

US EPA ARCHIVE DOCUMENT



# UST*FIELDS* PILOTS

## CALIFORNIA



In November 2000, EPA's Office of Underground Storage Tanks (OUST) launched the USTfields Pilot program to help states address contamination from federally-regulated underground storage tanks (USTs) at idle or abandoned commercial properties known as "brownfields." Before the enactment of the Small Business Liability Relief and Brownfields Revitalization Act on January 11, 2002, cleanup of petroleum contamination was generally excluded from coverage under EPA's Brownfields program. Therefore, EPA provided 10 pilot states with up to \$100,000 of LUST Trust funds each to cover the costs of petroleum cleanups at Brownfields sites; it has since funded 40 additional pilots. Using the pilot funds, each state is working with Brownfields communities to assess, clean up, and monitor petroleum-impacted UST sites. The cleanup of these sites removes barriers to their reuse and allows communities to return them to productive use.

### Background

EPA selected the State of California as one of the ten initial USTfields Pilots in 2000. As part of the pilot program, the California State Water Resources Control Board is working with the City of Oakland to bring two former underground storage tank sites back into productive use. Oakland has a substantial amount of infrastructure in place to carry out this pilot. The City is the recipient of a Brownfields Assessment Demonstration Pilot and a Brownfields Revolving Loan Fund grant.



The City also implements the Oakland Urban Land Redevelopment (ULR) program, which was formed in partnership with EPA and the State of California to address the myriad issues associated with USTfields in Oakland. The ULR program clarifies environmental investigation requirements, standardizes the regulatory process, and establishes Oakland-specific risk-based corrective action (RBCA) standards for qualifying sites. EPA Region 9 and the City, working with relevant regulatory agencies and a community review panel, have developed pre-approved cleanup goals for LUST sites within Oakland. The benefits of developing pre-approved cleanup levels include time savings, elimination of uncertainty associated with cleanup requirements and goals, and streamlining of the overall investigation and cleanup process.

The City and the State hope to transfer lessons learned from the ULR program and from the USTfields Pilot project to other parts of the State. In order to accomplish this goal, Oakland has committed to sending representatives to at least three other California municipalities to present the City's experiences and encourage similar projects throughout the State.

What follows in this case study is a description of how EPA, the State of California, Alameda County, and the City of Oakland are working together to remove barriers to the redevelopment of two underground storage tank sites.



### **2662 Fruitvale Avenue, Oakland**

The City of Oakland acquired the 2662 Fruitvale Avenue property in 1983 through foreclosure procedures after the owner abandoned the property. The site was a former gas station that contained three gasoline tanks and one waste oil tank. The tanks were removed in September 1974, and the site has remained vacant since the tank removal.

#### *Accomplishments*

The City put the site out for bid for housing in 1999 and eventually entered into a partnership with Habitat for Humanity to assist in the redevelopment of this site. Habitat for Humanity builds homes through volunteer labor. Homeowner families are chosen according to their need, and the families that move into the homes will privately own them upon completion of construction. Construction of two single-family homes at the Fruitvale site began in fall 2002.

The redevelopment of the site is possible because the City of Oakland performed a risk assessment and found no risk on-site. In addition, using USTfields Pilot funds, an off-site risk

assessment was conducted. Based on the findings, hydrogen peroxide was injected into off-site wells in order to remediate free product that had come into contact with the sewer line. The City was issued an “intent to close” letter by the Alameda County Department of Environmental Health on October 14, 2002, and final closure for the site is expected in summer of 2003.

### *Challenges*

Although the ULR program has been effective in streamlining the cleanup process, turnover of key staff at the oversight agency inevitably lengthened the review process. Despite the increase in review time, the oversight agency was able to issue a new type of interim closure letter called an “intent to close” letter enabling lenders to feel comfortable enough to proceed with the lending paperwork while the site closure status was still under negotiation. Without this “intent to close” letter, the redevelopment process at this site would not be as far along.



### **Housewives Market Block, Oakland**

The Housewives Market Mixed-Use Development is located in the middle of downtown Oakland. This site, composed of a full city block with several parcels, was historically occupied by the Housewives Market, a meat and fish store, in addition to two former gas stations and other run-down residential parcels. In 1983, the Oakland Redevelopment Agency acquired three-quarters of the block through a strategic acquisition in order to keep the rent low and subsidize maintenance costs at the Housewives Market. However, the tenants were eventually relocated to another downtown site. The final quarter of the parcel was then purchased in 1999, specifically to make the entire block available for the current development project.

### *Accomplishments*

As part of the USTfields Pilot, Oakland performed a risk assessment and found no on-site risk at the site. Additional investigative work was performed to confirm that contamination had not migrated off-site and that there were no remaining tanks on the property. USTfields funds were used to install three groundwater monitoring wells on-site and to support electromagnetic technology to search for any remaining tanks in the location of the former gas station; none were identified. However, an abandoned heating oil tank was discovered at another on-site location and subsequently removed. The City was issued an “intent to close” letter by the Alameda County Environmental Health Department on July 31, 2002, and a “no further action” letter was



issued in January 2003. Construction is scheduled to begin in 2003. The City has already issued building permits, and the site will be redeveloped into a six-floor mixed-use development by a private developer. The first floor will be a mix of commercial and residential uses, while the remaining five floors will be residential, for a total of 202 units.

### Challenges

Since several other gas stations were located in the area, part of the challenge was determining if the contamination had migrated off-site or was coming from another source. Based on groundwater flow information, contamination was not identified to be migrating off-site and the concentrations in the groundwater were low enough not to warrant remediation.

Once again, the issuance of an “intent to close” letter by the oversight agency enabled lenders to feel comfortable enough to proceed with the lending paperwork while the site closure status was still under negotiation. Without the “intent to close” letter, the reuse process would not be as far along as it is.



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**For more information about USTfields Pilots, visit EPA’s Web site at**  
[www.epa.gov/oust/ustfield](http://www.epa.gov/oust/ustfield)

**For more information on Oakland ULR Program, go to**  
[www.oaklandpw.com/ulrprogram](http://www.oaklandpw.com/ulrprogram)

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Until the mid-1980s, most underground storage tanks (USTs) were made of bare steel, which is likely to corrode over time and allow a tank’s contents to leak. Faulty installation or inadequate operation and maintenance can also cause tanks to leak. The greatest potential hazard from a leaking underground storage tank is that the petroleum or other hazardous substance can seep into the soil and groundwater, the source of drinking water for nearly half of all Americans. Leaking tanks can present other health and environmental risks, including the potential for fire and explosion.

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