

**Wickham, Jerry, Env. Health**

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**From:** David Reinsma [dar@tsgcorp.net]  
**Sent:** Tuesday, March 18, 2008 3:00 PM  
**To:** Wickham, Jerry, Env. Health  
**Cc:** 'Eric Choi'; 'Don Lindsey'  
**Subject:** March 18, 2008 Letter from Alameda County Health Care Services Agency - Searway Property, Alameda, CA

Hi Jerry-

Thank you for your letter pertaining to the sub-slab depressurization system permits submitted to the City of Alameda and our office. As we discussed over the phone today, the Monitoring Plan for the sub-slab depressurization system is included in the cover letter attached to the Bay Area Air Quality Management District (BAAQMD) permit package that Trinity uploaded to the Counties FTP site on March 7, 2008. Therefore, the request for a monitoring plan submittal on May 7, 2008, per the aforementioned letter from your office, has already been fulfilled.

We will keep you updated on the permitting status with the City and BAAQMD.

Please call if you have any questions.

Thank you,

David

**David A. Reinsma, PG**  
President, and Principal Geologist

Trinity Source Group, Inc.  
500 Chestnut Street, Suite 225  
Santa Cruz, CA 95060

Tel: (831) 426-5600  
Fax: (831) 426-5602  
Cell: (831) 227-4724

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**Wickham, Jerry, Env. Health**

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**To:** David Reinsma  
**Cc:** 'Don Lindsey'; 'Debra Moser'  
**Subject:** RE: Searway Property, 649 Pacific Avenue, Alameda

David,

Based upon your request, the schedule for submittal of all permit applications for the SSD system is extended to March 7, 2008.

Regards,  
Jerry Wickham  
Alameda County Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
510-567-6791 phone  
510-337-9335 fax  
[jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org)

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**From:** David Reinsma [mailto:dar@tsgcorp.net]  
**Sent:** Friday, January 25, 2008 4:16 PM  
**To:** Wickham, Jerry, Env. Health  
**Cc:** 'Don Lindsey'; 'Debra Moser'  
**Subject:** Searway Property, 649 Pacific Avenue, Alameda

Hi Jerry-

This email has been prepared to request a due date change, per your letter dated December 28, 2007, from January 30, 2008 to March 7, 2008 for submittal of all permit applications for the SSD system.

We need additional time to submit all our permit applications for the SSD system to the appropriate permitting agencies. Therefore, we would like to submit them by March 7, 2008; the date the Monitoring Plan for the Sub-Slab Depressurization System is due to your office.

If you have any questions, please call.

Thank you,

David

**David A. Reinsma, PG**  
President, and Principal Geologist

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Santa Cruz, CA 95060

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1/29/2008

R02584

**Wickham, Jerry, Env. Health**

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**To:** David Reinsma  
**Cc:** 'Don Lindsey'  
**Subject:** RE: 649 Pacific Avenue, SLIC Case No. RO0002584, Alameda, CA

David,

My correspondence must be sent to all identified responsible parties for the site. I cannot exclude Mr. Carl Searway from future correspondence.

Regards,  
Jerry Wickham  
Alameda County Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
510-567-6791 phone  
510-337-9335 fax  
[jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org)

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**From:** David Reinsma [mailto:dar@tsgcorp.net]  
**Sent:** Wednesday, October 17, 2007 6:30 PM  
**To:** Wickham, Jerry, Env. Health  
**Cc:** 'Don Lindsey'  
**Subject:** 649 Pacific Avenue, SLIC Case No. RO0002584, Alameda, CA

Hi Jerry-

Can you please remove Mr. Carl Searway from all future Alameda County Health Care Services Agency correspondence pertaining to the above subject site?

Mr. Searway is no longer the property owner and is not involved with the property in any way.

I have made this request on behalf of the current property owner, Mr. Don Lindsey of Timber Del Properties, LLC

If you have any questions, please feel free to give me a call.

Thank you,

David

**David A. Reinsma, PG**  
President, and Principal Geologist

Trinity Source Group, Inc.  
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10/18/2007

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



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ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

September 21, 2007

Mr. Donald Lindsey  
Timber Del Properties, LLC  
2424 Central Avenue  
Alameda, CA 94501

Mr. Carl Searway  
3032 Dakota Street  
Oakland, Ca 94602

Subject: SLIC Case No. RO0002584 and Geotracker Global ID SL0600150413, Searway Property, 649 Pacific Avenue, Alameda, CA 94501

Dear Mr. Lindsey and Mr. Searway:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the recently submitted document entitled, "Phase III Sub-Slab Vapor Investigation Report," dated September 20, 2007 and prepared on your behalf by Trinity Source Group, Inc. The report presents the results from installation and sampling of five additional soil vapor probes (VS-10 through VS-14) inside the building at 649 and 651 Pacific Avenue, and 1713 Webster Street. Volatile organic compounds (VOCs) including carbon tetrachloride and tetrachloroethene were detected in soil vapor at concentrations exceeding screening criteria in one of the additional sampling locations inside the building (VS-11). However, 24,000 micrograms per cubic meter of isopropyl alcohol was detected in the sample from VS-13 indicating a possible leak during sampling. Therefore, the results for probe VS-13 may be biased low. Re-sampling of probe VS-13 is required.

We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

**TECHNICAL COMMENTS**

1. **Re-sampling of Probes VS-11 and VS-13.** We concur with the recommendation to re-sample probes VS-11 and VS-13 to verify results from these sampling locations. Please present these results in the Plan for Sub-Slab Depressurization System requested below.
2. **Concrete Slab Entry Points.** We concur with recommendation to inspect the building foundation for potential VOC vapor entry points. All possible entry points are to be monitored with a part per billion-range photoionization detector and then sealed. Please present the results in the Plan for Sub-Slab Depressurization System requested below.

3. **Diagnostic Testing of Sub-Slab Material.** Diagnostic testing is to be completed in order to provide data for design of a sub-slab depressurization system. Please present the results of the diagnostic testing in the Plans for Sub-Slab Depressurization System requested below.
4. **Plans for Sub-Slab Depressurization System.** After re-sampling of probes VS-11 and VS-13, sealing off possible slab entry points, and diagnostic testing is completed, please submit plans for the installation and testing of a sub-slab depressurization system. Plans for the Sub-Slab Depressurization System are to be submitted **by November 30, 2007.**

#### TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **November 30, 2007** - Plans for Sub-Slab Depressurization System
- **February 15, 2008** – Semiannual Monitoring Report for Third to Fourth Quarter 2007

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.

