



January 20, 2017

Mr. Bob Winet (Sent via e-mail to: bwinet3@verizon.net)
California Cotton Mill Lofts
East Bay Lofts LLC
36966 Pinto Palm St.
Rancho Mirage, CA 92270

Mr. Dana Dominguez (Sent via e-mail to: dana@dldlumber.com)
DLD Lumber Company
1755 Egbert Avenue
San Francisco, CA 94124

Subject: Technical Report Request for Fuel Leak Case No. RO0003162 and Geotracker Global ID
T1000006533, California Cotton Mill, 1091 Calcot Place, Oakland, CA 94606

Gentlemen:

Thank you for attending the meeting at Alameda County Department of Environmental Health's (ACDEH) office on Thursday November 17, 2016. The purpose of the meeting was to discuss our evaluation of the site data including the February 12, 2016 *Limited Phase II Subsurface Investigation* prepared on your behalf by ERAS Environmental (ERAS) in reference to the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case Closure Policy (LTCP), identify data gaps, and develop a path to case closure. ACDEH understands that the property has been sold, commercial property usage will continue, and redevelopment is not currently under consideration.

According to the November 6, 2014 Phase 1 Environmental Site Assessment prepared by ERAS, the site is currently in use as a specialized vehicle restoration and storage yard but the subject site has been occupied since at least 1883 with the California Cotton Mills Company. Subsequent to the cotton mill's closure in 1954, the site has been occupied by a welding supply, plastics manufacturer, truck rental, personal item storage. The 1911 Sanborn Fire Insurance map indicates that two underground oil storage tanks (USTs) and three furnaces were located along the eastern side of the property but the 1950 Sanborn Fire Insurance map does not show the USTs, so the status of the USTs is unknown. In December 2014, results of a geophysical survey did not indicate the presence of the USTs; however, large amounts of buried metal (likely foundations from former manufacturing equipment) were detected in the vicinity of the area known to have formerly contained the USTs.

ACDEH has evaluated the data in conjunction with the case files, and LTCP. Based on ACDEH staff review, we have determined that the site does not meet the LTCP General Criteria b (not petroleum only release), d (Free Product), 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.

ACDEH requests that you prepare a Data Gap Investigation Work Plan that is supported by an updated Site Conceptual Model (SCM) to address the identified data gaps discussed during our meeting.

TECHNICAL COMMENTS

- 1. LTCP General Criteria b (Unauthorized Release Consists Only of Petroleum)** – For purposes of this policy, petroleum is defined as crude oil, or any fraction thereof, which is liquid at standard conditions and temperature and pressure, which means 60 degrees Fahrenheit and 14.7 pounds

per square inch absolute including the following substances: motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants, petroleum solvents and used oils, including any additives and blending agents such as oxygenates contained in the formulation of the substances.

Due to a long and uncertain historical usage and removal history of the two USTs, please present a strategy in the Data Gap Work Plan (described in Item 7 below) to address the data gaps identified above, including accurate location of potential source areas (two USTs and three furnaces) and historic sampling locations on a scaled figure. Please identify any additional data gaps, such as the need for analysis of wear metals and poly aromatic hydrocarbons (PAHs) that are typically associated with unknown UST usage. Alternatively, please provide justification of why the site satisfies this general criterion in the SCM described in Item 7 below.

- 2. LTCP General Criteria d (Free Product)** – The LTCP requires free product to be removed to the extent practicable at release sites where investigations indicate the presence of free product by removing in a manner that minimizes the spread of the unauthorized release into previously uncontaminated zones by using recovery and disposal techniques appropriate to the hydrogeologic conditions at the site, and that properly treats, discharges, or disposes of recovery byproducts in compliance with applicable laws. Additionally, the LTCP requires that abatement of free product migration be used as a minimum objective for the design of any free product removal system.

