



April 2, 2018

Ms. Bridget Galka
Oakland Housing Authority
1801 Harrison Street, 2nd Floor
Oakland, CA 94612
(Sent via electronic mail to: bgalka@oakha.org)

Subject: Draft Corrective Action Plan Request, Site Cleanup Program Case No. RO0003243 and GeoTracker Global ID T10000010370, E. 17th Street Redevelopment, 1228 – 1236 E. 17th Street, Oakland, CA 94606

Dear Ms. Galka:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the *Supplemental Investigation Report*, dated December 21, 2017. The report was prepared and submitted on your behalf by Environmental Investigation Services, Inc (EIS). Thank you for submitting the report. The report documented the installation of soil bores SB-15 to SB-20, soil bores for the collection of four-point composite samples A through D, soil vapor points SV-3 to SV-5, and the collection of soil, grab groundwater, and soil vapor samples for analytical testing.

Analytical data for the site indicate that Contaminants of Concern (COC) for the site include lead and Poly-Aromatic Hydrocarbons (PAHs) in soil. Grab groundwater and additional soil vapor analytical data appear to indicate that these media do not represent a concern for the redevelopment at the site. Although arsenic concentrations in soil are above the Environmental Screening Level (ESL) concentrations, the detected concentrations appear to represent background concentrations as up to a maximum detected concentration of 7.1 milligrams per kilogram (mg/kg) were detected. These concentrations are below 11.0 mg/kg that has generally been identified as a regional arsenic background in recent studies.

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. Corrective Action / Mitigation Plan – ACDEH requests the generation of a Draft Corrective Action Plan (Draft CAP) that includes the following minimum information:

- Proposed goals and the basis for the goals.
- Summary of site characterization data.
- Receptor information including likely future land use scenarios, adjacent land use and sensitive receptors.
- A brief evaluation of a minimum of three active remedial alternatives including discussion of feasibility, cost effectiveness, estimated time to reach goals, and limitations for each remedial alternative.
- Detailed description of proposed remediation including confirmation sampling and monitoring during implementation. Please refer to previous directive letters with respect to XRF data.
- Schedule for implementation of cleanup.

The CAP must be approved by ACDEH and should any building plan changes be required to accommodate corrective actions, the changes will require incorporation into building plans. This process requires coordination with ACDEH, the building department, and the consultant throughout the

final plan approval to ensure changes made during building department or planning review do not conflict with ACDEH approved plans. This is a continued issue at redevelopment sites. All plan changes will also require a professional signed statement from the registered professional that the changes do not affect the proposed mitigation measures. Please recognize that if mitigation measures are required, closure cannot be provided until a final confirmation sampling report is submitted and reviewed (60 days), and final installation of the measures have been documented.

2. **Public Participation** - As you are aware, public participation is a requirement for the Corrective Action Plan process. Public comments on the proposed remediation will be accepted for a 30-day period. Therefore, we request that you submit a Draft public participation flyer for ACDEH review. ACDEH will forward under separate cover an example public participation document in Word format for your use. ACDEH requests the document be returned in Word format for final editing. Upon ACDEH approval of a Draft CAP, ACDEH will notify potentially affected members of the public who live or own property in the surrounding area of the proposed remediation described in the Draft CAP.

To facilitate communication with parties that are known to be interested in the redevelopment project, ACDEH requests the identification of the names, address, or emails of these individuals or corporations by the date identified below.

3. **Redevelopment Communication Tools** – In order to effectively communicate between project proponents, consultants, ACDEH, and the general public, ACDEH requests the following documents as tools be generated to enable communication with ACDEH and the public. These were in part discussed in the August 2, 2017 meeting. Please submit development plans by the date identified below, and incorporate these tools in the Draft CAP report requested below.
 - a. **Development Plans and Other Reports** – All reports or other communications associated with the site are requested to be submitted, including any additional Phase 1 or other reports or communications, that have been generated for the site and that contain environmental data (Please also see Technical Comment No. 5 below). Updated and current development plans are required, and are to be included as a submittal.
 - b. **Project Schedule** – It is important to communicate to ACDEH where the project is in the entitlement, project planning, CEQA, building and planning department approval process, when construction is hoped to begin and when project proponents may need a letter from ACDEH for financing concerns. Additionally, a realistic time frame for regulatory review (60 days is standard, however, ACDEH will attempt for a faster response if able to).
 - c. **Gantt Chart** – In order for all parties to understand project timelines and goals, and what or what may not, possible relative to the timeline, ACDEH requests the generation and submittal of a Gantt Chart that incorporates standard regulatory review time frames. With concurrence, changes can be made to meet certain timelines. This is requested to be submitted as a separate document, concurrent with the requested Draft CAP, in order to allow for modifications to be made.
4. **Construction (Short-Term) Site Management Plan** - Generation of a robust Short-Term Soil and Groundwater Site Management Plan (SGSMP) to deal with known or unexpected contamination found during redevelopment, including the potential for underground storage tanks that would suggest a contact for the ACDEH CUPA program (Oakland CUPA no longer exists). The SGSMP must include dust management and monitoring for onsite and offsite receptors, calculations to determine dust response trigger levels, groundwater or storm water management, step-out contingency soil samples, and etc. As discussed in the meeting, please be aware that this a relatively large excavation is a Corrective Action, and a 30 day public notification is required per state requirements (affecting the Gantt chart inputs). An example Construction SGSMP will be forwarded under separate cover.
5. **Geotracker Electronic Report and Data Upload Compliance** – A review of the State Water Resources Control Board's (SWRCB) GeoTracker website indicates the site has been claimed;

however, is not in compliance with data upload requirements set by the state. Thank you for claiming the site.

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 SLIC programs. 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, older reports, including Phase 1 reports, older EDF submittals, GEO MAPS, and all bore logs. **Compliance is a State requirement.** Please see Attachment 1 for limited additional details, and the state GeoTracker website for full details. ACDEH requests notification of, and a list of, the documents uploaded to Geotracker by the date identified below.

SUBMITTAL ACKNOWLEDGEMENT STATEMENT

Please note that ACDEH has updated Attachment 1 with regard to report submittals to ACDEH. ACDEH is now requiring a Submittal Acknowledgement Statement, replacing the Perjury Statement, as a cover letter signed by the Responsible Party (RP). The language for the Submittal Acknowledgement Statement is as follows:

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.

Please make this change to your submittals to ACDEH.

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.

- **May 11, 2018** – Geotracker Upload Compliance, including current Development Plans
Please email your caseworker with confirmation.
- **June 15, 2018** – Draft CAP and Draft Soil and Groundwater Site Management Plan (SGSMP), Gantt Chart, and Names of Known Interested Parties
File to be named: RO3243_CAP_R_yyyy-mm-dd and RO3243_SMP_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>.

If your email address does not appear on the cover page of this notification, ACDEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case.

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Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, please call me at (510) 567-6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mark Detterman', with a stylized flourish extending to the right.

Mark Detterman, P.G., C.E.G.
Senior Hazardous Materials Specialist

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

Cc: Philip McLaughlin, Environmental Investigation Services, Inc, 15951 Los Gatos Blvd, Suite 17, Los Altos, CA 95032; (Sent via electronic mail to: pmclaughlin@eis1.net)

Peter Littman, Environmental Investigation Services, Inc, 15951 Los Gatos Blvd, Suite 17, Los Altos, CA 95032; (Sent via electronic mail to: plittman@eis1.net)

Eric Johnson, Oakland Housing Authority, 1801 Harrison Street, 2nd Floor, Oakland, CA 94612; (Sent via electronic mail to: ejohnson@oakha.org)

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.