plan, and Site Conceptual Model (SCM) by a consultant qualified to undertake the work by the date identified below (see **Attachment 1**). Please prepare the Work Plan to address the technical comments listed above. Please support the scope of work in the Work Plan with a SCM and Data Quality Objectives (DQOs) that relate the data collection to each LTCP criteria. For example please clarify which scenario within each Media-Specific Criteria a sampling strategy is intended to apply to. Include in the Work Plan the appropriate soil and groundwater sampling and analysis based on US EPA SW-846 methods.

In order to expedite review, ACEH requests the SCM be presented in a tabular format that highlights the major SCM elements and associated data gaps, which need to be addressed to progress the site to case closure under the LTCP. Please see **Attachment A “Site Conceptual Model Requisite Elements”**. Please sequence activities in the proposed data gap work plan investigation scope of work to enable efficient data collection in the fewest mobilizations possible.

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

Pursuant to *California Code of Regulations (CCR), 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. 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/](http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/) and [http://www.swrcb.ca.gov/ust/electronic\\_submittal/report\\_rqmts.shtml](http://www.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml)) or by contacting the GeoTracker Help Desk at [geotracker@waterboards.ca.gov](mailto:geotracker@waterboards.ca.gov) or (866) 480-1028.



### **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](http://www.waterboards.ca.gov/water_issues/programs/ustcf). Please be aware that reimbursement monies are contingent upon maintaining compliance with directives from ACEH.

### **TECHNICAL REPORT REQUEST**

Please upload technical reports to the ACEH ftp site (Attention: Matthew Soby), and to the State Water Resources Control Board's GeoTracker website, in accordance with the following schedule and file naming convention:

- **June 15, 2015 (90 days)** – GeoTracker Compliance, Site Investigation Work Plan, and Site Conceptual Model (file name: **RO0003156\_WP\_R\_yyyy-mm-dd**)
- **Sixty (60) Days After Work Plan Approval** – Soil and Groundwater Investigation Report (file name: **RO0003156\_SWI\_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.

Should you have any questions, please contact me at (510) 567-6725 or send me an electronic mail message at [matthew.soby@acgov.org](mailto:matthew.soby@acgov.org).

Sincerely,

Matthew Soby  
Hazardous Materials Technician

Enclosures: Attachment 1 – Responsible Party(ies) Legal Requirements / Obligations  
Electronic Report Upload (ftp) Instructions  
Attachment A “Site Conceptual Model Requisite Elements”

cc: Ben Halsted, Environmental Restoration Services, PO Box 2006, Menlo Park, CA 94026  
(Sent via E-mail to: [Ben@envirest.com](mailto:Ben@envirest.com))  
Dilan Roe, ACEH, (Sent via E-mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Matthew Soby, ACEH, (Sent via E-mail to: [matthew.soby@acgov.org](mailto:matthew.soby@acgov.org))  
Electronic File, GeoTracker

## 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.

## **APPENDIX B**

### **Initial Site Conceptual Model**

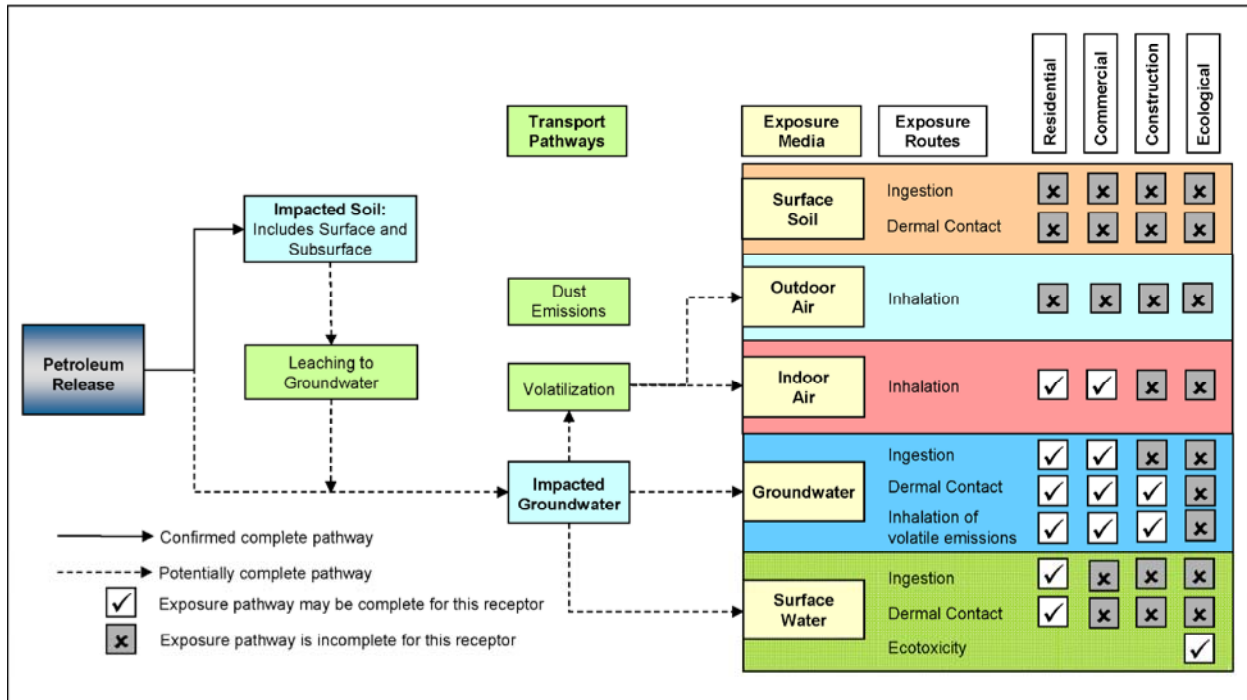


## Initial Site Conceptual Model

The purpose of this Initial Site Conceptual Model (ISCM) for the subject site located at 357 105<sup>th</sup> Avenue project in San Carlos, California is to:

