March 27, 2009

Mr. Jerry Wickham
Alameda County Health Care Services Agency
1131 Harbor Bay Parkway, 3rd Floor
Alameda, California 94502

Re: Response to Comments, Alameda County Letter Dated March 11, 2008
RO# 184, 300 Hegenberger Road, Oakland, California

Dear Mr. Wickham:

At the suggestion of Mr. George Lockwood of the State Water Resources Control Board and at the request of McMorgan & Company LLC, on behalf of the owning entity of 300 Hegenberger Road (Northern California Carpenters Pension Trust Fund, LLC), Environmental Risk Specialties Corporation (ERS) has prepared this response to technical comments summarized in Alameda County Health Care Service's Letter dated March 11, 2008. ERS has been the Consultant of Record since October 2008 and our intent is to present newly obtained information, summarize the available information to the extent possible, and attempt to minimize or eliminate issues of contention.

Comment 1 – Site History and Request for Information

According to the December 10, 1993 Phase I Environmental Site Assessment (ESA) prepared by H+GCL, Inc.: 1) the Site was undeveloped prior to August 1957; 2) a gasoline service station with two dispenser islands was evident in the May 1957 aerial photograph; 3) the gasoline service station building was demolished in a May 1985 aerial photograph and only the concrete foundations were visible; 4) the soil pile existing in the west corner of the Site in December 1993 was visible in the March 1988 aerial photograph; 5) the site was essentially unchanged from 1988 to 1993; 6) a permit to demolish and remove the USTs was issued on July 23, 1984 but information concerning the number, type or location of the USTs was not available for review; 7) an October 27, 1972 permit noted two 8,000-gallon USTs and requested removal and replacement of one 8,000-gallon UST; 8) a November 1, 1974 permit was given to install one 10,000-gallon UST; 9) an August 12, 1976 permit was given to repair an existing 8,000-gallon UST; and 10) two 8,000-gallon and two 10,000-gallon USTs were permitted for the Site but no records of removal were reviewed. According to information in the Phase I ESA, the USTs were removed between July 1984

and May 1985. Information regarding the exact location of the former USTs was not available for review. The Phase I ESA has been uploaded to the ACHCSA ftp database and the State Geotracker website.

Comment 2 – Concrete Slab with Oil/Water Separator

The Oil/Water Separator (OWS) was one of the original environmental concerns investigated in June 1996. Northwest Envirocon removed the former waste oil tank and OWS and summarized their work in a report dated July 23, 1996. One soil sample (OWS at 5') was collected approximately 5 feet below ground surface (bgs) and reported relatively minor polyaromatic hydrocarbons (PAHs), 1,800 milligrams per kilogram (mg/kg) oil and grease-range petroleum hydrocarbons (TEPH), 65 mg/kg gasoline-range petroleum hydrocarbons (TPHg), and relatively minor benzene, toluene, ethylbenzene, and xylenes (BTEX). Based on the reported TEPH in OWS at 5' and the need for additional site characterization, Northwest Envirocon performed a limited soil boring investigation in April 1997. Soil boring SB-1 was advanced through the former OWS and soil samples were collected at 5 and 10 feet bgs. No significant TEPH, TPHg, and BTEX were reported at 5 feet bgs and relatively minor concentrations of TEPH, TPHg, and BTEX were reported at 10 feet bgs. Soil boring SB5, advanced 15 feet south of soil boring SB-1 in October 1997, reported no detectable TEPH, TPHg, and BTEX at 3 feet bgs (Northwest Envirocon report December 18, 1998). Groundwater monitoring well MW-5, located approximately 14 feet directly downgradient of the former OWS, has historically reported fluctuating, generally low to non-detectable concentrations of TEPH, TPHg, and BTEX. Low to non-detectable total petroleum hydrocarbons as diesel (TPHd) concentrations reported in well MW-5 indicate that no significant soil sources of TEPH impact to groundwater are present under the former OWS and the elevated TEPH reported in soil at 5 feet bgs is likely localized.

The exact "types of activities that were conducted at the former building" is unknown. We assume that the OWS is typical of the type installed inside automobile service bays that prevent incidental spills and/or grease and dirt from discharging directly to the sanitary sewer system servicing the facility.