#### ELECTRONIC SUBMITTAL OF REPORTS

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

Don Lindsey  
Carl Searway  
September 21, 2007  
Page 3

### PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS


The California Business and Professions Code (Sections 6735, 6835, and 7835.1) 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 registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

### AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional 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.

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: David Reinsma, Trinity Source Group, 910 Mesa Grande Road, Aptos, CA 95003

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

**Gallagher and Lindsey - Webpac**

1406 Webster Street  
Alameda, CA 94501

Bank of Alameda  
2130 Otis Drive  
Alameda, CA 94501  
(510) 864-9100  
90-4266/1211

1187  
R02584

\*\*\*\* THREE THOUSAND AND 00/100 DOLLARS

TO THE  
ORDER OF

07/26/07

\$3,000.00\*\*\*

Alameda County Enviromental Health Care  
Services Agency  
1131 harbor bay Pkwy, #250  
Alameda, CA 94502

001187 12142669 01515139

DATE:07/26/07 CK#:1187 TOTAL:\$3,000.00\*\*\* BANK:bWebPac - Webster-Pacific property  
PAYEE:Alameda County Enviromental Health Care(vAlCount)

Property Account	Invoice	Description	Amount
pWeb1701 6251	RC0002584	ID SL0600150413	3,000.00

3,000.00  
ENVIRONMENTAL HEALTH  
FINANCE  
2007 AUG 27 PM 3:17

**Gallagher & Lindsey**  
REAL ESTATE & PROPERTY  
MANAGEMENT, LLC

406 Webster Street  
Alameda, CA 94501

UNITED STATES POSTAGE  
104 PB34906  
6582 00.41 AUG 22  
4052 MAILED FROM ZIP CODE 945

RECEIVED  
AUG 27 2007  
ENVIRONMENTAL HEALTH SERVICES



ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



F

ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

July 20, 2007

Mr. Donald Lindsey  
Timber Del Properties, LLC  
2424 Central Avenue  
Alameda, CA 94501

Mr. Carl Searway  
3032 Dakota Street  
Oakland, Ca 94602

Subject: SLIC Case No. RO0002584 and Geotracker Global ID SL0600150413, Searway Property, 649 Pacific Avenue, Alameda, CA 94501

Dear Mr. Lindsey and Mr. Searway:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the recently submitted document entitled, "Sub-Slab Vapor Investigation Report," dated July 11, 2007 and prepared on your behalf by Trinity Source Group, Inc. The report presents the results from installation and sampling of five soil vapor probes (VS-3 through VS-8) inside the building at 649 Pacific Avenue and one soil vapor probe in the parking lot outside the building (VS-9). Volatile organic compounds (VOCs) including carbon tetrachloride, chloroform, and tetrachloroethene were detected at elevated concentrations in soil vapor at several locations inside the building. The extent of the VOC vapor plume has not been defined; therefore, additional sub-slab vapor sampling is required. As discussed in technical comment 1 below, we concur with the recommendation in the Sub-Slab Vapor Investigation Report to conduct a third phase of sub-slab vapor sampling in adjacent portions of the building.

The elevated concentrations of VOCs detected beneath 649 Pacific Avenue pose a potential risk to human health through vapor intrusion from below the building slab to indoor air. Remediation will be required to mitigate VOC vapor intrusion concerns.

We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

**TECHNICAL COMMENTS**

1. **Proposed Sub-Slab Soil Vapor Sampling.** The Sub-Slab Vapor Investigation Report recommends sub-slab soil vapor sampling at five locations north and east of existing soil vapor probes at 649 Pacific Avenue. We concur with the proposed locations. Step-out sampling is to be conducted if the concentration of any VOC detected during the additional sub-slab vapor sampling exceeds one-half of the Environmental Screening Levels for Shallow Soil Gas and commercial land use. The additional soil vapor sampling is to be



conducted using the methods described in the "Soil Vapor Sampling Workplan Addendum," dated April 6, 2007. Please present these results in the Sub-Slab Soil Vapor Sampling Report requested below.

2. **Concrete Slab Entry Points.** We concur with recommendation to inspect the building foundation for potential VOC vapor entry points. All possible entry points are to be monitored with a part per billion-range photoionization detector and then sealed. Please present the results in the Sub-Slab Vapor Sampling Report.
3. **Diagnostic Testing of Sub-Slab Material.** Diagnostic testing is to be completed in order to provide data for design of a sub-slab depressurization system. Please present the results of the diagnostic testing in the Plans for Sub-Slab Depressurization System requested below.
4. **Plans for Sub-Slab Depressurization System.** After the extent of the VOC vapor plume has been defined and the diagnostic testing is completed, please submit plans for the installation and testing of a sub-slab depressurization system. Plans for the Sub-slab Depressurization System are to be submitted **by October 20, 2007**.

#### TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **August 15, 2007** – Semiannual Monitoring Report for First to Second Quarter 2007
- **September 20, 2007** – Sub-Slab Soil Vapor Sampling Report
- **October 19, 2007** - Plans for Sub-Slab Depressurization System
- **February 15, 2008** – Semiannual Monitoring Report for Third to Fourth Quarter 2007

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.

#### ELECTRONIC SUBMITTAL OF REPORTS

The Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Don Lindsey  
Carl Searway  
July 20, 2007  
Page 3

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

#### PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

#### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) 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 registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

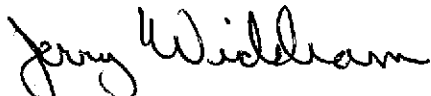
#### AGENCY OVERSIGHT

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Don Lindsey  
Carl Searway  
July 20, 2007  
Page 4

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: David Reinsma  
Trinity Source Group  
910 Mesa Grande Road  
Aptos, CA 95003

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

R02584

**Wickham, Jerry, Env. Health**

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**From:** David Reinsma [dar@tsgcorp.net]  
**Sent:** Friday, April 13, 2007 7:58 AM  
**To:** Wickham, Jerry, Env. Health  
**Cc:** 'Don Lindsey'; 'Dan Birch'  
**Subject:** 649 Pacific Ave soil gas investigation work plan addendum review

Jerry,

We uploaded a work plan addendum to your ftp site and Geotracker for the second phase of soil gas probe installation at 649 Pacific Avenue in Alameda.

We are scheduled to perform field work at the end of this month (Sunday, April 29). Please review the addendum and let me know if you have any questions. We need your approval/comments before we start work.

Please feel free to call.

Thank you,

David

***David A. Reinsma***

President, and Principal Geologist

Trinity Source Group, Inc.  
910 Mesa Grande Road  
Aptos, CA 95003

Tel: (831) 685-1217  
Fax: (831) 685-1219  
Cell: (831) 227-4724

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4/13/2007

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



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ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

April 11, 2007

Mr. Donald Lindsey  
Timber Del Properties, LLC  
2424 Central Avenue  
Alameda, CA 94501

Mr. Carl Searway  
3032 Dakota Street  
Oakland, Ca 94602

Subject: SLIC Case No. RO0002584 and Geotracker Global ID SL0600150413, Searway Property, 649 Pacific Avenue, Alameda, CA 94501 – Work Plan Approval

Dear Mr. Lindsey and Mr. Searway:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the recently submitted document entitled, "Soil Vapor Sampling Workplan Addendum," dated April 6, 2007 and prepared on your behalf by Trinity Source Group, Inc. The Work Plan proposes to advance six additional subslab probes for the collection of soil vapor samples. Soil vapor samples are to be collected from the six additional soil vapor probes and existing soil vapor probe VS-3. This investigation is required to evaluate elevated concentrations of carbon tetrachloride and tetrachloroethene that were detected in samples collected from three existing subslab soil vapor probes located within an active paint store at the site. The proposed scope of work in the "Soil Vapor Sampling Workplan Addendum," is acceptable.

