

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

October 12, 2006

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

✓ The Grow Group, c/o Mr. David Russell
Pan American Building
200 Park Ave.
New York, NY, 10166
Tel: (510) 569-6790
FAX: (510) 337-9335

Dear Mr. Russell and Mr. and Mrs. Kozel :

Subject: Fuel Leak Case No. RO0000079, Oakland National Engravers (ONE),
1001 42nd St., Oakland 94608

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the subject site including the June 2006 Limited Soil and Groundwater Investigation Report prepared for AEGIS by ERM. In this report, ERM provides the results of five borings drilled on the western property boundary for the collection of soil and groundwater samples. The intent of the investigation appears to be to evaluate potential impacts to the northern portion of neighboring residential properties and delineation of the on-site releases to soil and groundwater however, no conclusions nor recommendations were presented in the report. Of the five borings only three were able to collect groundwater samples, B-1, B-2 and B-4 and only B-1 and B-2 yielded enough water for chemical analysis. Groundwater appeared in B-2 at the time of the drilling, in B-1 after 24 hours and in B-4 after one week. No water was found in either B-3 or B-5 after one week. Soil contamination was detected up to 480 and 620 ppm TPH as mineral spirits in borings B-1 and B-2, respectively. TPHms in groundwater was detected in B-1 at 460 ppb and in B-2 at 120 ppb. We have the following technical comments and request that you submit the technical reports requested below.

TECHNICAL COMMENTS

- 1. Evaluation of Risk to Residential/Neighboring Properties-** The risk to on-site occupants, immediate adjacent properties and all affected down-gradient properties must be evaluated. Although the soil borings were installed in the northern portions of the property boundaries no work was performed in the southern areas where high concentrations of contaminants were detected. Specifically, the presence of up to 1,600,000 ppb TPHms detected in boring BH-J may pose a potential human health risk to nearby residential properties which must be further evaluated. Please address this concern in the CAP requested below.
- 2. Site Characterization-** The source(s) of the release and their methods of migration are not well understood at your site. As an example, the source of the elevated concentration of TPHms detected on the eastern boundary of the property is yet unknown. Contamination appears to have migrated through preferential pathways including coarse-grained soils, buried stream channels, and utility conduits. Your consultant, Aqua Science Engineers, maintains that the buried stream channels were not encountered at your site. A review of your consultant's boring logs indicates sands and gravels consistent with the channel deposits observed at the Dunne site

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were encountered at your site. Further, we note that many of your on-site borings were terminated too shallow to encounter anticipated coarse grained deposits. Because of this, further investigation may be warranted as your SCM (site conceptual model) is further developed.

3. **Regional and Site Specific Hydrogeology-** We recommend that you review the regional hydrogeology. Much information is known about the following neighboring properties: Dunne Quality Paint aka Green City (1007 41st St., Oakland), California Linen Rental (989 41st St., Oakland), Oak Walk Redevelopment Site (0 San Pablo Ave, Emeryville) and the SNK Andante Project (3992 San Pablo Ave., Emeryville). The existence of gravel deposits consistent with buried stream channels has been mapped on several of these sites and appears to be a contaminant migration pathway. We have examined the logs from borings and monitoring wells at these sites as well as the subject site. We notice similarities in the boring logs from your site and that of monitoring well CW-2, located within the gravel channel extending from the Dunne Quality Paint site. A large number of borings that logged sand and gravel appear within the estimated free product plume shown in Figure 2 of the ASE October 14, 2005 report. Sand and gravel channel deposits also appear along the northern property boundary of the former Dunne Quality Paint and within the former Dunne Quality Paint property, which was exposed during the site-wide excavation. These results indicate a high likelihood of commingled plumes from the ONE and the Dunne sites. The plume appears to have migrated westerly off-site beneath the Ennis Property (1069 41st St., Emeryville) and the Oak Walk property. Because of this, we request that both ONE and Dunne (by copy of this letter) co-operate to perform a comprehensive investigation and/or remediation of off-site affected properties, particularly beneath the Ennis property and further down-gradient of the Oak Walk project.
4. **Request for Corrective Action Plan (CAP)-** We request that you provide a Corrective Action Plan for both on and off-site petroleum impacts from your site. Your CAP shall include an assessment of impacts of the release to human health and the environment, a feasibility study which examines at least three alternatives besides natural attenuation, for restoring or protecting the beneficial uses and proposes applicable cleanup levels. It appears that you will need a remediation plan for the contamination beneath and immediately adjacent to your property and another for down-gradient impacts of the release. A joint CAP will be required for the latter contamination beneath off-site properties, which we have requested parties (Dunne Quality Paints aka Green City and ONE) to co-operate. Clayton Environmental has previously identified TPH as mineral spirits in groundwater beneath the Ennis property. The Oak Walk property appears also to have been impacted by the mineral spirits release. Their consultants have proposed numerous corrective actions to handle their on-site subsurface contamination, but do not address nor are they responsible for delineating the mineral spirits release. Thus, you will need to also include discussion with Oak Walk property owner and his consultant to complete plume delineation. It is imperative that the CAP addressing contamination on and adjacent to your property be expedited to prevent further down-gradient migration. Please provide your CAPs for public response as requested below.

