

December 15, 2017

**RECEIVED**

By Alameda County Environmental Health 9:31 am, Dec 18, 2017

Mr. Keith Nowell  
Alameda County Health Care Services Agency  
1131 Harbor Bay Parkway, Ste. 250  
Alameda, CA 94502-6577  
[keith.nowell@acgov.org](mailto:keith.nowell@acgov.org)

Subject: **Vapor Decommission Report**  
3101 35<sup>th</sup> Avenue, Oakland, CA  
ACEH Case No. R00003238; Global ID T10000010421

Dear Mr. Nowell,

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.

Sincerely,



Ms. Mona Hsieh  
Responsible Party Representative



December 13, 2017

Alameda County Health Care Services Agency  
Environmental Protection  
Attn: Mr. Keith Nowell  
1131 Harbor Bay Parkway, Ste. 250  
Alameda, California 94502  
[keith.nowell@acgov.org](mailto:keith.nowell@acgov.org)

**Subject: Vapor Probe Decommission Report**  
Green Oak Builders – RO0003238  
3101 35<sup>th</sup> Avenue, Oakland, California

Dear Mr. Nowell,

On August 7, 2017, Almar Environmental (Almar) submitted a *Draft Corrective Action Plan (CAP)* for the above referenced site to the Alameda County Environmental Health Department (ACEH) for review. The CAP was approved and conditional case closure was granted by the ACEH, in their November 17, 2017 Directive Letter (Attachment A), pending completion and submittal of several technical reports. One of the requested documents was a report documenting the decommissioning of ten soil vapor sampling points (SV-1 through SV-10) at the subject site. Almar attempted to decommission each of the soil vapor sampling points in December 2017. The results of the investigation are presented in the following sections.

### **Permitting**

As required, Almar obtained the appropriated well destruction permits from the Alameda County Public Works Agency (ACPWA). Copies of the permits are included in Attachment B and a site map showing each of the vapor point locations (SV-1 through SV-10) is provided as Figure 1. Soil vapor points SV-4 and SV-6 are 15 foot dual-completion points and all others are 5 foot sample points.

### **Well Destruction Field Activities**

On November 30, 2017 a representative of Almar was onsite to identify and prep each of the soil vapor points for destruction. However, upon arriving at the site, Almar discovered that redevelopment of the previously vacant lot had begun. The majority of the footings for the proposed redevelopment had been trenched and/or already poured. In doing so, the construction contractor removed the traffic rated curbs, which were protecting each of the individual soil vapor sample points. Additionally, the majority of the vapor points themselves appear to have been lost and/or abandoned during construction activities. Almar was only able to recover three (SV-9, SV-7, and SV-6A/B) of the ten points. An Almar representative and members of the construction crew spent an entire day searching for the

**Almar Environmental**

Phone: 831.420.7923 • 407 Almar Avenue, Santa Cruz, CA 95060 • [cook.forrest@gmail.com](mailto:cook.forrest@gmail.com)

[www.almarenvironmental.com](http://www.almarenvironmental.com)

other lost points. The search included using hand equipment to dig in the areas where the points were previously located. A metal detector was not used to search the area because the Christy boxes had already been removed no metal remained within the vapor points.

On December 1, 2017, Almar returned to the site and removed each of the three soil vapor points (SV-9, SV-7, and SV-6A/B) that were found in tact during the site inspection activities. Each point was removed by using hand equipment (two-inch diameter hand auger) to completely remove the tubing, grout seal, and fill material of bentonite and sand. The open borings were then backfilled with neat cement grout consisting of a mix consistency of one 94 pound bag of Portland cement to five gallons of water. As required in the destruction permit, the grouting operations were witnessed by a representative of the ACPWA.

### **Summary**

During this investigation, three (SV-9, SV-7, and SV-6A/B) of ten preexisting soil vapor sampling points were properly destroyed under permit from the ACPWA. Significant attempts were made by Almar and the contractor to find/recover the other seven vapor points. However, none of the other seven were found and are believed to be either irretrievably lost or were improperly removed during construction activities by the contractor.

### **Closing Statement**

To the best of our knowledge, all statements made in this report are true and correct. This report is based on field observations, data provided by the client and others, and a review of historical reports. No warranty whatsoever is made that this report addresses all contamination found on the site.