We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

**TECHNICAL COMMENTS**

1. **Groundwater Monitoring.** Please continue semi-annual groundwater monitoring using the existing wells at the site. The groundwater samples are to be analyzed for TPH as Stoddard solvent by EPA Method 8015M and the full target list of volatile organic compounds by EPA Method 8260B. Please present results of the semi-annual groundwater sampling in the monitoring reports requested below.

Don Lindsey  
Carl Searway  
April 11, 2007  
Page 2

### **TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **July 11, 2007** – Soil Vapor Sampling Report
- **August 15, 2007** – Semiannual Monitoring Report for First to Second Quarter 2007
- **February 15, 2008** – Semiannual Monitoring Report for Third to Fourth Quarter 2007

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.

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### **PERJURY STATEMENT**

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Don Lindsey  
Carl Searway  
April 11, 2007  
Page 3

**PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS**

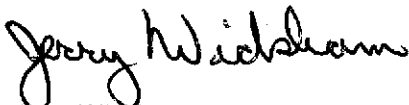
The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

**AGENCY OVERSIGHT**

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If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: David Reinsma, Trinity Source Group, 910 Mesa Grande Road, Aptos, CA 95003

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

**Wickham, Jerry, Env. Health**

---

**To:** David Reinsma

**Subject:** RE: 649 Pacific Avenue, Alameda, CA

David,

The proposed sub slab soil vapor sampling locations are acceptable; however, we request that one sampling location be added in the northeastern corner of the 649 Pacific space. The soil gas sampling report, which was requested in our correspondence dated May 19, 2006, is overdue by several months. Based on the preliminary soil vapor sampling results, we request that you make completion of the soil vapor sampling and report a priority.

Regards,

*Jerry Wickham*

Alameda County Environmental Health

1131 Harbor Bay Parkway

Alameda, CA 94502-6577

510-567-6791 phone

510-337-9335 fax

[jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org)

---

**From:** David Reinsma [mailto:[dar@tsgcorp.net](mailto:dar@tsgcorp.net)]

**Sent:** Friday, March 16, 2007 4:15 PM

**To:** Wickham, Jerry, Env. Health

**Subject:** 649 Pacific Avenue, Alameda, CA

Jerry,

Thanks for the phone call today regarding the additional soil gas sampling step-out we need to do at the subject site. I appreciate your patience on this next scope of work. I'll give my client a phone call today and let him know that we need to perform this additional scope of work and finalize our report sooner than later.

Attached is a figure showing additional proposed sub-slab soil vapor probe locations for your review. If you want to change the location or number of proposed probes, please give me a call to discuss.

Thank you,

David

**David A. Reinsma**

President, and Principal Geologist

Trinity Source Group, Inc.

910 Mesa Grande Road

Aptos, CA 95003

Tel: (831) 685-1217

Fax: (831) 685-1219

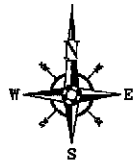
Cell: (831) 227-4724

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3/16/2007



COURTYARD AND ASSISTED LIVING



CITY OF ALAMEDA  
FIRE STATION

PARKING LOT

1,600
740
8,400
5,800

PROJECT SITE	4,100
	2,500
	42,000
	6,700

MW-4

**LEGEND**

- VS-1 [Symbol] SUB-SLAB SOIL VAPOR PROBE LOCATION
- BH-20 [Symbol] BORING/SOIL SAMPLE LOCATION  
(STELLAR, MARCH AND JULY 2003)
- MW-6 [Symbol] VICINITY SITE GROUNDWATER WELL
- MW-1 [Symbol] GROUNDWATER MONITORING WELL LOCATION
- SS [Symbol] SANITARY SEWER SHOWING FLOOR DRAINS  
AND FLOW DIRECTION
- [Symbol] =STODDARD SOLVENT
- [Symbol] =CHLOROFORM
- [Symbol] =CARBON TETRACHLORIDE
- [Symbol] =TETRA-CHLOROETHENE
- ALL SOIL GAS RESULTS REPORTED  
IN MICROGRAMS PER METER CUBED  
(Mg/m<sup>3</sup>)
- [Symbol] PROPOSED SUB-SLAB SOIL  
VAPOR PROBE LOCATION

9,100
490
1,400
11,000

MW-5

DRIVEWAY

649 PACIFIC

ENTRY  
DOOR

SIDEWALK

**PACIFIC AVENUE**

1713 WEBSTER  
RESTAURANT

BH-08

BH-06

BH-05

BH-13

BH-15

MW-3

BH-02

BH-16

BH-21

BH-28

653 PACIFIC  
VACANT

1711 WEBSTER  
MARTIAL ARTS SCHOOL

1707 WEBSTER  
TAILORING AND CLEANERS

BH-22

BH-09

BH-10

BH-03

BH-11

BH-12

BH-01

BH-24

BH-20

BH-23

BH-25

BH-26

BH-27

BH-29

BH-30

BH-31

BH-32

BH-33

651 PACIFIC  
AUTOMOTIVE SERVICE

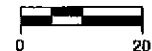
1701 WEBSTER  
VACANT

SIDEWALK

**WEBSTER STREET**

MW-6

SCALE IN FEET



REF: 103\_002\SVPROBE.DWG  
BASEMAP FROM RRM, INC.



**SOIL VAPOR SAMPLING ANALYTICAL RESULTS AND PROPOSED SUB-SLAB SOIL VAPOR PROBE LOCATION MAP**

Searway Property  
649 Pacific Avenue  
Alameda, California

PROJECT:  
103.002.001

FIGURE:

2

R02584

**Wickham, Jerry, Env. Health**

---

**To:** Dan Birch  
**Subject:** RE: 649 Pacific Ave., Alameda

Dan,

Based upon the need to resample, the schedule for report submittal is extended to November 28, 2006.

Regards,

*Jerry Wickham*  
Hazardous Materials Specialist  
Alameda County Environmental Health  
1131 Harbor Bay Parkway  
Suite 250  
Alameda, CA 94502-6577  
510-567-6791 phone  
510-337-9335 Fax  
[jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org)

---

**From:** Dan Birch [mailto:[djb@tsgcorp.net](mailto:djb@tsgcorp.net)]  
**Sent:** Wednesday, October 18, 2006 11:07 AM  
**To:** Wickham, Jerry, Env. Health  
**Subject:** 649 Pacific Ave., Alameda

Jerry,

I wanted to give you an update as to the progress on our Vapor sampling project at the 649 Pacific Ave., Alameda site. We installed three sub-slab vapor probes and sampled the probes using Suma canisters supplied and analyzed by Torrent Laboratory, inc.. Torrent had some problems analyzing for Stoddard solvent within the hold time and the subcontractor lab had some problems analyzing for atmospheric compounds (Oxygen in particular). Anyway, we do not have confidence with the results and plan to resample the three locations and have Airtoxics handle the analyses. Airtoxics is presently shipping the sample containers and sampling manifolds and we expect to resample next week. Sorry about the hold-up with this project. Patti Sandrock at Torrent (408-263-5258) said she would be happy to explain the difficulties they had with the analyses, if necessary. The report will be late and I will call you with the date and time we plan to do the resampling in case you want to watch. Feel free to call with any questions. Thanks for your understanding.---Dan

**Dan Birch**  
Project Geologist

Trinity Source Group, Inc.  
910 Mesa Grande Road  
Aptos, CA 95003

Tel: (831) 685-1217  
Fax: (831) 685-1219

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10/18/2006

**Wickham, Jerry, Env. Health**

---

**To:** David Reinsma  
**Cc:** djb@tsgcorp.net; 'Debra Moser'  
**Subject:** RE: 649 Pacific Avenue, Alameda - update

Based upon your request, the schedule for submittal of the Site Investigation report is extended to October 19, 2006.

