ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

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ENVIRONMENTAL HEALTH SERVICES
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December 11, 2006

Mr. Alex Hahn
Hahn & Kang Equity I LP
80 Grand Ave., Suite M
Oakland, CA 94612

Hahn Development LLC
64 Hickory Court
Danville, CA 94506-4527

Glenn Roberts Tr
Mr. Glenn Roberts
1030 Circle Creek Dr.
Lafayette, CA 94549-3263

Dear Messrs. Hahn and Roberts:

Subject: Fuel Leak Case RO0002877, 4311-4333 Mac Arthur Blvd., Oakland, CA 94619
Global ID # T0600193302

Alameda County Environmental Health (ACEH) has recently reviewed the files for the subject site referred to our agency by the Department of Toxics Substances Control, DTSC. As you are aware, DTSC oversaw the remediation of surface soils primarily for the presence of motor oil and lead, which was completed to their satisfaction. The site was previously operated as a gasoline station as well as several different automotive related businesses. The surface petroleum contamination was likely from operation of the automotive businesses. A series of investigations has also identified the fuel contaminants; gasoline, diesel, benzene, toluene, ethyl benzene and xylenes in the soil and groundwater beneath the site. These contaminants are believed to have come from the underground tank system at the site. Our office, as agent to the Water Board and as delegated by the Oakland Fire Department, oversees the investigation and cleanup of these type releases.

A brief history of site activities follows:

Between 1999 and 2004 a series of environmental investigations and soil excavations occurred that resulted in the closure of the soil contamination case in 2005 by DTSC. The investigation apparently started when motor oil and lead were discovered in shallow soils near the border of the Roberts Tire (4311-4333 Mac Arthur) and the PG&E (immediately southwest of Roberts Tires) properties. A Preliminary Assessment conducted by DTSC in March 2001 detected elevated lead and motor oil in surface soils at the site. Excavation of the impacted soils was determined to be the best remedial approach.

In 1999 a magnetometer survey was performed on the property. Results identified five metal objects, three which were believed to be possibly underground tanks. Historic records and the 1957 Sanborn map indicate that USTs existed at the site, however, there is no record of their removal. Two of the metal objects are located within a portion of Mac Arthur Blvd., formerly part of the Robert's property, historically taken to widen the street. It is noted that one of the five objects likely corresponds to a small waste oil container removed during soil excavation in 2004.

In 2000 Clearwater Group drilled six borings (SB1 through SB6) and collected groundwater samples. Elevated TPHg (gasoline) up to 13, 000 ppb, TPHd (diesel) up to 14,000 ppb and TPHmo (motor oil) up to 46,000 ppb was detected in samples SB4 and SB-6 on the south and north sides of the site, respectively. Because of the uncertainty of the location of the underground tank system, this contamination may or may not be representative of groundwater releases from the USTs. TPHd was present in all samples.

In 3/2001, under DTSC oversight, four borings, SSRT1-4 and SSRT10, a duplicate of SSRT1, were drilled at the site and identified two elevated lead and motor oil impacted areas. In 9/2002, DTSC oversaw the excavation and re-sampling of these areas and verified soil cleanup to acceptable DTSC and Water Board levels.

In 3/2003 JMK Consultants drilled seven borings, B-1 through B-7, and collected soil and grab groundwater samples. Although the rationale was not stated, it appears that this investigation was meant to duplicate the previous 2000 Clearwater investigation and to include the sampling of soil, not sampled in the 2000 investigation. Low concentrations of contaminants were detected in soil samples, however, these samples were collected at approximately 10.5 and 20' depths, possibly missing shallow contamination. Again, it is unclear how representative these boring locations are relative to the UST system. Elevated gasoline, up to 42, 000 ppb, diesel, up to 4000 ppb, and benzene, toluene, ethyl benzene and xylenes (BTEX), up to 5800, 6600, 6000 and 8500 ppb, respectively were detected in groundwater samples. JMK recommended installing borings near the two metal objects in Mac Arthur Blvd. and converting these into monitoring wells in addition to installing two wells on-site and instituting a groundwater monitoring program. They also recommended a pilot study to consider potential remediation alternatives. The JMK report also included a Stellar Environmental Solutions (Stellar) Phase I investigation. Stellar reported that the on-site locations of magnetic anomalies, C, D and E, had evidence of excavation, ie patches or absence of pavement. It was assumed that no USTs were found in these locations. Stellar recommended investigating local groundwater flow direction, defining the extent, magnitude and sources of contamination and installation of monitoring wells.

