



October 5, 2018

Dr. Michael Park
1940 Webster Street, Suite 200
Oakland, CA 94612

(Sent via electronic mail to: mkparkmd@gmail.com)

Subject: Consideration of Conditional Case Closure; Fuel Leak Case No. RO0003267 and Geotracker Global ID T0600102203, Goldsmith Lathrop, 5813-5815 Shellmound St, Emeryville, CA 94608

Dear Dr. Park:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case files including the *Report of Additional Investigative Activities*, dated August 14, 2018. The report was submitted on your behalf by Gribi Associates (Gribi). Thank you for submitting the document.

The report documented the resampling of subslab and indoor air beneath and within the existing site building, the installation of an additional shallow soil vapor well (SG-5), the sampling of clean-outs for the onsite sanitary sewer lateral (CO-1 and CO-2) at two locations, the collection of an outdoor air vapor sample, and the video survey of the sanitary sewer lateral. All locations reported vapor concentrations below Environmental Screening Levels (ESLs), and the sanitary sewer video indicated that the sewer line is intact and in good repair.

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

TECHNICAL COMMENTS

1. **Consideration of Conditional Case Closure** – Analytical data collected in the recent past appears to indicate that residual contamination documented beneath the site and building will present limited risks to building occupants and users, and that conditional case closure would be appropriate for the site in its current configuration provided the following the following deliverables are submitted to ACDEH in accordance with the compliance schedule provided below.
 - a. **Installation of Vapor Mitigation System** – ACDEH requires the installation of a vapor mitigation system in the existing building in order to effectively minimize or eliminate vapor intrusion from residual contamination documented to be present in the subsurface at the site. In the meeting of June 14, 2018, the installation of a barrier similar to the Retro-Coat product was discussed. Therefore, ACDEH requests the submittal of a “Mitigation Measures Plan” by the date identified below. This is intended as an engineering design plan document and is to include Construction Quality Assurance (CQA) measures, and current detailed as-built building plan documentation. ACDEH inspection of the installation of the product is required.
 - b. **Long-Term Soil and Groundwater Management Plan (SGMP)** – In order to manage future subsurface incursions over the long-term, ACDEH requests the generation and submittal of a detailed SGMP for the management of soil and groundwater during future subsurface incursions. ACDEH requests the submittal of the SGMP by the date listed below. An example can be forwarded under separate cover.
 - c. **Land Use Covenant (LUC)** – A LUC is required to document the presence of the vapor mitigation system and the SGMP for the long-term. A draft LUC in Word document format will

be forwarded under separate cover for draft modification and return to ACDEH in Word document format. ACDEH will review and potentially modify the draft document and will finalize it for signature. The LUC will require the signatures of the property owner and the Director of ACDEH in the presence of a Notary Public, and recording by the project proponent at the County. Further details will be provided with the draft LUC. ACDEH requests return of the draft modified LUC by the date identified below.

- d. Post-Closure Monitoring** – In order to demonstrate the vapor mitigation system remains intact and functional in the future, the site will enter into a Post-Closure Monitoring Program under the oversight of ACDEH for sub-slab and indoor air monitoring on a periodic interval, as determined appropriate, on generally, but not always, an annual monitoring interval. Annual oversight costs will be incurred. Therefore ACDEH requests the generation and submittal of a post closure monitoring plan by the date identified below.

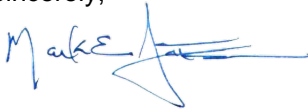
TECHNICAL REPORT REQUEST

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 3, 2018** – Mitigation Measures Plan
(File to be named RO3267_MMP_R_yyyy-mm-dd)
- **December 3, 2018** – Long-Term Soil and Groundwater Management Plan
(File to be named RO3267_SGMP_R_yyyy-mm-dd)
- **December 3, 2018** – Land Use Covenant
Please email your case worker.
- **To Be Determined** – Post Closure Monitoring Plan

Should you have any questions, please contact 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 & Electronic Report Upload (ftp) Instructions

cc: Jim Gribi, Gribi Associates, 1090 Adams Street, Suite K, Benicia, CA 94510, (Sent via electronic mail to: jgribi@gribiassociates.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.