



October 2, 2018

CRP / THC Oakland Broadway Uptown Venture LLC
c/o Kathy Binford, Vice President
5847 San Felipe, Suite 3600
Houston, TX 77057
(Sent via electronic mail to: kbinford@hanoverco.com)

Subject: Site Conceptual Model and Data Gap Work Plan Request; Site Cleanup Program Case No. RO0003191 and Geotracker Global ID T10000007936, Sisters of Providence Hospital, 2630 Broadway, Oakland, CA 94612

Dear Ms. Binford:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the site investigation report entitled *Offsite Soil Characterization Report*, dated August 7, 2018. The report was generated and submitted to ACDEH on your behalf by ENGeo, Inc. The report documented the installation of three offsite soil bores in the adjacent sidewalk area for the purpose of delineating the lateral extent of Light Non Aqueous Phased Liquid (LNAPL) Bunker C oil that was encountered onsite during excavation for the site redevelopment. LNAPL is not reported to have been encountered in the soil bores; however, concentrations up to 391 milligrams per kilogram (mg/kg) of Total Petroleum Hydrocarbons as Gasoline (TPHg), 13,800 mg/kg Total Petroleum Hydrocarbons as Fuel Oil (TPHfo), <2.2 mg/kg benzene, <1.8 mg/kg 1,1,2-Trichloroethane, (1,1,2-TCA), <1.9 mg/kg 1,1,1,2-TCA, and <1.8 mg/kg 1,1,2,2-TCA were reported at a depth of approximately 10 feet blow surface grade (bgs). ACDEH notes that the depth of crushed concrete in soil bore SB-2 (11 to 13 feet bgs) is consistent with the initial reports of the depth of the concrete structure which either trapped or contained the Bunker C oil. ACDEH additionally notes that the detection limit for 1,1,2,2-TCA remains above the Environmental Screening Level (ESL) in some samples and is not defined towards the north at a minimum.

While the site is not in the Low Threat Closure Policy (LTCP) program, technical justification papers for the LTCP help illuminate several areas of potential concern. The *Technical Justification for Vapor Intrusion Media-Specific Criteria*, (State Water Resource Control Board [SWB], 2012) for the Low Threat Closure Policy (LTCP) indicates that concentrations exceeding 100- 200 mg/kg TPHg, and 10 to 50 mg/kg TPHd, constitutes indirect evidence of LNAPL at a site. Additionally, the *Technical Justification for Groundwater Media-Specific Criteria*, (SWB, 2012) for the LTCP indicates LNAPL exists in three conditions in the subsurface: 1) residual or immobile LNAPL, 2) mobile LNAPL, and 3) migrating LNAPL. Due to the close proximity of the three soil bores to the discovery on the site, the nature of the LNAPL has not been determined, and the lateral extent has not been defined.

Therefore, at this juncture ACDEH requests the generation of a Site Conceptual Model (SCM) and a Data Gap Work Plan to address the Technical Comments provided below.

TECHNICAL COMMENTS

1. **SCM and Data Gap Work Plan** – As previously conveyed, ACDEH remains in agreement that the lateral extent of delineation of contaminants beneath 27th Street is not the responsibility of the site redeveloper, with the exception of the LNAPL discovered onsite.
 - a. **LNAPL Delineation** - As discussed above, the lateral extent of LNAPL, and the condition it is present in not been determined. Therefore, ACDEH requests the generation of a Site Conceptual Model (SCM) that incorporates residual offsite contamination and a Data Gap Work Plan by the date identified below.

TECHNICAL REPORT REQUEST

Please submit the following technical reports and deliverables to the State Water Board's Geotracker website and notify your case worker by electronic mail (mark.detterman@acgov.org), in accordance with the following specified file naming convention and schedule, as provided below, and in the Responsible Party(ies) Legal Requirements/Obligations which is included as Attachment 1. Please note ACDEH no longer accepts reports on the ftp site.

- **December 7, 2018** – SCM and Data Gap Work Plan
File to be named RO3191_SCM_WP_R_yyyy-mm-dd

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

If you have any questions, please do not hesitate to call me at (510) 567-6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,



Mark E. Detterman, PG 4799, CEG 1788
Senior Geologist
Senior Hazardous Materials Specialist

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

cc: Kristen Gates, The Hanover Company, 5847 San Felipe, Suite 3600, Houston, TX 77057;
(Sent via electronic mail to: kgates@hanoverco.com)

Scott Youdall, The Hanover Company, 279 Front Street, #102, Danville, CA 94526
(Sent via electronic mail to: syoudall@hanoverco.com)