In 2003 and 2004, soil and groundwater investigation was performed which identified additional areas where TPHmo exceeded the acceptable cleanup level. Further soil excavation was performed along with building demolition and post-excavation soil sampling. It was at this time that an approximate 100 gallon waste oil tank was discovered and removed from the site. Upon satisfaction of excavation results, DTSC issued a no further action letter for soil contamination of motor oil and diesel at the site in 2005.

In October 2006, six borings were drilled and soil and groundwater samples collected. Soil samples collected from 11.5-28' bgs were non-detect, ND, with the exception of 1.7 ppm TPHd and 17 ppm TPHmo for the contaminants sought, TPHg, BTEX, MTBE, TPHd and TPHmo. TPHg up to 1700 ppb, and up to 78, 240, 49 and 207 ppb BTEX, respectively was reported in groundwater samples. TPHd in the range of 230-440 ppb was detected in all water samples. The sampling rationale was not stated, however, it is presumed that another "snap shot" of groundwater conditions was taken to see the effects of the soil removal and/or to determine current conditions.

Upon review of the existing data, we find that additional information is necessary to progress your site to case closure. Our office requests that you address the following technical comments and submit the technical report requested below.

TECHNICAL COMMENTS

1. Investigation of Metal Anomalies- the 1999 magnetometer survey identified five metal objects, three of which were identified as potential underground tanks. One of the objects may have been the 100 gallon waste oil tank removed in 2004. Please detail how each of the other identified objects has or will be investigated since they may represent residual sources of contamination. References to the potential excavation of the on-site locations of the anomalies was given, however, we find this information insufficient.

2. Presentation of Data and Figures- we find that the presentation of data ie the figures and data tables difficult to interpret. The location of samples relative to each other is unclear. This appears to be the result of the presentation of different figures from different consultants, the lack of or difference in scale used in the figures or only the partial representation of the site. We request that you provide figures using the same scale, showing the complete site and indicating the location of former buildings and the magnetic anomalies. Separate figures for each historic investigation and a cumulative figure should be provided. In addition, please provide a cumulative summary of all analytical results.

3. Conduit Study- The purpose of the conduit study is to locate potential migration pathways and potential conduits and determine the probability of the plume encountering preferential pathways and conduits that could spread the contamination. Of particular concern is the identification of abandoned wells and improperly-destroyed wells that can act as conduits to deeper water bearing zones.

   We request that you perform a conduit study that details the potential migration pathways and potential conduits (utilities, storm drains, etc.) that may be present in the vicinity of the site. Provide a map showing the location and depth of all utility lines and trenches including sewers and storm drains within and near the plume area. The conduit study shall include a well survey of all wells (monitoring and production wells: active, inactive, standby, destroyed (sealed with concrete), abandoned (improperly destroyed); and dewatering, drainage, and cathodic protection wells) within a ¼ mile radius of the subject site. Provide a map(s) showing the location of all wells identified in your study and use data tables to report the data collected as part of your survey.

   Using the results of your conduit study and data from previous investigations at the site you are to develop the initial three-dimensional conceptual model of site conditions. You are to use this initial conceptual model to determine the appropriate configuration for sampling points in the Soil and Water Investigation phase of work at this site and propose these in the work plan.

4. Extent of Groundwater Contamination- We request that you provide figures indicating the extent of gasoline, diesel, motor oil and BTEX concentrations in groundwater using iso-concentration contours. Based upon your interpretation, we request that

you determine what additional investigation is necessary to complete the contaminant plume definition and submit your proposal in the work plan requested below. If necessary, please pursue any off-site access agreements needed to complete your investigation activities.

5. Groundwater Plume Monitoring- The purpose of plume monitoring is to determine movement, size, magnitude and stability of the contaminant plume. The need for remediation can also be indicated. The historical grab groundwater results indicate a high potential for significant groundwater impact, which requires monitoring. Based upon your summary of data requested above, the previous recommendations of consultants and your work plan for plume definition, we request that you provide in your work plan a proposal for monitoring well installations.

6. Future Use of Property- Please clarify the future use of the property. Cleanup goals and investigations should be consistent the planned use of the site. Site closure requirements for commercial or industrial use differ significantly from that for unrestricted use.

TECHNICAL REPORT REQUEST

Please submit the following technical reports to our office according to the following schedule:

- January 29, 2007- Plans to investigate and details of investigation of magnetic anomalies
- January 29, 2007- Site Figures and Analytical Data Tables
- January 29, 2007- Conduit and Receptor Survey
- January 29, 2007- Iso-concentration Contours for Contaminants, Work Plan for Plume Delineation and Monitoring Well Installations

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).

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 barney.chan@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.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

If you have any questions, please call me at (510) 567-6765.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: files, D. Drogos, A. Levi

12_8_06 4311_4333 MacArthur Blvd