



February 23, 2018

Ms. Erin Patch
The Unity Council
1900 Fruitvale Avenue, Suite 2A
Oakland, CA 94601
(Sent via electronic mail to: epatch@unitycouncil.com)

Subject: Approval of Additional Data Gap Soil Gas and Groundwater Investigations As Described in the *Draft Remedial Action Plan*, Site Cleanup Program Case No. RO0003274 and GeoTracker Global ID T10000011152, 2221 Fruitvale Ave, 2221 Fruitvale Avenue, Oakland, CA 94601, Assessor's Parcel No. 26-750-31-3

Dear Ms. Patch:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file including the *Draft Remedial Action Plan* (the RAP), dated January 25, 2018 for the subject site. The RAP was prepared and submitted on your behalf by West Environmental Services & Technology Inc (West).

A data gap analysis was conducted and summarized in the RAP. Results of the analysis indicated the following data gaps: the lateral extent of tetrachloroethylene (PCE) in soil gas outside of the building footprint has not been delineated and the source and extent of PCE in groundwater has not been defined. As a result, West proposes to conduct additional on- and off-site investigations to further characterize soil gas and groundwater conditions. Onsite investigations include the sampling of soil from one boring (W-14/SG-7), the advancement and installation of four soil gas probes (SG-6 through SG-9), and grab groundwater collection from five locations (W-6, W-7, W-13, W-14, and W-15). Offsite investigations include the collection of soil gas and grab groundwater from the two borings (W-18/SG-11 and W-17/SG-10) located downgradient and crossgradient, respectively and one grab groundwater sample (W-19) upgradient of the site. Based on additional email correspondence between ACDEH and West on February 23, 2018, the existing scope of work was revised to include the advancement of one additional soil gas location (SG-12) in the vicinity of grab groundwater sample W-6. Revisions to the scope of work are updated in the revised Figure 4-2 of the RAP. Additionally, ACDEH's review of Figure 4-2 and 4-3 of the RAP illustrated was appeared as proposed soil gas sample collection from the same borehole as those used to collect soil and/or groundwater samples. However, based on our correspondence, West provide clarification indicating soil gas and groundwater samples at each location shown on Figures 4-2 and 4-3, will be collected from two separate boreholes advanced at that location.

Based on ACDEH staff review of the RAP, the proposed scope of work including additional on- and off-site soil gas and groundwater data gap investigations as described above is approved for implementation. Submittal of a revised RAP or a RAP addendum is not required unless an alternate scope of work outside that described in the work plan or these technical comments is proposed. We request that you upload the revised Figure 4-2 of the RAP to GeoTracker, perform the proposed work, and send us the report described below. Please provide at least a 24-hour advance written notification to this office (e-mail preferred to: andrew.york@acgov.org) prior to the start of field activities.

DELIVERABLES

Please submit the following deliverables according to the following schedule:

1. **Data Gap Soil Gas and Groundwater Investigation** – Additional questions and comments were provided in an email from ACDEH to West on February 22, 2018 based on our review of the RAP and associated Figures 4-2 and 4-3. West responded to ACDEH's email on February 23, 2018 with a updated Figure 4-2 that included one additional soil gas (SG-12) located near the southern perimeter of the property in the vicinity of grab groundwater sample (W-6). As a result, ACDEH requests West upload the revised figure to the State Water Board's GeoTracker website in accordance with the compliance schedule provided below and the *Responsible Party (ies) Legal Requirement/Obligations Instructions* and *File Naming Conventions* which are included as Attachments 1 and 2 respectively. ACDEH requests email notification verifying the requested deliverables have been uploaded to Geotracker (e-mail preferred to: andrew.york@acgov.org). A copy of the email correspondence between ACDEH and West will be uploaded to GeoTracker by ACDEH.
 - **March 30, 2018** – Revised Figure 4-2 of the RAP
File to be named: MAP_yyyy-mm-dd

2. **Baseline Project Schedule** – During our meeting on February 20, 2018, a paper copy of a construction project schedule was provided to ACDEH. Review of the schedule indicates a line item for the Remedial Design Implementation Plan (RDIP) is included, however, the schedule does not indicate the sequencing of corrective actions and submittal of requisite reports and documentation listed below. The schedule is also missing appropriate ACDEH review and response times for document submittals in addition to a 72-hour notification to ACDEH prior to implementation of corrective actions. As previously requested in our directive letter dated December 15, 2017, ACDEH requests you revise the schedule to include at a minimum the items the following activities: Additional on- and off-site investigation field activities and report, Construction Soil and Groundwater Management Plan (Construction SGMP), revised City of Oakland approved building department permits with vapor mitigation measures incorporated, site rehabilitation phasing and occupant relocation; vapor mitigation measures implementation and indoor air confirmation testing, remediation of soil and groundwater (if required), soil import characterization and documentation (if required for excavation backfill), Construction SGMP Compliance Report, Corrective Action Completion Report, Vapor Mitigation System (VMS) Record Report of Construction, Long Term Site Management Plan (SMP) and Land Use Covenant. The Baseline Project Schedule shall be updated as necessary to reflect the current status of the project and must submitted to ACDEH for review and approval.
 - **March 30, 2018** – Baseline Project Schedule
File to be named: DEV_SCHD_yyyy-mm-dd

