

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



SENT
7-27-05

July 26, 2005

Mr. Martin Samuels
Green City Lofts
4048 Adeline St., Emeryville, CA 94608

Mr. Terry Turner
Dunne Quality Paints
707 Glenside Circle
Lafayette, CA 94599

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

Dear Messrs. Samuels and Turner :

Subject: Toxics Case RO0000073, Former Dunne Quality Paints, 1007 41st. St.,
Oakland, CA 94608

Alameda County Environmental Health staff has received and reviewed the *April 19, 2005 Investigation at Ennis Property* report for the subject site prepared by Clayton Group Services. As you are aware, this report is a soil and groundwater investigation performed on the Ennis Property, 1069-1073 41st St., Emeryville. It attempts to evaluate the extent of mineral spirits contamination on this site and determine the likelihood of this contamination coming from up-gradient properties, such as the former Dunne Quality Paints. A site conceptual model of the release from the former Dunne Paints property has mineral spirits releases from this site impacting and following a buried gravel channel which travels across Adeline St., beneath the Ennis property and perhaps beyond. Borings up-gradient and adjacent to the original boring on the Ennis property observed a permeable sandy-gravel zone at approximately 11-13' below ground surface (bgs) impacted with varying concentrations of mineral spirits. Up to 4,900 ppm TPH as mineral spirits (TPHms) was detected in soil samples and up to 49,000 ppb TPHms was detected in groundwater. These results are consistent with the described site conceptual model. Based upon these results, additional investigation is required. Our office requests that you address the following technical comments and submit the technical reports requested below.

TECHNICAL COMMENTS

1. Free product and highly contaminated soil and groundwater should be considered for remediation to the extent possible.
2. The groundwater contaminant plume must be defined and monitored. Because it appears that contamination is moving through narrow lenses of permeable material additional investigation is needed to determine the flow path of the plume and estimate potential impact to receptors. We recommend that you examine existing data from off-site properties in making this determination.
3. A monitoring program must be initiated to determine the stability of the plume. Please submit a work plan for monitoring well(s) installation.

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TECHNICAL REPORT REQUEST

- August 29, 2005- Evaluation report for existing data.
- August 29, 2005- Work plan for additional off-site characterization, remediation and groundwater monitoring.

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. Title 23, CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from petroleum UST system, and require your compliance with this request.

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.

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Please contact me at 510-567-6765 with questions.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

C: files, D. Drogos, A. Levi

Mr. Jon Rosso, Clayton Group Services, 6920 Koll Center Parkway, Suite 216,
Pleasanton, CA 94566

Mr. Edward Kozel, 20 Oak Knoll Drive, Healdsburg, CA, 95448-3108

Mr. Peter Schellinger, Bay Rock Residential, LLC, 5801 Christie Ave., Suite 455
Emeryville, CA 94608

Mr. John Tibbetts, 4097 San Pablo Ave., Emeryville, CA 94608

Mr. Ignacio Dayrit, City of Emeryville, 1333 Park Ave., Emeryville, CA 94608

Mr. Dave Ennis, P.O. Box 10985, South Lake Tahoe, CA 96158-3985

Mr. Dai Watkins, The San Joaquin Co. Inc., 1120 Hollywood Ave., Suite 3,
Oakland, CA 94602

Mr. Xingang Tong, 464 19th St., Suite 206, Oakland, CA 94612

Mr. Robert Kitay, ASE, 208 W. El Pintado Road, Danville, CA, 94526

Mr. John Wolfenden, SFRWQCB

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