5. **Request for Identification of Nearby Property Owners-** As required as part of the public participation process for a CAP, please provide a list of all properties with their APN, property owner name and mailing address and a map showing the locations of each property which is or may be affected by the petroleum release from your site and which might have direct or indirect impacts from the proposed corrective actions
6. **Request Coordinated GW Monitoring of All Sites-** We request that your wells and monitoring schedule be coordinated with that of the Green City, Celis, and Oak Walk properties. This request is also made of the Green City, Celis, and Oak Walk properties by copy of this letter.

TECHNICAL REPORT REQUEST

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

- **November 13, 2006-** Work Plan Report for Evaluation of Neighboring Properties and off-site plume characterization (joint submittal with Green City).
- **November 13, 2006-** Corrective Action Plan for on and immediate off-site release
- **November 13, 2006-** List of Properties, Property Owners, Addresses and Map for Public Notification for on-site and immediate off-site release.
- **60 days after approval of Work Plan for Evaluation of Neighboring Properties-** CAP for off-site properties and work plan for monitoring well installation, (joint submittal with Green City).
- **60 days after approval of Work Plan for Evaluation of Neighboring Properties-** List of Properties, Property Owners, Addresses and Map for Public Notification for CAP for off-site impacts.

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. 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

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required in Geotracker (in PDF format). Please visit the SWRCB website for more information at (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.

We notice that your site has not submitted electronic copies of reports to the Geotracker website as required. Please submit copies of all reports issued to date since the compliance date, July 1, 2005, immediately.

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.

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.



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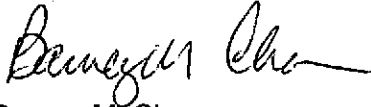
Mr. David Russell
The Grow Group
Pan American Building
200 Park Ave.
New York, N.Y. 10166

10166+0003-89 0349



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

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: files, D. Drogos

Ms. Deborah Castles, AEGIS, 130 Webster St., Suite 200, Oakland, CA 94607

Mr. John Cavanaugh, ERM, 1777 Botelho Drive, Suite 260, Walnut Creek,
CA 94596

Mr. M. Samuels, Green City Development Group, 3675 Del Monte Ave.,
Oakland, CA 94608

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

Mr. J. Rosso, Clayton Group Services, A Bureau Veritas Company, 6920
Koll Center Parkway, Suite 216, Pleasanton, CA 94566

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. Constantino Cellis, c/o 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. George Muehleck, URS Corporation, 1333 Broadway, Suite 800, Oakland, 94612

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

Mr. John Wolfenden, SFRWQCB



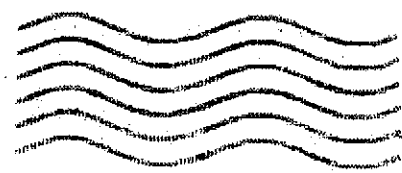
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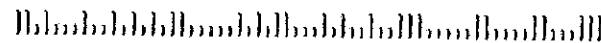
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