Regards,  
*Jerry Wickham*  
Hazardous Materials Specialist  
Alameda County Environmental Health  
1131 Harbor Bay Parkway  
Suite 250  
Alameda, CA 94502-6577  
510-567-6791 phone  
510-337-9335 Fax  
jerry.wickham@acgov.org

---

**From:** David Reinsma [mailto:dar@tsgcorp.net]  
**Sent:** Tuesday, September 19, 2006 3:19 PM  
**To:** Wickham, Jerry, Env. Health  
**Cc:** djb@tsgcorp.net; 'Debra Moser'  
**Subject:** 649 Pacific Avenue, Alameda - update

Jerry,  
I wanted to give you an update on this project. We installed the concrete-slab soil gas probes at the site on 9/7/06 and collected soil gas samples the same day using Summa canisters. The soil gas samples were submitted to Torrent Laboratories for analyses. I'm still waiting for all the data from Torrent and I hope to have it this week. The report was due today, September 19, 2006, for documentation of the soil gas probe sampling as documented in our Work Plan dated May 15, 2006.

I am requesting a report due date extension until October 19, 2006 for the aforementioned technical report. This will allow me sufficient time to prepare a draft document, have my client review it and then send a final report to you via Geotracker.

If you have any questions, please call.

Thank you,

David

**David A. Reinsma**  
President, and Principal Geologist

Trinity Source Group, Inc.  
910 Mesa Grande Road  
Aptos, CA 95003

Tel: (831) 685-1217  
Fax: (831) 685-1219  
Cell: (831) 227-4724

9/19/2006

The materials transmitted by this electronic mail are confidential, are only for the use of the intended recipient, and may also be subject to applicable privileges. Any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender. Please also remove this message from your hard drive, diskette, and any other storage devise.

RO 2584

**Wickham, Jerry, Env. Health**

---

**From:** Dan Birch [djb@tsgcorp.net]  
**Sent:** Thursday, August 31, 2006 11:40 AM  
**To:** Wickham, Jerry, Env. Health  
**Cc:** 'David Reinsma'  
**Subject:** 649 Pacific Ave. Alameda  
**Attachments:** Subslab Probe.pdf

Jerry,

The vapor probe installations inside the building at the 649 Pacific Ave. Alameda site are scheduled for this Saturday (September 2, 2006) afternoon. Here is a schematic of a typical sub-slab vapor probe installation we may use as we discussed earlier today. We have found these installations yield better data concerning the potential for indoor air vapor intrusions than deeper installations in some environments. Vapor sampling techniques remain the same as proposed with extra caution taken to assure no leakage or breakthrough occurs. Thanks again for your help and understanding with this work.---Dan

***Dan Birch***

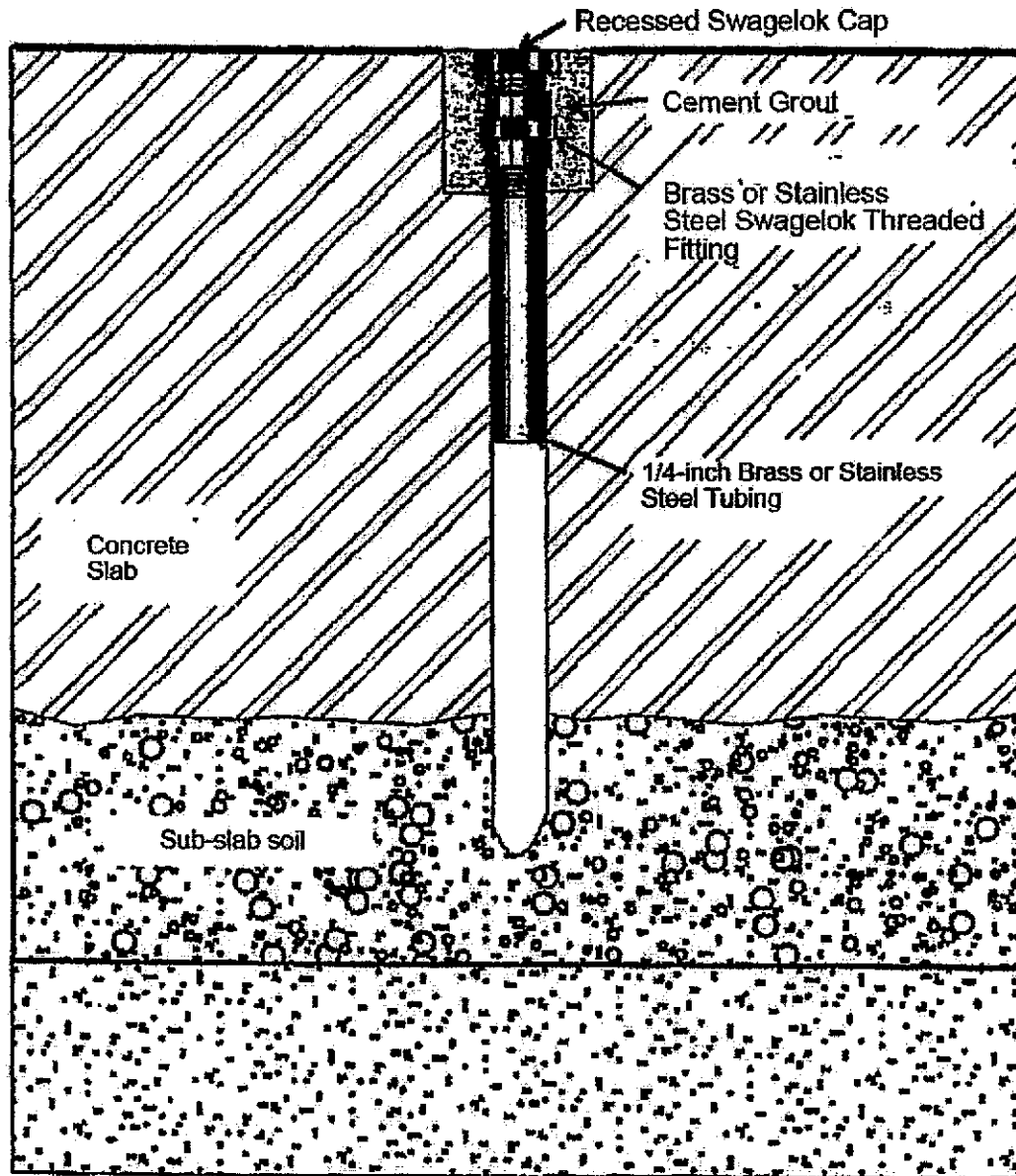
Project Geologist

Trinity Source Group, Inc.  
910 Mesa Grande Road  
Aptos, CA 95003

Tel: (831) 685-1217  
Fax: (831) 685-1219

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8/31/2006



NOT TO SCALE

PREPARED BY

**TRINITY**  
*source group, inc.*  
 919 Mesa Grande Road  
 Arcos, CA. 95003

Tel: (931) 685-1217 Fax: (931) 685-1219

**GENERAL SCHEMATIC OF A SUB-SLAB  
 VAPOR PROBE**

649 Pacific Avenue  
 Alameda, California

PROJECT:  
 No. RO0002584

FIGURE:  
 G-2

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



7

ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

May 19, 2006

Mr. Donald Lindsey  
Gallegher and Lindsey  
2424 Central Avenue  
Alameda, CA 94501