The LTCP's *Technical Justification for Vapor Intrusion (VI) Media Specific Criteria* provides both direct and indirect evidence in soil and groundwater for the presence of light non-aqueous phase liquid (LNAPL) (aka "free product"). Groundwater samples detected up to 20,000 Total Petroleum Hydrocarbons diesel range organics (TPH-dro), and 23,000 TPH oil range organics (TPH-oro) in a sample collected from B-3 at the north end of the former UST. Additionally, TPH gasoline range organics (TPH-gro) were detected at 430 milligrams per kilogram and TPHdro was detected at 470 mg/kg in B-7 located east of the former UST at a depth of 8 feet below ground surface (bgs). Analysis for TPH-gro was not performed on soil samples collected from the former UST location. These concentrations exceed those discussed in the Technical Justification paper. Please present a strategy to assess the presence of free product and characterize the UST location in the Data Gap Work Plan requested below.

- 3. General Criteria f – Secondary Source Has Been Removed to the Extent Practicable** – "Secondary source" is defined as petroleum-impacted soil or groundwater located at or immediately beneath the point of release from the primary source. Unless site attributes prevent secondary source removal (e.g. physical or infrastructural constraints exist whose removal or relocation would be technically or economically infeasible), petroleum-release sites are required to undergo secondary source removal to the extent practicable as described in the policy. "To the extent practicable" means implementing a cost-effective corrective action which removes or destroys-in-place the most readily recoverable fraction of source-area mass. It is expected that most secondary mass removal efforts will be completed in one year or less. Following removal or destruction of the secondary source, additional removal or active remedial actions shall not be required by regulatory agencies unless (1) necessary to abate a demonstrated threat to human health or (2) the groundwater plume does not meet the definition of low threat as described in this policy.

ACDEH's review of the case files indicates that insufficient data and analysis has been presented to assess compliance with General Criteria f. Historic data indicates the historic existence of USTs; however no documentation regarding the removal of the USTs could be located. Consequently, the possibility exists that secondary source is still present at the site. Please present a strategy in the Data Gap Work Plan (described in Technical Comment 7 below) to address the Technical Comments discussed above. Alternatively, please provide justification of why the site satisfies this general criterion in the SCM described in Technical Comment 7 below.

- 4. LTCP Media Specific Criteria for Groundwater** – To satisfy the media-specific criteria for groundwater, the contaminant plume that exceeds water quality objectives must be stable or decreasing in areal extent, and meet all of the additional characteristics of one of the five classes of sites listed in the policy.

Our review of the case files indicates that the aerial extent of the groundwater plume, both on-and off-site, is unknown, as is the site groundwater gradient. Therefore, insufficient data and analysis has been presented to support the requisite characteristics of plume length and stability. Please present a strategy in the Data Gap Work Plan discussed in Technical Comment 7 below to determine if groundwater in the vicinity of the site has been impacted by a release. In the absence of site specific groundwater monitoring wells, please prepare a summary table indicating groundwater gradient direction of adjacent environmental cases and their addresses to indicate the local groundwater gradient. Please indicate the location of the adjacent environmental cases and the respective gradient directions on a figure.

Alternatively, please provide justification of why the site satisfies the media-specific criteria for groundwater in the SCM that assures that threats to existing and anticipated beneficial uses of groundwater have been mitigated or are de minimis.

- 5. LTCP Media Specific Criteria for Vapor Intrusion to Indoor Air** – The LTCP describes conditions, including bioattenuation (unsaturated) zones, which if met will assure that exposure to petroleum vapors in indoor air will not pose unacceptable health risks to human occupants of existing or future site buildings, and adjacent parcels. Appendices 1 through 4 of the LTCP criteria illustrate four potential exposure scenarios and describe characteristics and criteria associated with each scenario.

Our review of the case files indicates that detections of TPH-gro, TPH-dro, and TPH-oro in soil and groundwater indicating the possible presence of free product were found in the suspected former UST location and the extent of the source area remains undefined. Missing information includes thickness and depth of the bioattenuation zone, collection of soil samples within the 0 to 5 feet and 5 to 10 feet bgs intervals across the site, especially in suspected source areas, and analytical results for naphthalene and polycyclic aromatic hydrocarbons (PAHs) in soil. ACDEH notes that naphthalene is one of the contaminants that the LTCP uses to assess risk from vapor intrusion to indoor air and naphthalene was detected in soil samples collected outside the former UST location.