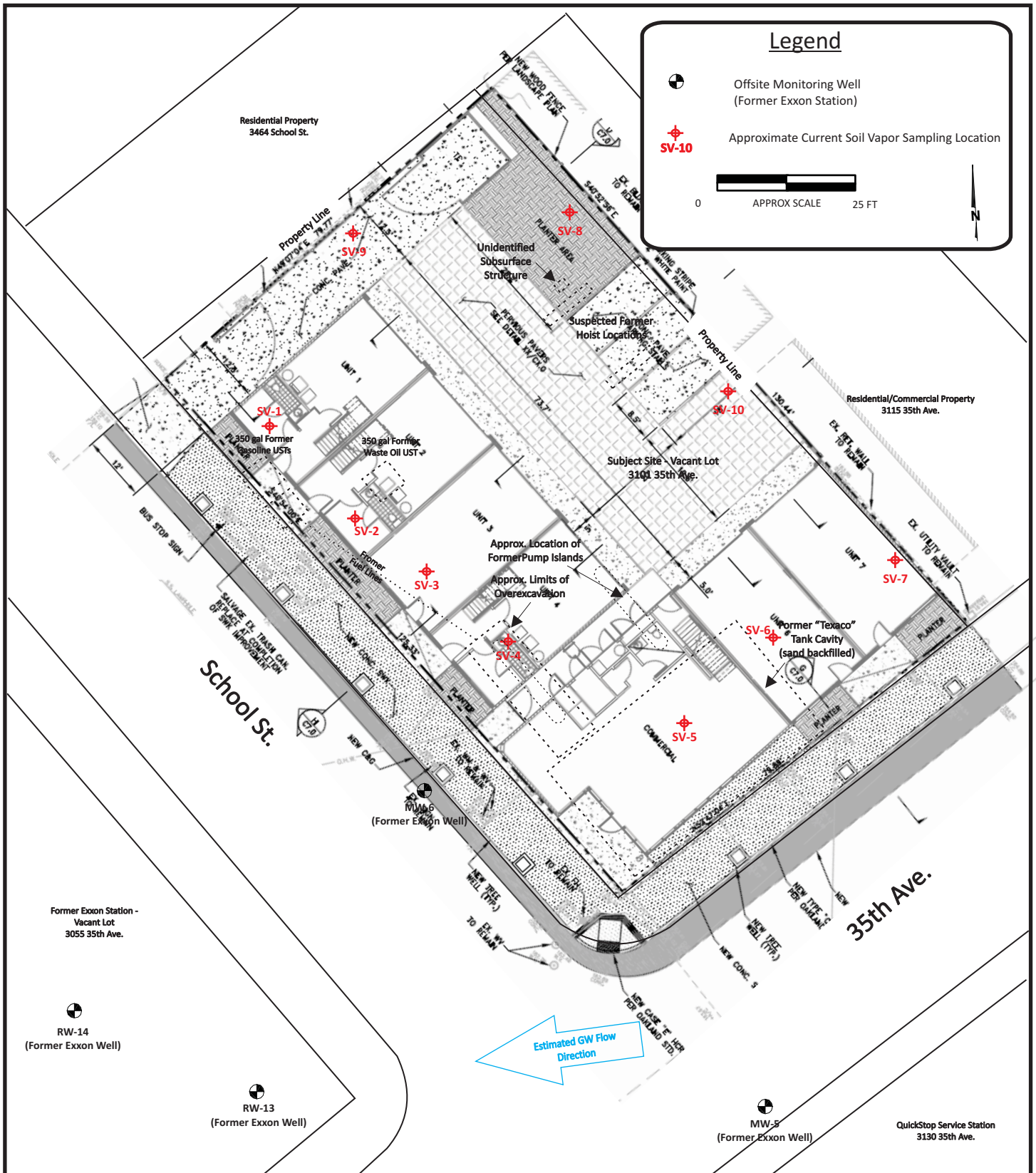
If you have any further questions or require any further information, please do not hesitate to contact us.

Respectfully submitted,



Forrest N. Cook  
Owner/Principal Scientist  
Almar Environmental  
California Professional Geologist #8201 (exp 9/18)

## FIGURES



3101 35th AVENUE  
OAKLAND, CALIFORNIA

SITE MAP SHOWING CURRENT  
SOIL VAPOR SAMPLING LOCATIONS

FIGURE

1

**ATTACHMENT(S)**



ALAMEDA COUNTY  
**HEALTH CARE SERVICES  
AGENCY**

REBECCA GEBHART, Interim Director



DEPARTMENT OF ENVIRONMENTAL HEALTH  
LOCAL OVERSIGHT PROGRAM (LOP) FOR  
HAZARDOUS MATERIALS RELEASES  
1131 HARBOR BAY  
ALAMEDA, CA 94502  
(510) 567-6700  
FAX (510) 337-9335