Mr. Carl Searway  
3032 Dakota Street  
Oakland, Ca 94602

Subject: SLIC Case No. [REDACTED], Searway Property, 649 Pacific Avenue, Alameda, CA –  
Work Plan Approval

Dear Mr. Lindsey and Mr. Searway:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the document entitled, "Soil Vapor Sampling Workplan," dated May 15, 2006 and prepared on your behalf by Trinity Source Group, Inc. The Work Plan proposes to advance three soil borings within the area where soil and groundwater contamination was previously detected and collect soil vapor samples for laboratory analysis of total volatile hydrocarbons as Stoddard solvent, BTEX, and MTBE. We concur with the proposed scope of work.

We request that you perform the proposed work and send us the reports described below.

**TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **July 15, 2006** – Semiannual Monitoring Report for Second Quarter 2006
- **September 19, 2006** – Soil Vapor Sampling Report

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.

**ELECTRONIC SUBMITTAL OF REPORTS**

Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper

copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

#### PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

#### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) 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 registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

#### AGENCY OVERSIGHT

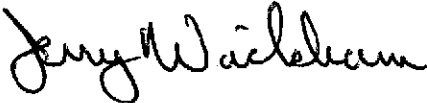
If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.



Don Lindsey  
Carl Searway  
May 19, 2006  
Page 3

If you have any questions, please call me at (510) 567-6791.

Sincerely,

A handwritten signature in black ink that reads "Jerry Wickham". The signature is written in a cursive style with a large, prominent "J" and "W".

Jerry Wickham  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: David Reinsma, Trinity Source Group, 910 Mesa Grande Road, Aptos, CA 95003

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



7  
ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

March 17, 2006

Mr. Donald Lindsey  
Gallegher and Lindsey  
2424 Central Avenue  
Alameda, CA 94501

Mr. Carl Searway  
3032 Dakota Street  
Oakland, Ca 94602

Subject: SLIC Case N [REDACTED] Searway Property, 649 Pacific Avenue, Alameda, CA

Dear Mr. Lindsey and Mr. Searway:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the documents entitled, "Site Remedial Investigation Report," dated July 31, 2003, "Groundwater Investigation Report," dated May 11, 2005, and "Groundwater Monitoring Results – Fourth Quarter 2005," dated January 27, 2006. Elevated concentrations of total volatile hydrocarbons in the Stoddard solvent range (TVHss) are present in shallow soil and groundwater beneath a portion of the site. TVHss were detected in soil beneath the building at 649 Pacific Avenue at concentrations up to 5,800 milligrams per kilogram (mg/kg) and in groundwater at concentrations up to 99,000 micrograms per liter ( $\mu\text{g/L}$ ). The source of Stoddard solvent is believed to be a sanitary sewer line beneath the building at 649 Pacific Avenue, which was used as a dry cleaning facility from the 1940's until approximately 1979. Due to the elevated concentrations of TVHss in shallow soil and groundwater at 649 Pacific Avenue, further evaluation of the potential for indoor air vapor intrusion is required. Please submit a Work Plan by **May 18, 2006** to evaluate potential indoor air vapor intrusion.

We request that you address the following technical comments, perform the proposed work, and send us the reports described below.

**TECHNICAL COMMENTS**

1. **1713 Webster Street.** An underground storage tank was reportedly closed in place in the late 1970s inside the building at 1713 Webster Street. Based on the low concentrations of residual petroleum hydrocarbons detected during site investigation activities inside 1713 Webster Street, no further investigation is required at this time for the suspected UST at 1713 Webster Street.
2. **Elevated Concentrations of TVHss at 649 Pacific Avenue.** Due to the elevated concentrations of TVHss in soil and in groundwater beneath 649 Pacific Avenue, an evaluation of the potential for indoor air vapor intrusion is required. Elevated concentrations of total extractable hydrocarbons (TEH), were also detected in groundwater samples

collected beneath 649 Pacific Avenue (the Stoddard solvent may elute within the diesel range, as indicated by previous analytical data). The potential for indoor air vapor intrusion cannot be evaluated directly using analytical data from soil or groundwater samples. Therefore, soil vapor sampling is to be conducted within the area of the sanitary sewer line and elevated concentrations of TVHs and TEH. Soil vapor sampling and quality control protocol are to be in conformance with guidelines contained in the January 28, 2003 *Advisory for Active Soil Gas Investigations* prepared jointly by the California Department of Toxic Substances Control and Los Angeles Regional Water Quality Control Board. Please describe the scope of work and methods for soil vapor sampling and analyses in the Work Plan requested below.

3. **Groundwater Monitoring.** Groundwater monitoring is to be conducted on a semi-annual basis. Groundwater samples from monitoring wells MW-1 through MW-5 are to be analyzed for total volatile hydrocarbons in the Stoddard solvent range, total extractable hydrocarbons in the diesel through motor oil range, benzene, toluene, ethylbenzene, and xylenes, and methyl tert-butyl ether. Please present the results in the groundwater monitoring report requested below.

#### **TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **May 18, 2006** – Work Plan for Soil Vapor Sampling
- **July 15, 2006** – Semiannual Monitoring Report for Second Quarter 2006

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.

#### **ELECTRONIC SUBMITTAL OF REPORTS**

Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground

Don Lindsey  
Carl Searway  
March 17, 2006  
Page 3

storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org).

#### PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

#### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) 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 registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.


#### AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional 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.

Don Lindsey  
Carl Searway  
March 17, 2006  
Page 4

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Julie Avanto, RRM, 2560 Soquel Avenue, Suite 202, Santa Cruz, CA 95062

David Reinsma, Trinity Source Group, 910 Mesa Grande Road, Aptos, CA 95003

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

**Wickham, Jerry, Env. Health**

---

**From:** Wickham, Jerry, Env. Health  
**Sent:** Thursday, March 16, 2006 3:42 PM  
**To:** 'David Reinsma'  
**Cc:** donlindsey@jps.net  
**Subject:** RE: 649 Pacific Avenue, Alameda - GW Monitoring Schedule Change Request

Based on review of RRM's Groundwater Monitoring Results Report - Fourth Quarter 2005, implementation of semi-annual groundwater monitoring according to the schedule proposed below is acceptable. After further file review, Alameda County will provide additional direction by correspondence regarding the actions required to move toward case closure.