Please present a strategy in the Data Gap Work Plan (described in Technical Comment 7 below) to address the data gaps identified above. Alternatively, please provide justification of why the site satisfies this general criterion in the SCM described in Technical Comment 7 below.

Please note, that if direct measurement of soil gas is proposed, ensure that your strategy is consistent with the field sampling protocols described in the Department of Toxic Substances Control's Final Vapor Intrusion Guidance (July 2015). Consistent with the guidance, ACDEH requires installation of permanent vapor wells to assess temporal and seasonal variations in soil gas concentrations.

6. **LTCP Media Specific Criteria for Direct Contact and Outdoor Air Criteria** – The LTCP describes conditions where direct contact with contaminated soil or inhalation of contaminants volatilized to outdoor air poses a low threat to human health. According to the policy, release sites where human exposure may occur satisfy the media-specific criteria for direct contact and outdoor air exposure and shall be considered low-threat if the maximum concentrations of petroleum constituents in soil are less than or equal to those listed in Table 1 for the specified depth bgs. Alternatively, the policy allows for a site specific risk assessment that demonstrates that maximum concentrations of petroleum constituents in soil will have no significant risk of adversely affecting human health, or controlling exposure through the use of mitigation measures, or institutional or engineering controls.

As described in Technical Comments 2 and 3, detections of TPH-gro, TPH-dro, and TPH-oro in soil and groundwater indicating the possible presence of free product were found in the suspected former UST location and the extent of the source area remains undefined. Additionally, PAHs exceeding the beno(a)pyrene toxicity equivalent (BaPe) were detected in a soil sample at 3.5 feet bgs. Please present a strategy in the Data Gap Work Plan described in Technical Comment 7 below to collect sufficient data to satisfy the LTCP direct contact and outdoor air exposure criteria. Soil samples should be collected within the 0 to 5 feet and 5 to 10 feet bgs intervals, elevated photoionization detector (PID) readings, at the groundwater interface, lithologic and/or color changes, and in areas of obvious impact. In addition to TPH as gasoline (TPHg), TPH as Diesel (TPHd), TPH as Motor Oil (TPHmo), benzene, toluene, ethylbenzene, and xylenes (BTEX), Methyl tert-butyl ether (MTBE), naphthalene, and oxygenates by EPA 8260, please include the requisite analysis for PAHs by 8270- Selected Ion Monitoring (SIM).

Alternatively, please provide justification of why the site satisfies the Media-Specific Criteria for Direct Contact and Outdoor Air Exposure in the SCM described in Technical Comment 7 below that assures that exposure to petroleum constituents in soil will have no significant risk of adversely affecting human health.

7. **Data Gap Investigation Work Plan and Site Conceptual Model** – Please prepare a Data Gap Investigation Work Plan to address the technical comments listed above. Please support the scope of work in the Data Gap Investigation Work Plan with an 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 the sampling strategy is intended to apply to. If the sampling strategy includes data collection to support the proposed site redevelopment, a description of that redevelopment should be included in the Data Gap Investigation Work Plan to

support your sampling strategy so that ACDEH can verify the appropriateness of the proposed sample locations.

Please indicate the historical and proposed soil borings on a non-aerial photograph site plan which depicts the entire parcel, as the visibility of the boring locations become difficult to discern due to the aerial photograph background. Please include on the site plan the location of the former USTs, all known UST system appurtenances, and the approximate location of the three furnaces. Due to the parcel's linear shape, please indicate the parcel on two figures to enable adequate site detail. Please continue to include in all future reports an extended site map using an aerial photographic base map to depict both the site and immediate vicinity to facilitate understanding the site and surrounding vicinity use (commercial and/or residential).