Gerald L. Pouncey, Jr, Morris, Manning, & Martin, LLP, 1600 Atlanta Financial Center, 3343
Peachtree Road, NE, Atlanta, GE, 30326; (Sent via electronic mail to:
gpouncey@mmlaw.com)

Divya Bhargava, ENGEO, Inc, 2010 Crow Canyon Place, Suite 250, San Ramon, CA;
(Sent via electronic mail to: dbhargava@engeo.com)

Shawn Munger, ENGEO, Inc, 2010 Crow Canyon Place, Suite 250, San Ramon, CA;
(Sent via electronic mail to: smunger@engeo.com)

Dilan Roe, ACDEH, (Sent via electronic mail to: dilan.roe@acgov.org)
Paresh Khatri, ACDEH; (Sent via electronic mail to: paresh.khatri@acgov.org)
Mark Detterman, ACDEH, (Sent via electronic mail to: mark.detterman@acgov.org)
Electronic File; GeoTracker

| | |
|--|--|
| Alameda County Environmental Cleanup Oversight Programs (LOP and SCP) | REVISION DATE: December 14, 2017 |
| | ISSUE DATE: July 25, 2012 |
| | PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016 |
| SECTION: ACDEH Procedures | SUBJECT: Responsible Party(ies) Legal Requirements / Obligations |

REPORT & DELIVERABLE REQUESTS

Alameda County Department of Environmental Health (ACDEH) Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) require submission of all reports in electronic form to the State Water Board's (SWB) GeoTracker website in accordance with California Code of Regulations, Chapter 30, Division 3, Title 23 and Division 3, Title 27.

Leaking Underground Fuel Tank (LUFT) Cases

Reports and deliverable requests are 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 (RP) in conjunction with an unauthorized release from a petroleum underground storage tank (UST) system.

Site Cleanup Program (SCP) Cases

For non-petroleum UST cases, reports and deliverables requests are pursuant to California Health and Safety Code Section 101480.

ELECTRONIC SUBMITTAL OF REPORTS

A complete report submittal includes the PDF report and all associated electronic data files, including but not limited to GEO_MAP, GEO_XY, GEO_Z, GEO_BORE, GEO_WELL, and laboratory analytical data in Electronic Deliverable Format™ (EDF). Additional information on these requirements is available on the State Water Board's website (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)

- Do not upload draft reports to GeoTracker
- Rotate each page in the PDF document in the direction that will make it easiest to read on a computer monitor.

GEOTRACKER UPLOAD CERTIFICATION

Each report submittal is to include a GeoTracker Upload Summary Table with GeoTracker valid values¹ as illustrated in the example below to facilitate ACDEH review and verify compliance with GeoTracker requirements.

GeoTracker Upload Table Example

| Report Title | Sample Period | PDF Report | GEO_MAPS | Sample ID | Matrix | GEO_Z | GEO_XY | GEO_BORE | GEO_WELL | EDF |
|---|---------------|------------|----------|-----------|--------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 2016 Subsurface Investigation Report | 2016 S1 | ✓ | ✓ | Effluent | SO | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| 2012 Site Assessment Work Plan | 2012 | ✓ | ✓ | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2010 GW Investigation Report | 2008 Q4 | ✓ | ✓ | SB-10 | W | ✓ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| | | | | SB-10-6 | SO | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| | | | | MW-1 | WG | ✓ | ✓ | ✓ | ✓ | ✓ |
| | | | | SW-1 | W | ✓ | ✓ | ✓ | ✓ | ✓ |

¹ GeoTracker Survey XYZ, Well Data, and Site Map Guidelines & Restrictions, CA State Water Resources Control Board, April 2005

| | |
|--|--|
| Alameda County Environmental Cleanup Oversight Programs (LOP and SCP) | REVISION DATE: NA |
| | ISSUE DATE: December 14, 2017 |
| | PREVIOUS REVISIONS: September 17, 2013, May 15, 2014, December 12, 2016 |
| SECTION: ACDEH Procedures | SUBJECT: Responsible Party(ies) Legal Requirements / Obligations |

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 the State Water Board's GeoTracker website." This letter must be signed by the Responsible Party, or legally authorized representative of the Responsible Party.

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 and include the professional registration stamp, signature, and statement of professional certification. 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

For LUFT cases, RP's non-compliance with these regulations may result in ineligibility to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse the cost of cleanup. Additional information is available on the internet at: https://www.waterboards.ca.gov/water_issues/programs/ustcf/

AGENCY OVERSIGHT

Significant delays in conducting site assessment/cleanup or report submittals may result in referral of the case to the Regional Water 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.