Regards,

*Jerry Wickham*

Hazardous Materials Specialist  
Alameda County Environmental Health  
1131 Harbor Bay Parkway  
Suite 250  
Alameda, CA 94502-6577  
510-567-6791 phone  
510-337-9335 Fax  
[jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org)

---

**From:** David Reinsma [<mailto:dar@tsgcorp.net>]  
**Sent:** Thursday, March 09, 2006 12:09 PM  
**To:** Wickham, Jerry, Env. Health  
**Cc:** donlindsey@jps.net  
**Subject:** 649 Pacific Avenue, Alameda - GW Monitoring Schedule Change Request

Jerry-

Based on the data presented in RRM's January 27, 2005 *Groundwater Monitoring Results – Fourth Quarter 2005* letter report, Trinity Source Group, Inc. (Trinity) is requesting that the site be placed on a semi-annual groundwater monitoring and reporting schedule. Trinity recommends the first semi-annual 2006 monitoring event be conducted in June 2006 and the second semi-annual monitoring event be conducted in December 2006.

During each semi-annual event, wells MW-1 through MW-5 will be sampled for the presence of TPHg, TPHss, and BTEX.

Trinity recommends evaluating the site for low-risk case closure and we are requesting you to review the case file in March/April so we can discuss the necessary course of action to bring the site to closure.

If you have any questions, please call.

Sincerely,

**David A. Reinsma**

David A. Reinsma  
President, and Principal Geologist

Trinity Source Group, Inc.  
910 Mesa Grande Road

3/16/2006

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

RO0002584

January 26, 2004

Mr. Don Lindsey  
Gallegher and Lindsey  
2424 Central Ave  
Alameda, CA 94501

Mr. Carl Searway  
3032 Dakota St  
Oakland, CA 94602

RE: Work Plan for 649 Pacific Ave (1701-13 Webster St), Alameda, CA

Dear Messrs. Lindsey and Searway:

I have completed review of the case file for 1701-13 Webster Street, Alameda, CA. The reports included site investigation conducted at 1649 Pacific Avenue. Total petroleum hydrocarbon as stoddard solvent (TPHs) was identified at the former dry cleaners at the above referenced site. A corrective Action Plan was submitted for the excavation of approximately 220 tons of TPHs-impacted soil.

Subsequently, Timber Del Properties, LLC acquired majority ownership of the property. And that soil over-excavation is not recommended now. This agency concurs that it is appropriate at this time to install groundwater monitoring wells to appropriately characterize the stoddard solvent plume. A work plan for the installation of groundwater monitoring wells is due within 60 days of the date of this letter, or by March 29, 2004.

If you have any questions, I can be reached at (510) 567-6762 or by email at [echu@co.alameda.ca.us](mailto:echu@co.alameda.ca.us).

eva chu  
Hazardous Materials Specialist

c: Donna Drogos  
Dave Reinsma, RRM, 3912 Portola Dr, Suite 8, Santa Cruz, CA 95062

searway-2

RU-2584



Alameda County

JAN 22 2004

Environmental Health

January 16, 2004  
Project: IA220

Ms. Eva Chu  
Hazardous Materials Specialist  
Alameda County Health Care Services Agency  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-5577

Re: *Project Status Letter*  
Searway Property  
649 Pacific Avenue  
Alameda, California

Dear Ms. Chu:

On behalf of Timber Del Properties, LLC, (Timber Del Properties), RRM, Inc. (RRM) submits this project status summary update for the referenced site. The purpose of this letter is to document that Timber Del Properties has recently acquired majority site ownership, with Mr. Don Lindsey of Timber Del Properties being the majority-managing owner, and RRM has been contracted by Mr. Lindsey to provide environmental consulting services. In addition, this letter presents a revision to the corrective action scope of work presented in the July 31, 2003, Stellar Environmental Solutions, Inc. (Stellar) Corrective Action Plan (CAP).

It is RRM's understanding, based on a telephone conversation with Ms. Chu on January 5, 2003, that the CAP has not been reviewed and approved by Alameda County Health Care Services Agency (ACHCSA), and that the soil over-excavation option recommended in the CAP is not necessary at this time. However, the remaining scope of work presented in the CAP is necessary and will include performing the following scope of work:

- Installing, developing, sampling and surveying four groundwater monitoring wells.
- Preparing a combined well installation and quarterly groundwater monitoring report.



- Conducting quarterly groundwater monitoring and reporting to establish groundwater flow direction, gradient and chemical concentrations trends to determine if the dissolved Stoddard Solvent plume is stable, decreasing, or expanding.

If the above scope of work and modification to the CAP are acceptable, RRM will prepare a well installation work plan for ACHSCA review and approval. If you have any questions, please do not hesitate to give me a call at (831) 475-8141.

Sincerely,

**RRM, Inc.**



Dave A. Reinsma  
Senior Geologist  
RG 6906

Cc: Mr. Don Lindsey, Gallagher and Lindsey, Inc., 2424 Central Avenue, Alameda, California  
94501

**Timber Dell Properties, LLC**  
2424 Central Ave.  
Alameda, Ca. 94501  
510-748-1141

December 17, 2003

Alameda County Health Care Services  
1131 Harbor Bay Parkway Suite 250  
Alameda, Ca. 94502-5577

Re: Case No. **R00002584**  
1701-1713 Webster St., Alameda

Attn: Eva Chu  
Hazardous Materials Specialist

Dear Ms. Chu:

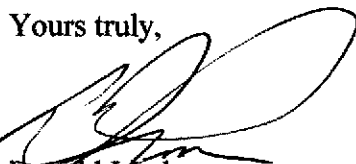
We have recently acquired ownership of the above property

We are desirous of proceeding on the oversight of the contamination documented at the above address. We have engaged David Reinsma RG of RPM, Inc. to work with your office. Mr. Reinsma will be contacting you. His phone number is 831-475-8141.

Our \$5,000 check is enclosed per your letter of October 24, 2003.

Thanking you in advance for your assistance.

Yours truly,



Donald Lindsey  
510-748-1141

**Gallagher and Lindsey**

1406 Webster Street  
Alameda, CA 94501

Bank of Alameda  
2130 Otis Drive  
Alameda, CA 94501  
(510) 864-9100  
90-4266/1211

123

\*\*\*\* FIVE THOUSAND AND 00/100 DOLLARS

TO THE  
ORDER OF

12/17/03

\$5,000.00\*\*\*\*

Alameda County Inviromental Health Care  
Services Agency



000123 0121142669 01515139

SECURITY FEATURES: MICRO PRINT TOP & BOTTOM BORDERS - COLORED PATTERN - ARTIFICIAL WATERMARK ON REVERSE SIDE - MISSING FEATURE INDICATES A COPY

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

RO0002584

October 24, 2003

Mr. Carl Searway  
Mr. Benjamin Searway  
Mr. Robin Searway  
Mr. Brent Searway  
3032 Dakota Street  
Oakland, CA 94602

**Subject: Funds for Oversight at 1701-13 Webster Street, Alameda CA**

Dear Messrs. Searway:

Alameda County Environmental Health will provide regulatory oversight for contamination documented at the above referenced property. This letter is to request an initial deposit of \$5,000.00 to establish an account and fund this Office's oversight tasks on your project. A check made payable to "Alameda County Environmental Health" in the amount of \$5,000.00 should be submitted within 10 days of the date of this letter, or by **November 10, 2003**. The deposit/refund mechanism is authorized in Section 6.92.040L of the Alameda County Ordinance Code. Work on this project will be debited at the Ordinance specified rate, currently \$156 per hour.