November 17, 2017

Ms. Mona Hsieh & Mr. Patrick Kong  
Green Oak Builders  
888 Brannan Street, #101  
San Francisco, CA 94103  
(Sent via electronic mail to [mona.hsieh@yahoo.com](mailto:mona.hsieh@yahoo.com))  
(Sent via electronic mail to [patrickykong@gmail.com](mailto:patrickykong@gmail.com))

Subject: Conditional Case Closure  
Approval of *Corrective Action Plan*  
Site Cleanup Case No. RO0003238, Mixed Use Redevelopment Project, 3101 35<sup>th</sup> Avenue,  
Oakland, CA 94619

Dear Ms. Hsieh and Mr. Kong:

Alameda County Department of Environmental Health (ACDEH) has reviewed the case file in conjunction with the proposed corrective actions and proposed site redevelopment for the subject site presented in the following document prepared by Almar Environmental (Almar) on behalf of Green Oak Builders:

- *Draft Corrective Action Plan, 3101 35<sup>th</sup> Avenue (CAP)*, dated August 7 2017. The CAP contains site background information which includes a discussion of historical site uses and investigations as well as interim remedial measures (IRM) consisting of soil excavation conducted at the site in April, 2015, and presents a summary of prior data evaluations and a discussion of planned engineering controls consisting of installation of a vapor mitigation system (VMS) to mitigate potential impacts of vapor intrusion to indoor air from residual chemicals of concern in soil gas at the site into occupied structures and construction of trench dams in utility trenches to mitigate potential vapor migration. Prior to construction of the new site development, the CAP specifies the preparation of a site specific health and safety plan (HSP) and a soil management plan (SMP) that will be implemented during site redevelopment to mitigate conditions potentially hazardous to human health or the environment during and after construction. A public notice document was circulated by ACDEH to solicit public comments on the draft CAP for a 30-day period that ended on September 28, 2017; no public comments were received.

The CAP was prepared to support redevelopment of the site and a change in site use from commercial to mixed-use residential, as detailed in the following plans and permits approved/issued by the City of Oakland Planning and Building Department:

- Redevelopment plans prepared by Philip Banta & Associates dated January 14, 2014 and approved by the City of Oakland Planning and Zoning Department on February 13, 2014:
- Building Permit Number B1304783, New 3-story mixed use 8 unit condo complex w/7 residential townhouse units & 1 commercial unit, issued by the City of Oakland Planning and Building Department on October 10, 2014 and extended through October 10, 2015.

The redevelopment plans for the site include construction of a new multi-unit three-story mixed-use residential building with the first floor corner unit at 35th Avenue and School Street designated for commercial space. Parking will be provided on the first floor level at the rear of the at-grade building and accessed via School Street. Construction will include a slab-on-grade foundation for the structure, concrete paved driveway and parking stalls and, to the rear of the building, pervious pavers and a planter area.

The building foundation will consist of a 4-inch-thick, structural reinforced concrete slab foundation situated on 18-inch-thick interior and perimeter structurally reinforced concrete footings. The ground level (first floor) of the residential units will be comprised primarily of parking areas with some residential units having bathrooms. The upper two levels consist of living space. After development the entire site will be covered by the building and paved parking areas and sidewalks with the exception of planter and the pervious paver areas.

Based on information presented in the case file, and with the provision that the information provided to this agency is accurate and representative of site conditions, ACDEH conditionally approves of the corrective actions presented in the CAP. Implementation of the proposed measures, in addition to the SMP approved by our agency, will prevent future exposure to construction workers and users/occupants of the proposed redevelopment project from residual contamination at the site.

Therefore, at this juncture you may proceed with site redevelopment activities provided the approved corrective actions and mitigation measures presented in the CAP are implemented and the documents listed in the Technical Report section below are submitted in accordance with the associated compliance dates. Accordingly, this letter represents Conditional Case Closure, subject to satisfaction of all of the requirements discussed herein. Final Case Closure will be granted following completion of corrective actions and recordation of Land Use Covenants.

We request that you address the following technical comments and send us the reports described below. Please provide 72-hour advance written notification to this office (electronic mail preferred to: [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org)) prior to the start of field activities.

