

**Khatri, Paresh, Env. Health**

---

**From:** Jim Roessler [jim@roesslerinvestmentgroup.com]  
**Sent:** Wednesday, March 21, 2012 9:13 AM  
**To:** Khatri, Paresh, Env. Health; Drogos, Donna, Env. Health  
**Cc:** Mehrdad Javaherian  
**Subject:** RE: Lamps Plus Shopping Center, Dublin  
**Attachments:** IRA comments 3 21 12.pdf

Paresh and Donna,

Thank you for your response. While we figure how to get the Fact Sheets to the stakeholders of the Pre-Schools, would you please let us start the IRA. The permits are in hand and the machines have been in place for months. I have attached several pages from our prior correspondence which appear to say that you were in agreement for us to begin the IRA while we were circulating the Fact Sheets. From what we can see, there is everything to gain and nothing to lose by starting the IRA now which is supposed to reduce the contamination to acceptable levels which is the ultimate goal of the ACEH. Please give us permission to proceed now.

Jim Roessler

Roessler Investment Group

360 Post Street, Suite 602

San Francisco, CA 94108

Phone: (415) 837-3722

Fax: (415) 837-3717

Email: [Jim@RoesslerInvestmentGroup.com](mailto:Jim@RoesslerInvestmentGroup.com)

Website: [www.RoesslerInvestmentGroup.com](http://www.RoesslerInvestmentGroup.com)

CA DRE #00339311

-----Original Message-----

From: Khatri, Paresh, Env. Health [<mailto:paresh.khatri@acgov.org>]

Sent: Tuesday, March 20, 2012 2:25 PM

To: Drogos, Donna, Env. Health; Jim Roessler

Cc: Mehrdad Javaherian

Subject: Re: Lamps Plus Shopping Center, Dublin

Dear Mr. Roesller,

Alameda County is currently in communication with the DTSC regarding the public notification/fact sheet for the site. We will contact you as soon as possible.

Sincerely,

Paresh C. Khatri  
Sr. Hazardous Materials Specialist  
Alameda County Environmental Health

1131 Harbor Bay Parkway  
Alameda, CA. 94502-6577

Phone: (510) 777-2478  
Fax: (510) 337-9335

Sent from my iPad

On Mar 8, 2012, at 4:39 PM, "Drogos, Donna, Env. Health"  
<[donna.drogos@acgov.org](mailto:donna.drogos@acgov.org)<mailto:donna.drogos@acgov.org>> > wrote:

Hi Paresh, Pls respond to these folks again. & explain that you are stil the CW. Thank You, Donna

Sent from my iPad

Begin forwarded message:

From: Jim Roessler  
<[jim@roesslerinvestmentgroup.com](mailto:jim@roesslerinvestmentgroup.com)<mailto:jim@roesslerinvestmentgroup.com>>  
>  
Date: March 8, 2012 2:06:44 PM PST  
To: "Drogos, Donna, Env. Health"  
<[donna.drogos@acgov.org](mailto:donna.drogos@acgov.org)<mailto:donna.drogos@acgov.org>> >  
Cc: Mehrdad Javaher  
<[mehrdad@endpoint-inc.com](mailto:mehrdad@endpoint-inc.com)<mailto:mehrdad@endpoint-inc.com>> >  
Subject: Lamps Plus Shopping Center, Dublin

Donna,

I left a voicemail to the effect that we are ready to turn on the vapor extraction equipment at the Lamps Plus Shopping Center in Dublin and are asking for immediate permission to do so. I called Paresh but his voicemail said he had been reassigned.

Jim Roessler  
Roessler Investment Group  
360 Post Street, Suite 602  
San Francisco, CA 94108  
Phone: (415) 837-3722  
Fax: (415) 837-3717  
Email:  
[Jim@RoesslerInvestmentGroup.com](mailto:Jim@RoesslerInvestmentGroup.com)<mailto:Jim@RoesslerInvestmentGroup.com>  
Website:  
[www.RoesslerInvestmentGroup.com](http://www.RoesslerInvestmentGroup.com)<http://www.RoesslerInvestmentGroup.com>  
CA DRE #00339311

Also included in the CAP as Appendix A was a Request for Resumption of Interim Remedial Action (IRA). ACEH is not opposed to re-initiation the IRA during the CAP review and public participation process and requests that you address the technical comments and submit an IRA Summary Report following system start-up.