1. **Subsurface Investigation Report** – A technical report documenting the results of the scope of work from data gap soil gas and groundwater investigation presented in the RAP.
 - **Date to be Determined Based on Project Schedule** – Subsurface Investigation Report
File to be named: SWI_R_yyyy-mm-dd

Alternatively, subsurface investigation results may be incorporated into the RDIP and/or a separate RAP for groundwater.

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Thank you for your cooperation. ACDEH looks forward to working with you and your environmental consultants to advance the case toward closure. If you have any questions, please call me at (510) 639-1276 or send me an email message at andrew.york@acgov.org.

Sincerely,



Drew J. York
Senior Hazardous Materials Specialist



Dilan Roe, PE, C73703
Chief - Land Water Division

Encl.: Attachment 1 – Responsible Party (ies) Legal Requirement/Obligations Instructions
Attachment 2 – Electronic File Naming Conventions

cc: Erin Patch, Posada De Colores (Sent via E-mail to: epatch@unitycouncil.com)
Kenneth Jones, Landis Development (Sent via E-mail to: kjones@landisdevelopment.com)
Tom Graf, Graf Con (Sent via E-mail to: tom@grafcon.com)
Peter Morris, WEST (Sent via E-mail to: peterm@westenvironmental.com)
Dilan Roe, ACDEH, Chief Land, and Water Division (Sent via E-mail to: dilan.roe@acgov.org)
Drew York, ACDEH (Sent via E-mail to: andrew.york@acgov.org)
Electronic File, GeoTracker

ATTACHMENT 1

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"/>				
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.

ATTACHMENT 2

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: August 1, 2017
	PREVIOUS REVISIONS: July 17, 2017, November 8, 2016, December 15, 2015, December 16, 2014, June 19, 2013, June 15, 2011, March 26, 2009, April 29, 2008
	ISSUE DATE: June 16, 2006
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: File Names for Electronic Reports

Format: REPORT_NAME_R_YYYY-MM-DD
Ex: SWI_R_VOL1_2006-05-25

LOP and SCP (VRAP) INCOMING REPORTS AND LETTERS	
Document Name	Abbreviation File Name= Abbreviation + Date (yyyy- mm-dd)
Abandoned Well Information/Water Supply Well Information	ABWELLINF_R
Addendum	ADEND_R (added after report name)
Additional Information Report	ADD_R
Analytical Reports (Loose data sheets not in report)	ANALYT_R
As Built Drawings (or Plans)	AS_BUILT
Case File Scanned By OFD	CASE_FILE
Cleanup and Abatement Report	CAO_R
Case Transfer Form (from CUPA)	CASE_TRNSFR_F
Conduit Study/Well Search/Sensitive Receptor/Well Survey/Preferential Pathway Study	COND_WELL_R
Corrective Action Plan (CAP)	CAP_R
Correspondence	CORRES_L
Court Injunctions	INJ_L
Development Plans (Includes Plan Set, Cross-sections, and Related Drawings)	DEV_PLAN_date
Development Schedule (Project Schedule, Gant Chart, etc.)	DEV_SCHD_date
DWR Confidential Well Logs (Report containing)	report name_R_CONFIDENTIAL_YYYY-MM-DD (Ex: SWI_R_CONFIDENTIAL_YYYY-MM-DD)
DWR Well Completion Report-Confidential (Loose well logs)	DWR_WELL_CONFIDENTIAL_YYYY-MM-DD (Date of Well Log)
ESI/DAR (Environmental Site Investigation, Data Assessment Report)	ESI_R
Excavation Report	EX_R
Extension Request Letter	EXT_RQ_L
Fact Sheet	FACT_SHT