#### TECHNICAL REPORT REQUEST

1. Prior to the start of site demolition and construction activities the following documents must be submitted to ACDEH for review and approval:
  - a. **Project Schedule.** The baseline schedule must include at a minimum the following activities: soil vapor probe destruction; demolition of existing site foundations and improvements; soil import and excavation backfilling; grading and utility/trench dam installation and inspection; foundation and vapor barrier/subslab piping installation and inspection; vertical construction of building and VMS vertical vent piping installation and inspection; VMS installation verification monitoring; recordation of land use covenants and expected date of site occupancy. The schedule must include all submittals including but not limited to the Corrective Action Implementation Plan (CAIP), Vapor Probe Decommissioning Report, Site Management Plan (SMP) for Redevelopment Construction, Approved Building Permit Plans incorporating the VMS and utility trench dams for the building(s) identified in the CAP, Soil Import Documentation Report (if applicable), and Remedial Soil Excavation Completion Report (if performed), VMS and Utility Trench Dam Record Report of Construction, Long-Term Site Use SMP, and Land Use Covenant. The baseline schedule must be updated during the project as required to update ACDEH on the status of corrective action implementation and site redevelopment activities.



- b. **Corrective Action Implementation Plan (CAIP).** A CAIP providing detailed design drawings and specifications for the VMS and utility trench dams. The CAIP must be submitted to ACDEH with the full set of construction drawings prepared for the project at the time the construction package is submitted to the City of Oakland Building Department. The CAIP must include a Construction Quality Assurance Plan describing contractor and inspector qualifications and experience, procedures for VMS construction monitoring and documentation, and a construction sequencing plan presenting the sequence of measures that will be used to protect the installed VMS during building construction activities; and a Work Plan for indoor air sampling prior to building occupancy to verify the effectiveness of the VMS.
        - c. **Probe Decommissioning Report.** A report documenting the decommissioning of vapor probes and removal of wastes with appropriate documentation.
        - d. **Site Management and Contingency Plan for Redevelopment Construction (Construction SMP).** An SMP describing procedures to be followed by environmental consultants, construction contractors and workers, and other property owner representatives during redevelopment construction, identifying safety and training requirements for construction workers, and establishing procedures for assessing and managing contaminated soil and groundwater that could be encountered during construction activities.
2. Prior to the import of soil to the site the following documents must be submitted to ACDEH for review and approval:
  - a. **Soil Import Documentation, if applicable.** Requisite documentation for permeable and non-permeable material including information on proposed sources, sampling and profiling protocols, analytical laboratory reports, and tables with analytical results and applicable environmental screening levels.
3. Prior to the start of site grading, utility installation and foundation construction the following reports must be submitted to ACDEH for review and approval:
  - a. **Approved Building Permit Plans.** A copy of the City of Oakland Building Department approved construction drawings for site redevelopment incorporating the VMS and utility trench dams. ACDEH must be notified if the project proponent or the City proposes changes to the site development and first floor building plans presented in the preliminary architectural plans including but not limited to changes to the VMS design or utility trench dam location presented in the CAIP. Any substantial changes made to the plans without review by ACDEH may invalidate the conclusions of the protectiveness of the proposed redevelopment of the site with respect to the residual contamination.
  - b. **Remedial Soil Excavation Completion Report, if performed.** A soil excavation report documenting source excavation, confirmation sampling and analytical results must be submitted prior to the start of construction of the final foundation system. The report must include a description of the sampling methods, scaled figures showing sampling locations, volume of soil excavated and final disposition, waste manifests if disposed of off-site, tabulated analytical results, and laboratory analytical reports.

4. Prior to building occupancy of the new residential redevelopment the following documents must be submitted to ACDEH for review and approval:
  - a. **Land Use Covenant (LUC).** A LUC documenting long-term site use will be required to be recorded, and must include the following site use restrictions: (1) implementation of the SMP, which shall be incorporated therein by reference, including preservation of the site surface cover and maintenance of the vapor mitigation systems and utility trench dams; (2) prohibition on the extraction of groundwater for any use, including but not limited to domestic, potable or industrial uses; and (3) prohibition on growing fruits or vegetables for consumption using site soils (edible gardening shall only be permitted using imported soil in raised beds).
  - b. **SMP for Long Term Site Use.** A SMP for long-term site management providing details regarding the location and construction of the VMS and utility trench dams, precautions should subsurface work be required in the area of installed mitigation measures, protocols for handling potentially impacted soil and groundwater exceeding residential screening criteria that may remain beneath the ground floor slab and foundations, and notification and documentation procedures should the VMS and/or trench dam be damaged. The SMP must include as-built drawings and specifications of the VMS and utility trench dams and must be maintained at the site address by the property manager or designated representative and will be recorded at the Alameda County Clerk- Recorder's Office.
  - c. **VMS and Utility Trench Dam Record Report of Construction.** A VMS and utility trench dam record report of construction with as-built drawings and other information relevant to the installation of the VMS and trench dams and certifying the VMS and trench dams were installed in accordance with the design plans. The report must include indoor air sampling results conducted in the newly constructed building to verify the effectiveness of the VMS.
5. **Continued Geotracker Electronic Report and Data Upload Compliance** – Geotracker compliance is a State requirement that ACDEH is tasked with implementing. Pursuant to California Code of Regulations, 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. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs, including Site Cleanup Programs. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites was required in GeoTracker. Please see Attachment 1 for limited additional details, and the state GeoTracker website for full details. ACDEH requests future notification of documents uploaded to GeoTracker.