- 1.) Convey an understanding of the origin, nature, and lateral and vertical extent of contamination
- 2.) Identify potential contaminant fate-and-transport processes and pathways.
- 3.) Identify potential human and environmental receptors that may be impacted by contamination associated with the site.
- 4.) Guide site investigation activities and identify additional data needed (if any) to draw reasonable conclusions regarding the source, pathways, and receptors.
- 5.) Frame the evaluation of risk to human health, safety, and the environment posed by the release at the site.

Other than the removal of the LUST, no other investigative work has occurred at the subject site to date. The following is a flow diagram illustrating the currently known potential and confirmed exposure pathways and their known risks.



As shown in the above diagram, the only currently confirmed pathway is that subsurface soils have been impacted due to the release, as the investigation progresses this diagram will be updated. Additionally, the following table presents other required elements of the CSM along with known data gaps (if any) and how to potentially address the data gaps.

**INITIAL SITE CONCEPTUAL MODEL  
359 105th Avenue  
Oakland, California**

CSM Element	Description	Data Gap	How to Address
<p>Geology &amp; Hydrogeology</p>	<p>Based on the U.S. Geological Survey San Leadno, California Quadrangle 7.5 Minute Series Topo Map, the subject property is approximately 20 feet (ft) above mean sea level (msl). The topographic slope of the subject property and surrounding areas is generally to the west, towards the San Francisco Bay.</p>	<p>None</p>	<p>NA</p>
	<p>According to the <i>Preliminary Geologic Map Emphasizing Bedrock Formations in Alameda County, California</i>, the site lies upon Holocene and Pleistocene surficial undivided sediments (Qu). Site specific soils, encountered during tank removal activities were described by the tank removal contractor as predominantly Silty Clay (CL).</p>	<p>None</p>	<p>NA</p>
	<p>The nearest surface water to the site is San Leandro Creek, located approximately 1,000 feet south of the subject site, and the San Francisco Bay which is located approximately 2.0 miles southwest of the site. Based upon topography of the area, regional groundwater flow is expected to be to the west/southwest (towards the San Francisco Bay and San Leandro Creek). Site specific groundwater data is unavailable. However, based upon local topography, review of other leaking underground storage tank sites in the area, and the site's relatively close proximity to the San Francisco Bay, groundwater is expected to be first encountered between 10 and 15 feet bgs and flow in a southwesterly direction.</p>	<p>Depth to first encountered groundwater and groundwater flow direction must be determined</p>	<p>First encountered water will be determined during this current investigation. Flow direction can only be determined by installing a minimum of three surveyed permanent groundwater monitoring wells.</p>
<p>Nearby Wells</p>	<p>Unknown at this time.</p>	<p>A formal well survey is needed to identify water producing, monitoring, cathodic protection and dewatering wells.</p>	<p>Perform a formal well survey.</p>

**INITIAL SITE CONCEPTUAL MODEL**  
**359 105th Avenue**  
**Oakland, California**

Origin and Extent of Contamination	The origin of contamination is one approx. 1,000 gallon gasoline UST which was removed from the site in 2014. Based upon soil samples collected at the time of the tank removal the tank was determined to be leaking. It is not known at this juncture if groundwater has been affected.	The vertical and lateral extent of both soil and groundwater contamination is unknown.	The results of this current investigation will aid in determining the extent of both soil and groundwater contamination. It is possible that further investigations to completely define the plume will be necessary in the future.
Fate and Transport	Unknown at this time.	No potential fate-and-transport processes and/or pathways have been identified.	Once the plume has been fully defined a conduit study should be conducted to help determine possible pathways.
Human and Environmental Receptors	Unknown at this time.	No potential human and/or environmental receptors have been identified to date.	To be determined.
Cleanup Goals	Although the type and extent of contamination at the site has yet to be determined, the cleanup goals should be those established by the Low Threat Closure Policy (LTCP) for residential properties. The property is currently an unused former nursery. However, the site will likely be redeveloped for residential use in the near future.	Mutually agreed upon cleanup goals with the oversight agency.	To be determined.



## **APPENDIX C**

### **Client Transmittal Letter**

May 4, 2015

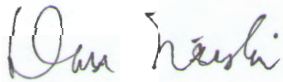
Mr. Mathew Soby  
Alameda County Health Care Services Agency  
1131 Harbor Bay Parkway, Ste. 250  
Alameda, CA 94502-6577  
[mathew.soby@acgov.org](mailto:mathew.soby@acgov.org)

Subject: **Initial Soil and Water Investigation Workplan and Site Conceptual Model**  
357 105<sup>th</sup> Avenue, Oakland, CA  
Fuel Leak Case No. RO0003156; Global ID T10000006426

Dear Mr. Soby

I declare, under penalty of perjury, that the information and/or recommendations contained in the attached *Initial Soil and Water Investigation Workplan and Site Conceptual Model* prepared by Almar Environmental are true and correct to the best of my knowledge.

Sincerely,



Mr. Dan Neishi  
Responsible Party Representative