Comment 3 – UST Location

The physical illustration of the geophysical survey performed to determine the potential existence of unknown USTs is unclear. Assuming the "raised concrete pads" shown on Attachments B are the dispenser islands, then the box showing the area of geophysical survey shown on Attachment A is incorrect, and the actual 50 feet by 50 feet area

investigated during the geophysical survey is approximately 45 feet south and 15 feet east of the box depicted on Attachment A. This makes technical sense if the geophysical survey was performed to complement the exploratory trenching illustrated on Attachment A (or vice versa).

To address the magnetic anomaly shown on Attachment C, ERS proposes to trench approximately east-west, across the anomaly, to a minimum depth of six feet bgs. This work can be cost effectively performed during proposed remedial soil excavation work, and can facilitate screening soil in this area of the Site and allow soil sampling as warranted.

Comment 4 – Potential Vapor Intrusion

ERS believes that soil vapor characterization should be performed following remedial soil excavation and successful removal of the significantly impacted soil beneath the former product dispensers. Proposed soil remediation will the remove the 33 mg/kg benzene reported in soil boring B2-4.0 collected at 4 feet bgs along with four other areas with benzene in soil that exceeds the environmental screening level (ESL). ERS proposes to perform soil vapor sampling in representative areas following remedial soil excavation to help verify subsurface conditions for purposes of evaluating the Site for a commercial closure. Logged soils at the Site from the surface to approximately 10 feet bgs are fine-grained silts and clays with low estimated permeability, and vertical migration of significant petroleum hydrocarbons in soil vapor is unlikely.

The current groundwater monitoring well network and the results of periodic groundwater monitoring indicate that BTEX has been attenuating downward.

Comment 5 – Vertical Extent of Contamination

ERS agrees with the technical argument that grab groundwater samples can be affected by groundwater contacting impacted soil prior to collection of the grab groundwater sample. However, precautions to prevent this from happening have always been incorporated into both ERS and ACC Environmental Consultants (ACC) grab groundwater sampling protocols. Grab groundwater samples were correctly collected in exploratory soil borings B5, B6, B9, and B10 to characterize groundwater in areas outside the existing network of groundwater monitoring wells. The grab groundwater sample analytical results reported by ACC correlated well with analytical results reported in the monitoring wells, and the grab groundwater sample analytical results <u>are</u> representative of groundwater quality at that location at that time.

Groundwater investigations and soil boring logs prepared for the Site, the Shell Service Station at 285 Hegenberger, the former Chevron Service Station at 451 Hegenberger, and the Arco Service Station at 566 Hegenberger Road report that: 1) monitoring wells are typically constructed to depths ranging from 10 to 15 feet bgs; 2) groundwater in saturated soils are generally poor quality with relatively flat gradients; and 3) logged soils are typical for Bay Margin soil sequences and the potential for vertical groundwater migration is low.

Comment 6 – Base Map

The "open pit (former location of underground waste oil tank)" is idealized on the Northwest Envirocon drawings and similarly incorrectly located on the Tetra Tech EM figures of the Site. The open pit, which still exists at this time, is located immediately adjacent to the large concrete building foundation as correctly depicted on ACC's figures.

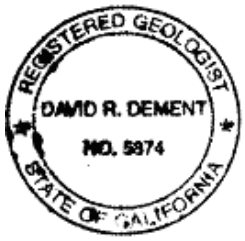
General Comments

Both ACC and ERS have recommended remedial soil excavation since July 2007 and believe that the continued delay increases the potential for continued petroleum hydrocarbon impact to groundwater from residual soil sources. Information and proposed investigation discussed in this comment letter should significantly improve our understanding of subsurface conditions at the Site. The Site has historically been zoned commercial and will remain commercial following future development. The ultimate goal of the remedial soil remediation work is to achieve acceptable soil cleanup goals for continued commercial Site use.

On behalf of McMorgan and Company LLC, Site Manager for the owning entity of 300 Hegenberger Road, we hope this information helps move the Site towards regulatory closure.

If you have any questions, please contact me at (925) 938-1600 extension 109 or via email at ddement@erscorp.us.

Sincerely,



David DeMent, PG, REA II
Senior Geologist

cc: Ms. Mary Schroeder, McMorgan & Company LLC
Mr. Dennis Parfitt, State Water Resources Control Board
Ms. Cherie McCaulou, San Francisco Water Resources Control Board