It is expected that the amount requested will allow the project to be completed with a zero balance. Otherwise, more money will be requested, or any unused monies will be refunded to you or your designee. Please include on your transmittal letter or check the case number (RO0002584) and site address (1701-13 Webster St, Alameda).

Please contact me at (510) 567-6762 with any comments on this letter.

Sincerely,

eva chu  
Hazardous Materials Specialist

c: Donna Drogos

searway-1

August 21, 2003

Donna Drogos  
Alameda County Health Care Services Agency  
Environmental Health Services  
1131 Harbor Bay Parkway, Suit 250  
Alameda, California 94502

Alameda County  
AUG 21 2003  
Environmental Health

RE: Searway property at 1701 -1713 Webster Street and 643-651 Pacific Ave., Alameda.

Dear Ms. Drogos:

On August 4<sup>th</sup> I delivered to you a letter about the Searway property on the corner of Webster and Pacific in Alameda along with all the pertinent reports. In that letter I requested a meeting within two weeks. When I delivered the letter to you, you stated it would be two weeks before the case would be posted. As of this date we have not heard from you.

Unfortunately I have a long scheduled vacation in France from August 25<sup>th</sup> to September 25<sup>th</sup>. As we have not heard from you at this time I must request that any hearing or meetings on this property be scheduled for after I return from France.

The current status for this case is that although Carl Searway had agreed to a mediated agreement with his Sister and Brothers. He later refused to sign that agreement because he did not have a firm and final figure as to the cost of the environmental clean up. This was in violation of his mediated agreement.

A new mediation is scheduled for September 4<sup>th</sup>. If no agreement is reached than a court date to order the partition sale of the property is scheduled for October 3<sup>rd</sup>.

I will contact you, or the case officer you assign to this case, when I return from vacation. If you need to take to someone while I am away the responsible party is Ben Searway, his home number is (206) 869-9129. He is a school teacher so you cannot contact him at work.

Sincerely yours,

  
Stan Hammond

Wells & Bennett Realtors

August 1, 2003

Donna Drogos  
Alameda County Health Care Services Agency  
Environmental Health Services  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502

Alameda County  
AUG 04 2003  
Environmental Health

RE: Proposed CAP prepared by Stellar Environmental Solutions, Inc  
For 1701-1713 Webster Street and 643-651 Pacific Ave, Alameda  
Owners: Ben, Robin, Brent, and Carl Searway

Dear Ms. Drogos:

I am the Realtor engaged by Ben, Robin, and Brent Searway to manage the above referenced property and to act for them in the proposed sale of that property. I believe you have talked to Ben Searway about the property.

I am writing to request that you schedule a meeting regarding the CAP proposal by Stellar Solutions for environmental remediation on this property as quickly as possible. I propose that the meeting include myself, as the agent for  $\frac{3}{4}$  of the ownership, our environmental consultant Stellar Solutions, Carl Searway as  $\frac{1}{4}$  owner, his environmental consultant, if any, the case officer you assign to the case and hopefully yourself.

I would like to explain some of the background of this property, its pending sale, and the ownership situation, to hopefully justify my request for prompt consideration by you and your agency.

About two years ago the Searway family contacted me for an opinion of value on the property and suggestions as to the steps necessary to sell it. At that time I advised them that the building could not be sold without a Phase I and Phase II environmental assessment, because no lender would lend on the property until that information was available.

The property was then owned in a trust arrangement. Three of the four siblings were in agreement on the course of action to pursue. The fourth, Carl, was not. At that time Carl was, and had been for a number of years, acting as the manager of the property. After a year of disagreement, the property was taken out of the trust and is now owned tenants-in-common by the four siblings.

Last year I was hired by Ben, Robin and Brent Searway to represent them in the sale of the property and manage their share of the property until such time as the sale could be completed. The year has been marked by lawsuits and counter suits between the  $\frac{3}{4}$  interest and the  $\frac{1}{4}$  interest which have involved thousands of dollars in attorney's fees. There is a lawsuit for partition sale, due to be decided in October, if the agreements reached in a mediation settlement this summer cannot be successfully concluded.

There is a bona fide offer on the table to purchase the property from one of the existing tenants of the building. According to the mediation agreement, when the disposition of the proposed CAP is known, the potential buyer will make a final, non-contingent offer to purchase the property, which Carl Searway will have a short period of time to top with his own offer to purchase.

In amongst the legal scrambling and squabbling, we have attempted to do everything that was necessary environmentally to make the building sale-able. We began with a subsurface investigation, because Carl was unwilling to agree to a Phase I Environmental. We were using Gary Aguiar of Hyrdo Analysis as the consultant on the subsurface investigation because he had done consulting on the building before and was acceptable to Carl. After several disagreements between Carl and myself about how to proceed, Gary Aguiar quit.

We interviewed several other companies and hired Stellar Environmental on behalf of my clients, Ben, Robin and Brent. Stellar subsequently did the subsurface analysis. Meanwhile, the prospective buyer, who Carl does not want to purchase the property, had his own Phase I report done by ERAS Environmental.

The results of the first two investigations made it clear that the property could not be sold until we could determine the extent of the contamination, develop a proposed Corrective Action Plan, and get a firm bid for the costs of executing that plan.

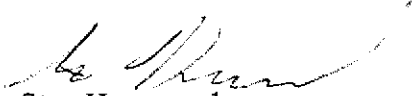
In order to proceed with the sale of the property, we need to have the CAP approved, so we can get the remediation costs established. The contract from the prospective buyer calls for the sellers to leave 150% of the bid price in escrow to complete the clean up work. The prospective buyer has been attempting to purchase the property for over a year already. He would like to take advantage of the favorable interest rates and proceed to his final, firm, contingency free offer, and get the matter resolved.

We have chosen to take a very complete and aggressive approach for the CAP. We need to be able to assure the buyer that the problem will not drag on and on after he owns the building, and prevent him from developing the part of the site where the contamination is. Also, both he and the lender need to be certain the amount left in escrow will be sufficient to complete the work. We believe that the attached CAP is complete but if you or your case officer see anything that was left out please let us know ASAP so we can include it.

Time is truly of the essence here, and a great deal of money. Based on past experience we are relatively sure that Carl Searway will attempt to slow the process as much as possible, hoping to drive the other buyer away so he can purchase the building himself for less money. My clients would like to have the whole long nightmare over. The buyer would like to be able to proceed with an action that deeply affects his business interests and long range plans.

Hence, this somewhat lengthy explanation, and my request that you respond as quickly as possible. If you have any questions about this please call. I include my card with all my phone numbers.

Sincerely yours,



Stan Hammond  
Wells & Bennett Realtors

Enclosures:

Stellar Environmental Solutions Corrective Action Plan  
Stellar Environmental Site Remedial Investigation Report  
Stellar Environmental Subsurface Site Investigation Report  
ERAS Environmental Phase I Environmental Site Assessment



Ben Searway  
6707 River Terrace Pl.  
Riverbank, CA 95367  
(209) 869-9129

July 28, 2003

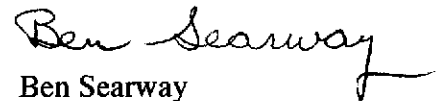
Donna Drogos  
Alameda County Dept. of Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577

Alameda County  
JUL 30 2003  
Environmental Health

Dear Donna,

Thanks so much for talking with me the other day. You were very helpful! As I said we want to do what's right and hopefully we are on the way to accomplishing that goal. I have enclosed the first subsurface investigation report that Stellar Environmental completed for us. Since this report was prepared, additional investigation has been done and that report will be completed soon. When it does I will send it to you. Finally, I understand that the next step will be to have our property assigned to a caseworker. Then we pay the deposit, and then wait for your instructions. Thanks again and we look forward to working with your department.