#### TECHNICAL REPORT/WORK SCHEDULE

Please perform the requested work and submit technical reports to ACDEH (Attention: Keith Nowell) in accordance with the schedule below. The technical reports may be combined as appropriate. The submittal compliance date for reports with a "Date to be Determined" notation will be finalized in a subsequent Directive Letter and will be based on the date(s) proposed in the Baseline Project Schedule.

- December 15, 2017 – Project Schedule
- Date to be Determined – Corrective Action Implementation Plan
- Date to be Determined – Vapor Probe Decommissioning Report



Ms. Hsieh and Mr. Kong  
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- Date to be Determined – Construction SMP
- Date to be Determined – Soil Import Documentation, if applicable
- Date to be Determined – Approved Building Permit Plans
- Date to be Determined – Remedial Soil Excavation Completion Report, if performed
- Date to be Determined – VMS and Trench Dam Record Report of Construction
- Date to be Determined – Long Term Site Use SMP
- Date to be Determined – Land Use Covenant

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- 6764 or send me an electronic mail message at [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org).

Sincerely,



Digitally signed by Keith Nowell  
DN: cn=Keith Nowell, o=Alameda County,  
ou=Department of Environmental Health,  
email=keith.nowell@acgov.org, c=US  
Date: 2017.11.17 15:01:12 -08'00'

Keith Nowell, P.G., C.HG.  
Hazardous Materials Specialist

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

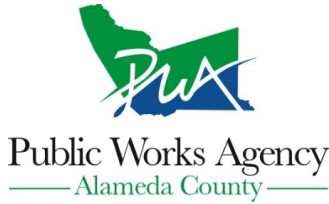
Attachment 2 – Site Management Plan Template

cc: Forrest Cook, Almar Environmental, 407 Almar Avenue, Santa Cruz, CA 95060  
(Sent via electronic mail to [cook.forrest@gmail.com](mailto:cook.forrest@gmail.com))

Dilan Roe, ACDEH (Sent via electronic mail to [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Keith Nowell, ACDEH (Sent via electronic mail to [keith.nowell@acgov.org](mailto:keith.nowell@acgov.org))  
Paresh Khatri, ACDEH, (Sent via electronic mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org))

Electronic File

# Alameda County Public Works Agency - Water Resources Well Permit



399 Elmhurst Street  
Hayward, CA 94544-1395  
Telephone: (510)670-6633 Fax:(510)782-1939

**Application Approved on: 11/28/2017 By jamesy**

**Permit Numbers: W2017-0881**  
**Permits Valid from 12/01/2017 to 12/01/2017**

**Application Id:** 1505498054380  
**Site Location:** 3101 35th Ave, Oakland, CA 94619, USA  
**Project Start Date:** 12/01/2017  
**Assigned Inspector:** Contact Eneyew Amberber at (510) 670-5759 or eneyew@acpwa.org

**City of Project Site:**Oakland

**Completion Date:**12/01/2017

**Applicant:** Almar Environmental - Forrest Cook  
407 Almar Avenue, Santa Cruz, CA 95060

**Phone:** 831-420-7923

**Property Owner:** Mona Hsieh  
888 BRANNAN STREET, SUITE 101, San Francisco, CA 94103

**Phone:** --

**Client:** \*\* same as Property Owner \*\*

	<b>Total Due:</b>	\$265.00
<b>Receipt Number: WR2017-0559</b>	<b>Total Amount Paid:</b>	\$265.00
<b>Payer Name : Forrest Cook</b>	Paid By: VISA	<b>PAID IN FULL</b>