Please include with the SCM analytical summary tables consolidating all historical soil and groundwater data collected during removal of the USTs, excavations, and all subsequent investigations including sample dates, depths, and the laboratory detection limits for "Non-Detect" (ND) results.

As a part of the SCM, please perform an on-site underground utility survey to determine the presence of underground utilities that could potentially act as preferential pathways. Please plot the locations of all underground utilities and their depths on all figures to facilitate understanding of lateral and vertical contaminant distribution.

8. **Electronic Submittal of Information (ESI) Compliance** - Site data and documents are maintained in two separate electronic databases – ACDEH's ftp site and the SWRCB's GeoTracker database. Both databases act as repositories for regulatory directives and reports; however, only GeoTracker has the functionality to store electronic compliance data including analytical laboratory data for soil, vapor and water samples, monitoring well depth-to-water measurements, and surveyed location and elevation data for permanent sampling locations. Although the SWRCB is responsible for the overall operation and maintenance of the GeoTracker System, ACDEH, as lead regulatory agency, is responsible to ensure the GeoTracker database is complete and accurate for sites regulated under ACDEH's Environmental Cleanup Oversight Programs (SWRCB March 2011 document entitled *Electronic Reporting Roles and Responsibilities*).

A review of the case file and the State's GeoTracker database indicates that the site is not in compliance with California Code of Regulations, Title 23, Division 3, Chapter 16, Article 12, Sections 2729 and 2729.1, stating that 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. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs, including the Site Cleanup Program (SCP) cases. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites was required in GeoTracker. At present missing data and documents include, but may not be limited to, EDF submittals, depth to groundwater data (GEO_WELL files), well data (GEO_XY, and GEO_Z files), work plans, and older reports (GEO_REPORT files).

Ladies and Gentleman
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Please upload requisite documents to GeoTracker. See Attachment 1 and the State's GeoTracker website for further details. ACDEH requests e-mail notification of, and a list of, the documents uploaded to Geotracker. Please upload all submittals to GeoTracker and to ACDEH's ftp website by the date specified below.

TECHNICAL REPORT REQUEST

Please upload technical reports to the ACDEH ftp site (Attention: Karel Detterman), and to the Geotracker website, in accordance with the following specified file naming convention and schedule:

- **February 21, 2017** – Notification of Upload of Electronic Data Submittals to Geotracker
E-mail notification to: karel.detterman@acgov.org
- **March 24, 2017** – Updated SCM and Data Gap Work Plan
File to be named: RO3162_SCM_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/index.htm>.

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

Sincerely,

Karel Detterman, PG
Hazardous Materials Specialist

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

cc: Francis Rush, 1091 Calcot LLC, 2200 Adeline Street, Ste. 350, Oakland, CA 94607, (Sent via E-mail to: francis@rushproperty.com)
Andrew Savage, ERAS Environmental, Inc., 1533 B St., Hayward, CA 94541, (Sent via E-mail to: andrew@eras.biz)
Dilan Roe, ACDEH, (Sent via E-mail to: dilan.roe@acgov.org)
Karel Detterman, ACDEH, (Sent via E-mail to: karel.detterman@acgov.org)
Paresh Khatri, ACDEH, (Sent via E-mail to: paresh.khatri@acgov.org)
GeoTracker, eFile

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

Alameda County Department of Environmental Health's (ACDEH) Environmental Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) 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 File Transfer Protocol (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 SCP 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 (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/) for more information on these requirements.

ACKNOWLEDGEMENT STATEMENT

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to ACDEH's FTP server and the SWRCB's GeoTracker website." 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 6731, 6735, and 7835) 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 licensed 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 case meet this requirement. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, late 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 SCP)	REVISION DATE: December 1, 2016
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010; May 15, 2014, November 29, 2016
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (LOP and SCP) 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) Open File Explorer using the Windows  key + E keyboard shortcut.
 - i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) On the address bar, type in ftp://alcoftp1.acgov.org.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive)
 - d) Click Log On.
 - e) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - f) 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.