Feasibility Study	FEASSTUD_R
Groundwater Monitoring/Quarterly Summary Report	GWM_R
Financial Assurance/Letter of Credit	FNCL_ASSRNC_LOC
Interim Remedial Action Plan	IRAP_R
Interim Remediation Results (Includes Pilot Test Reports, Vapor Mitigation Reports, Soil Reports, Free Product Removal Reports, & Dual-Phase Extraction Reports)	IR_R
Lawsuit	LAWSUIT_R
Migration Control Report	MIG_R
Miscellaneous Report/Soil Sample	MISC_R
Miscellaneous Sample Report (analytical results)	MISC_SAMP_R
Notification Letter	NOT_L
NPDES Miscellaneous Reports	NPDES_R
Operations & Maintenance Plan	OM_P
Operations & Maintenance Report	OM_R
Pay for Performance	PFP_R
Petition	PETITION_R
Phase 1 Environmental Assessment Report	PHASE1_R
Photos	PHOTO_date
Preliminary Site Assessment Report/Phase 2 (historic reports only)	PSA_R
Remedial Action Plan	RAP_R
Remedial Design & Implementation Plan	RDIP_R
Remediation Progress Report	REM_R
Request for Closure	RFC(_L or _R)
Risk Assessment Report	RISK_R
Risk Based Corrective Action	RBCA_R
List of Landowners Forms	LNDOWNR_F_DATE
SB2004 Letter of Commitment	LOC_L
Site Conceptual Model/Conceptual Site Model	SCM_R
Site Health & Safety Plan	SFTY_PLAN_R
Site Management	SITE_MANAGE_R_
Site Management Plan	SMP_R
Site Summary Report	SITE_SUM_R

Soil and Water Investigation Report (Includes soil gas/vapor reports, indoor, additional site investigation, well installation, site characterization, cross section, indoor air, additional onsite investigation, Phase II/preliminary site assessment)	SWI_R
Soil Disposal Report	SOIL_DSPL_R
Source Area Characterization	SOURCAREA_R
State Information	STATE_INFO (no date)
Status Report(monthly remediation status reports addressed to sanitary district requires no stamp/perjury)	STAT_R
Tank/Tank System Removal Report	TNK_R
Tentative Order Report	TENT_R
Unauthorized Release Form	URF_R
UST Sampling Report	UST_SAMP_R
USTCF 5 Year Review	USTCF_5YR
USTCF issued Public Notice	USTCF_PP_L
Well Construction Report (limited to water supply wells)	WELL_CST_R
Well Decommissioning Report/Letter (well destruction/abandonment)	WELL_DCM_R
Work Plan	WP_R

**LOP and SLIC
ACEH OUTGOING LETTERS AND CASE FILE DOCUMENTATION**

Document Name	Abbreviation File Name= Abbreviation + Date (yyyy-mm-dd)
90 Day Letter	90D_L
CAP Approval	CAP_AP_L
RP Certification of Public Notice	CAP_CERT_L
CAP Public Participation Letter	CAP_PP_L
CAP Public Participation Letter to RP	CAP_PPRP_L
Certified Mail Receipt	CERT_MAIL_RECEIPT
Cleanup and Abatement Order	CAO_L
Closure Public Participation Letter	CL_PP_L
Closure Package (Letter, RACC, Summary, Deed Restriction)	CLOS_L
Correspondence	CORRES_L
Deed Restriction	DEED_L_ (Copied from CLOS_L_)
Directive Letter containing Public Notice and/or Landowner request form	DIR_PP_L
Directive Letter (Landowner form, site management requirements, well decommission scheduling prior to closure of PP, copy of PP to all RPs)	DIR_L
Enforcement	ENF_L
Enforcement Referral Letter	ENF_REF_L
Extension Approval Letter	EXT_AP_L
Extension Denial Letter	EXT_DNY_L
Fund Requests	FUND_REQ_L
Final Voluntary Remedial Action Agreement	FVRAA_date
GeoTracker info	GEOTRACK_R
Late Letter	LATE_L
List of Landowners Forms	LNDOWNR_F_DATE
Mailing List for Public Notice in Excel Format	MAIL_PP_DATE
Maps & Assessor's Parcel Information	MAPS_ASSESSOR (no date)
Meeting Agenda, Minutes, Sign in Sheet	MEETING
Miscellaneous Letter	MISC_L
New Landowner Letters	LNDOWNR_REQ_L
Notice of Responsibility	NOR_L
Notice of Violation	NOV_L
Phone Log	PHONE_LOG
Photos	PHOTO_date
Post Closure Monitoring	PCMP_L
QA/QC Checklist (confidential)	QAC_report name_date
Responsible Parties Information	RPINFO_L_DATE OF THE LETTERHEAD
Returned Mail	RTN_MAIL_date

Site Visit/Inspection Report	SITEVISIT_R
Transfer Letter	TRANS_L
UST Permit	UST_PRMT
Voluntary Remedial Action Notice to State Agencies	VRA_NOTICE
Voluntary Remedial Action Request Form from RP	VREQ_F