



May 4, 2018

Mr. Steven Ho
Mr. Samson Yip
914 West Grand Avenue Oakland LLC
211 10th Street, Suite 222
Oakland, California 94607
(Sent via electronic mail to: bhcusa@gmail.com and yipsamson@gmail.com)

Subject: Conditional Approval of Data Gap Work Plan; Site Cleanup Program Case No. RO0003226 and Geotracker Global ID T10000009223, 914 W. Grand; 914 W. Grand, Oakland, CA 94607

Dear Mr. Ho and Mr. Yip:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the *Data Gap Work Plan*, dated October 11, 2017. The document was generated and submitted on your behalf, by the Cornerstone Earth Group (Cornerstone). As you are aware the work plan review was delayed by contractual issues with the property owner for an extended period of time, and more recently by our case load. Regardless, thank you for submitting the work plan.

The referenced work plan proposed the installation of 32 soil bores to gather additional data at the six contiguous parcels (the site) that have been proposed for residential redevelopment. Soil, grab groundwater, and soil vapor have been proposed for collection. As you are aware, the subject site has historically been used for a variety of purposes through time, including residential housing, various companies including auto and truck repair, a fuel service station. Additionally, based on a review of the general vicinity there are a minimum of three upgradient sites with the potential to contribute contamination to the subject site.

Based on the review of the case file ACDEH requests that you address the following technical comments and send us the documents requested below.

TECHNICAL COMMENTS

1. **Work Plan Modifications** – The referenced work plan proposes a series of actions with which ACDEH is in general agreement of undertaking; however, ACDEH requests several modifications to the approach. Please submit a report by the date specified below.
 - a. **Additional Grab Groundwater Sample Location** – Based on the review of site data, and potential data gaps, ACDEH requests the collection of a grab groundwater sample in the approximate location of the planned soil vapor point at the northeastern corner of 2281 Market Street (APN 5-431-15-5). This sample is intended to additionally assess the potential impact of groundwater beneath the planned building from the former service station across Market Street to the east of the site.
 - b. **Depth of Soil Vapor Probes** – Twenty-one temporary soil vapor probes are proposed to be installed to a depth of eight feet below grade surface (bgs) at the site to further assess soil vapor beneath the site. The redevelopment currently plans two levels on the lower first floor, a five foot bgs level in retail areas, and a three foot bgs level in the majority of the area. However, the work plan proposes a single depth for installation of the temporary probes of eight feet bgs. ACDEH requests that the temporary probes be installed to a depth of five feet below the future planned floor elevation, consistent with DTSC guidance, unless the depth of groundwater is an issue. Thus for the future retail area, the depth of installation should be on the order of 10 feet bgs due to the planned floor at a depth of five feet bgs.

- c. Vapor Shroud Tracer Concentrations** – Please ensure to document and tabulate the concentration of the tracer gas in each vapor shroud. Consistency of shroud tracer methodology between vapor sample locations has become a problem at a number of sites.

TECHNICAL REPORT REQUEST

- **July 9, 2018** – Corrective Action Implementation Plan
File to be named: RO3226_CAIP_R_yyyy-mm-dd
- **July 9, 2018** – Soil and Ground Water Management Plan
File to be named: RO3226_SMP_R_yyyy-mm-dd
- **Date to be Determined** – Soil Excavation Report
- **Date to be Determined** – Plans Approved by the City of Oakland
- **Date to be Determined** – Soil Import Documentation
- **Date to be Determined** – Institutional Controls
- **Date to be Determined** – Site Management Plan
- **Date to be Determined** – VMS Record Report of Construction

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

Thank you for your cooperation. ACDEH looks forward to working with you and your consultants to advance the case toward closure. Should you have any questions regarding this correspondence or your case, please call me at (510) 567-6767 or send an electronic mail message at mark.detterman@acgov.org.

Sincerely,



Mark E. Detterman, PG, CEG
Senior Hazardous Materials Specialist

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

Cc: Mr. Ronnie Turner, Turner Development Resource Group, 4100 Redwood Road, #170, Oakland, CA 94619, (Sent via electronic mail to: RTdevelops@comcast.net)
Mr. Bradford Flewellen, CEF Realty Advisors, Inc, 882 Wood Street, Unit 1, Oakland, CA 94607; (Sent via electronic mail to: brad@cefrealty.com)
: Scott Miller, Oakland Planning and Building Department, (Sent via electronic mail to: smiller@oaklandnet.com)
Maurice Addow-Brenyah, Oakland Planning and Building Department, (Sent via electronic mail to: mbrenyah@oaklandnet.com)
Peter Langtry, Cornerstone Earth Group, 1270 Springbrook Road, Suite 101, Walnut Creek, CA 94597, (Sent via electronic mail to: plangtry@cornerstoneearth.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.