### **TECHNICAL COMMENTS**

1. **Interim Remedial Action Summary Report** – Thank you for informing ACEH that the radius of influence data was presented on Page 4 of the January 26, 2010 IRAP and in Appendix B of the above-mentioned IRAP document. Based on a review of the above-mentioned sections, it appears that an adequate discussion was not presented. Although ACEH appreciates that the field sheets containing vacuum data readings were included, a detailed, but concise discussion evaluating the data was not included in the text. This basic information should include how vacuum pressure was measured, which wells detected vacuum pressure while which well(s) had applied vacuum (including the distance between extraction well(s) and observation well(s)), whether vacuum pressure was applied at multiple wells or individual wells and for what duration, relationship between concentration reduction and mass removal (which can be portrayed in graphical format), etc. This data and evaluation is necessary to justify operation or cessation of the SVE system. For example, if asymptotic behavior is present, but contaminant concentrations rebound, additional extraction points may be needed, or operation of the system as a bioventing system with reduced vacuum and air flow may be an effective remedial alternative. However, without an adequate evaluation and discussion of the data, these technical decisions that can expedite this case towards closure cannot be made. Therefore, following the IRA start up, please submit an IRA summary report that addresses the above-comments, by the date specified below.
2. **Cleanup Goals** – Endpoint presented two scenarios for the site, Commercial ESLs as cleanup goals if the Montessori School was no longer located at the subject commercial center, or Residential ESLs as cleanup goals if the Montessori School is still present at the site. ACEH understands that at this time, the Montessori School is still located at the site. Therefore, as such, the Residential Land-use Cleanup goal of 410  $\mu\text{g}/\text{m}^3$  [for PCE] shall be adopted as the preliminary clean up goal for the site to be protective of human health and the environment.
3. **Draft Fact Sheet and Recipient List** – As mentioned above and in our September 1, 2011 correspondence, a Fact Sheet and distribution list must be submitted for review, prior to mailing. Please submit a draft Fact Sheet, the Previous List of Recipients along the newly revised distribution list by the date specified below. Once the Fact Sheet is reviewed, the 30-day Public Participation period can commence.

### **TECHNICAL REPORT REQUEST**

Please submit technical reports to ACEH (Attention: Paresh Khatri), according to the following schedule:

Since your selected cleanup alternative has no bearing on whether or not the Montessori Pre-school is re-located, a delay in fact sheet distribution and implementing the remedial alternative is not justified and appears negligent. In order to regain compliance, please submit the previously requested Fact Sheet distribution lists (previous and revised) by Wednesday, November 16, 2011, so that site cleanup can be initiated, as site remediation is crucial to be protective of human health and the environment. Failure to implement the corrective action by the due date specified below may result in referral to the Office of the District Attorney for possible enforcement action and penalties. Please note that civil penalties for non-compliance are assessed from the original due date (September 23, 2011).


### **TECHNICAL REPORT REQUEST**

Please submit technical reports to ACEH (Attention: Paresh Khatri), according to the following schedule:

- **November 16, 2011** – Draft Fact Sheet (in MS Word format) with List of Fact Sheet Recipients (Previous & Revised), originally due September 23, 2011.
- **November 30, 2011** – IRA Summary Report, originally due November 4, 2011.

Thank you for your cooperation. Should you have any questions or concerns regarding this correspondence or your case, please call me at (510) 777-2478 or send me an electronic mail message at [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org).

Sincerely,



Digitally signed by Paresh C. Khatri  
DN: cn=Paresh C. Khatri,  
o=Alameda County Environmental  
Health Department, ou,  
email=paresh.khatri@acgov.org,  
c=US  
Date: 2011.11.09 13:05:28 -0800

Paresh C. Khatri  
Sr. Hazardous Materials Specialist

Enclosure: Responsible Party(ies) Legal Requirements/Obligations  
ACEH Electronic Report Upload (ftp) Instructions

cc: Mehrdad Javaherian, Endpoint Consulting, Inc., 98 Battery Street, Suite 200, San Francisco, CA 94111 (*Sent via E-mail to: [mehrdad@endpoint-inc.com](mailto:mehrdad@endpoint-inc.com)*)  
James Roessler, Roessler Investment Group, 360 Post Street, Suite 602 San Francisco, CA 94108 (*Sent Via E-mail to: [jim@roesslerinvestmentgroup.com](mailto:jim@roesslerinvestmentgroup.com)*)  
Bud Duke, DTSC, Sacramento Schools Unit, Brownfields and Environmental Restoration, Program, Department of Toxic Substances Control, 8800 Cal Center Drive, Sacramento, CA 95826 (*Sent via e-mail to: [BDuke@dtsc.ca.gov](mailto:BDuke@dtsc.ca.gov)*)  
Cheryl Dizon (QIC 8021), Zone 7 Water Agency, 100 North Canyons Pkwy, Livermore, CA 94551 (*Sent via e-mail to: [cdizon@zone7water.com](mailto:cdizon@zone7water.com)*)  
Donna Drogos, ACEH (*Sent via E-mail to: [donna.drogos@acgov.org](mailto:donna.drogos@acgov.org)*)  
Paresh Khatri, ACEH (*Sent via E-mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org)*)  
GeoTracker  
File