Sincerely,

  
Ben Searway

**CARL B. SEARWAY**

3032 Dakota Street, Oakland, CA 94602  
(510)531-7616

**Alameda County**

JUL 23 2003

**Environmental Health**

July 18, 2003

Ms. Donna Drogos  
Alameda County Department of Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA 94502

Responsible Parties for Unauthorized Release 649 Pacific Avenue & 1713 Webster Street, Alameda

Dear Donna:

**Responsible Parties**

As we discussed on Tuesday there are 4 owners of the above property. I am enclosing a copy of the deed recorded August 1 2002 transferring the property to Carl B. Searway, Benjamin Searway, Robin Searway and I. Brent Searway as Tenants in common.

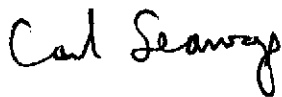
On Wednesday July 16, 2003, I met with Benjamin and Robin Searway; it is my understanding that all 4 of owners are willing to share in any cleanup equally. I tried to express to them the following:

- 1) You have discussed used the environmental information I provided you with the Regional Water Quality Control Board and you needed to formalize if your agency would have oversight.
- 2) It was your belief that Alameda County would be the oversight agency
- 3) If Alameda County becomes the oversight agency then your first steps would be to open a case, assign a project manager to the case, and send a letter requesting 5,000 for cost recovery
- 4) After receiving the \$5,000 deposit, Alameda County would begin reviewing the case.

During this meeting Ben Searway expressed to me that Stellar Environmental had reported the environmental contaminates discovered at the above referenced site to the regulators. I do not know anything further about this. Perhaps a telephone call to Stellar Environmental is necessary.

Please call me if you have any questions.

Sincerely,



Carl Searway

Cc Robin Searway  
Cc Benjamin Searway  
Cc I. Brent Searway

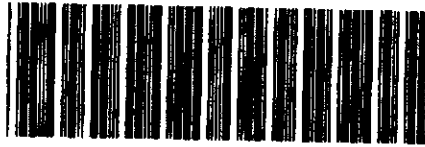
Recording Requested By and  
When Recorded, Mail To

CARL SEARWAY  
3032 DAKOTA ST.  
OAKLAND, CA 94602

MAIL TAX STATEMENTS TO

Carl Searway  
3032 Dakota Street  
Oakland, CA 94602

2002328479 08/01/2002 01:19 PM  
OFFICIAL RECORDS OF RECORDING FEE: 13.00  
ALAMEDA COUNTY  
PATRICK O'CONNELL



3 PGS

3  
no

A P N 74-431-4 and 74-431-5

SPACE ABOVE THIS LINE FOR RECORDER'S USE

The undersigned Grantor(s) declare(s):

### TRUST TRANSFER DEED

City Transfer Tax is \$ None  
Documentary Transfer Tax is \$ None  
Survey Monument Preservation Fund is \$

R&T §63, (Interspousal)  
 R&T §62(d), (Revocable Trust)  
 Other NOT PURSUANT TO A SALE

Computed on the consideration or value of property conveyed.  Computed on the consideration or value less liens or encumbrances remaining at time of sale,  
 IS EXEMPT, pursuant to Revenue & Taxation Code § 11930; Transfer upon death for no consideration.

THERE IS NO CONSIDERATION FOR THIS TRANSFER...NOT PURSUANT TO A SALE  
GRANTEES ARE BENEFICIARIES OF TRUST

GRANTOR(S): Carl B. Searway and Benjamin Searway, successor trustees of the testamentary trust of Ethel A. Kopf,

hereby GRANT(s) to Carl B. Searway, Benjamin Searway, Robin Searway and I. Brent Searway, as tenants in common,

the following described real property in the City of Alameda, County of Alameda, State of California:  
LEGAL DESCRIPTION: See Exhibit A attached hereto and made a part hereof.

Commonly described as: 1711 Webster Street, Alameda, CA and 643 Pacific Avenue, Alameda, CA

Dated:

Carl B. Searway Co-Trustee

Carl B. Searway, Trustee of the testamentary trust of Ethel A. Kopf

STATE OF CALIFORNIA  
COUNTY OF CONTRA COSTA

On 6-18-02, before me, JEFF COURTNEY, the undersigned Notary, personally appeared Carl B. Searway and Benjamin Searway,

personally known to me -OR-  proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument

WITNESS my hand and official seal

Notary's Signature

[Signature]

Benjamin Searway Trustee  
Benjamin Searway, Trustee of the testamentary trust of Ethel A. Kopf



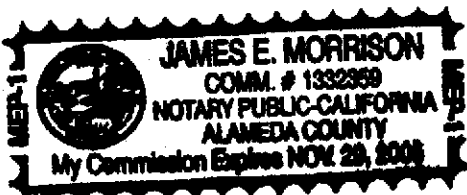
MY COMM. EXPIRES  
MAY 11, 2004

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF ALAMEDA } SS.

On AUGUST 1, 2002 before me, the undersigned, a Notary Public in and for said State personally appeared CARL B. SEARWAY Name(s) of Signer(s)

Personally known to me OR proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/hers/their authorized capacity(ies), and that by his/hers/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



MY COMMISSION EXPIRES NOV 29, 2005

(This area for official notarial seal)

Witness my hand and official seal.

Signature of Notary: James E. Morrison
Name (Typed or Printed): JAMES E MORRISON

Capacity Claimed by Signer

- Individual(s)
Corporate Officer(s) - Title(s)
Partner(s)
Attorney-In-Fact
Trustee(s)
Guardian/Conservator
Other:

Description of Attached Document

This certificate must be attached to the document described below:

Title or type of document TRUST TRANSFER DEED

Number of Pages 1

Date of Document 8-1-02

Signer(s) Other than Named Above SEE TRANS. DEED

Signer is Representing:

Name of person(s) or Entity(ies)

ATTENTION NOTARY

Although the information requested above is optional, it could prevent fraudulent attachment of this certificate to another document.

**Exhibit "A"**

**Parcel One:**

All that lot of land situated in the City of Alameda, County of Alameda, State of California described as follows:

Beginning at the point of intersection of the Western line of Webster Street with the northern line of Pacific Avenue, as said avenue now exists since the widening thereof to 70 feet; running thence Westerly along said line of Pacific Avenue, 157.50 feet; thence at right angles Northerly 140 feet; thence at right angles Easterly 157.50 feet to the Western line of Webster Street; thence Southerly along said last named line 140 feet to the point of beginning.

**Parcel Two:**

All that real property situated in the City of Alameda, County of Alameda, State of California described as follows:

Lots 13 and 14, Block B, "Map of the Shepardson Property, Mastick Station", filed March 18, 1876, Map Book 2, page 48, Alameda County Records.