**Works Requesting Permits:**

Well Destruction-Vapor monitoring well - 10 Wells  
 Driller: Ben Halsted - Lic #: 589652 - Method: over

**Work Total: \$265.00**

**Specifications**

Permit #	Issued Date	Expire Date	Owner Well Id	Hole Diam.	Casing Diam.	Seal Depth	Max. Depth	State Well #	Orig. Permit #	DWR #
W2017-0881	11/28/2017	03/01/2018	SV-1	2.00 in.	0.25 in.	1.00 ft	5.00 ft			
W2017-0881	11/28/2017	03/01/2018	SV-10	2.00 in.	0.25 in.	1.00 ft	5.00 ft			
W2017-0881	11/28/2017	03/01/2018	SV-2	2.00 in.	0.25 in.	1.00 ft	5.00 ft			
W2017-0881	11/28/2017	03/01/2018	SV-3	2.00 in.	0.25 in.	1.00 ft	5.00 ft			
W2017-0881	11/28/2017	03/01/2018	SV-4	2.00 in.	0.25 in.	1.00 ft	15.00 ft			
W2017-0881	11/28/2017	03/01/2018	SV-5	2.00 in.	0.25 in.	1.00 ft	5.00 ft			
W2017-0881	11/28/2017	03/01/2018	SV-6	2.00 in.	0.25 in.	1.00 ft	15.00 ft			
W2017-0881	11/28/2017	03/01/2018	SV-7	2.00 in.	0.25 in.	1.00 ft	5.00 ft			
W2017-0881	11/28/2017	03/01/2018	SV-8	2.00 in.	0.25 in.	1.00 ft	5.00 ft			
W2017-0881	11/28/2017	03/01/2018	SV-9	2.00 in.	0.25 in.	1.00 ft	5.00 ft			

**Specific Work Permit Conditions**

1. Drilling Permit(s) can be voided/ cancelled only in writing. It is the applicant's responsibility to notify Alameda County Public Works Agency, Water Resources Section in writing for an extension or to cancel the drilling permit application. No drilling permit application(s) shall be extended beyond ninety (90) days from the original start date. Applicants may not cancel a drilling permit application after the completion date of the permit issued has passed.

2. Permittee shall assume entire responsibility for all activities and uses under this permit and shall indemnify, defend and save the Alameda County Public Works Agency, its officers, agents, and employees free and harmless from any and



## Alameda County Public Works Agency - Water Resources Well Permit

all expense, cost, liability in connection with or resulting from the exercise of this Permit including, but not limited to, properly damage, personal injury and wrongful death.

3. Prior to any drilling activities, it shall be the applicant's responsibility to contact and coordinate an Underground Service Alert (USA), obtain encroachment permit(s), excavation permit(s) or any other permits or agreements required for that Federal, State, County or City, and follow all City or County Ordinances. No work shall begin until all the permits and requirements have been approved or obtained. It shall also be the applicants responsibilities to provide to the Cities or to Alameda County an Traffic Safety Plan for any lane closures or detours planned.
4. No changes in construction procedures or well type shall change, as described on this permit application. This permit may be voided if it contains incorrect information.
5. Applicant shall submit the copies of the approved encroachment permit to this office within 10 days.
6. Applicant shall contact assigned inspector listed on the top of the permit at least five (5) working days prior to starting, once the permit has been approved. Confirm the scheduled date(s) at least 24 hours prior to drilling.
7. Copy of approved drilling permit must be on site at all times. Failure to present or show proof of the approved permit application on site shall result in a fine of \$500.00.
8. Electronic Reporting Regulations (Chapter 30, Division 3 of Title 23 & Division 3 of Title 27, CCR) require electronic submission of any report or data required by a regulatory agency from a cleanup site. Submission dates are set by a Regional Water Board or by a regulatory agency. Once a report/data is successfully uploaded, as required, you have met the reporting requirement (i.e. the compliance measure for electronic submittals is the actual upload itself). The upload date should be on or prior to the regulatory due date.
9. Vapor monitoring wells constructed with tubing shall be decommissioned by complete removal of tubing, grout seal, and fill material of sand or bentonite. Fill material may be removed by hand auger if material can be removed completely.

Vapor monitoring wells constructed with pvc pipe less than 2" shall be overdrilled to total depth.

Vapor monitoring wells constructed with 2" pvc pipe or larger may be grouted by tremie pipe (any depth) or pressure grouted (less than 30', 25 psi for 5 min).

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