

DONNA

Review of RO0000172, 1723 Fruitvale Ave., Oakland 94601

Do not agree that a pump test should be done since the results will not conclusively prove anything. The results could be interpreted in many ways.

I concur that there is not a significant HVOC problem, as soil is not significantly impacted and groundwater concentrations (140-180 ppb PCE) would not be considered a risk to human health. The most applicable ESL would not be groundwater ingestion or surface water (eco), but likely either indoor air or ceiling odors. The most conservative realistic exposure would be indoor air exposure to residential land use for high permeable soils. The ESL for this exposure is 130 ppb, and 520 ppb for low/moderate permeability. Given the depth of groundwater and the soil type, this ESL would not expect to be exceeded. In any case, soil gas sampling would be requested rather than relying on the groundwater concentration.

There is not significant evidence of an on site release of HVOCs and the extent of the HVOC plume appears to be beyond the property boundary in the up-gradient direction at concentrations equal to or exceeding that onsite. This appears to be an off-site problem, possibly from several sources and beyond the requirements of this individual property's RP.

There also appears to be enough information to say that there was a petroleum release in the area of the suspected "gas and oil" on the east portion of the site. The grab groundwater sample from LF-3 (11/2001) reported 2900 ppb TPHg and 4100 ppb TPHd. However, the grab groundwater sample from SB-1 near LF-3 (12/1999) reported only 2100 ppb TRPH, 270 ppb TPHg, ND BTE, 0.51 ppb X and ND MTBE. The petroleum release is likely from the former USTs, which have likely been removed, probably in the 1970s or 1980s at the latest. Given the absence of benzene and MTBE, the petroleum release would be expected to bio-attenuate. I think the site could be closed with a deed notification. I don't think a deed restriction is required.

*Barely*



environmental service

*by Papineau, R.E.A. 791*

October 9, 2003

Ms. Donna Drogas  
County of Alameda  
Health Care Services Agency  
Department of Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA 94502

**Subject: 1723 Fruitvale Avenue Oakland, California  
(Project 2000-033.07)**

Dear Ms. Drogas:

Thank you for speaking with me on October 7 regarding the case review status 1723 Fruitvale Avenue in Oakland. As I understand your telephone summary, the case has been assigned to a co-worker who presently is reviewing the file to recommend whether there is sufficient information to support a finding of "No Further Action is Planned" by the County of Alameda, Health Care Services Agency, Department of Environmental Health.

In the interim, pending conclusion of the review and recommendation, you requested that further telephone calls from Davis Realty Co. and its environmental consultant be suspended. Neither a schedule nor a specific outcome of the County's review was promised.

**Chronology (Partial)**

- March 5, 2001 Soil and ground water investigation report including description of the installation of three (3) on-site monitoring wells, soil sampling on January 29 and 30, 2001, ground water monitoring on February 20, 2001, and laboratory analysis of soil and ground water samples
- June 29, 2001 Report of ground water monitoring event #2 conducted on June 27, 2001
- January 15, 2002 Report of ground water monitoring event #3 conducted on January 7, 2002
- January 21, 2003 Report of ground water monitoring event #4 conducted on January 15, 2003
- March 3, 2003 Mr. Mark Armstrong, RG 6134, wrote to your office requesting "No Further Action at this Time." Mr. Armstrong's letter provides a summary of four (4) facts in support of his interpretation that the PCE source is located off-site uphill from 1723 Fruitvale Avenue, and no facts in contradiction of his interpretation. Mr. Armstrong's letter also provides reasons in support of "No Further Action at this Time," including low concentrations in the ground water and smear zone.
- April 4, 2003 Record of Transmittal conveying to Ms. Donna Drogas a copy of the Levine-Fricke Recon (LFR) environmental assessment report to the Oakland Unified School District. LFR's report includes a description of soil and ground water sampling on June 29, 2001, and November 8, 2001, and



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laboratory test results for samples collected off-site at Charles A. Whitton School, which is immediately upgradient of 1723 Fruitvale Avenue.

- April 21, 2003 Letter from Davis Realty Co. to Ms. Donna Drogas requesting expedited review. According to this letter, expedited review by Alameda County was contingent on the request by the note holder and provision of information about the note.
- May 9, 2003 Letter from Davis Realty Co. to Ms. Donna Drogas conveying a copy of the first deed of trust for 1723 Fruitvale Avenue. This letter reiterates the urgency of the note payoff due in October 2003.

According to the Mark Armstrong's and LFR's interpretations, low-concentration dissolved perchloroethylene (PCE) in the ground water is migrating onto the 1723 Fruitvale Avenue from an off-site source. According to Mark Armstrong and LFR, low-concentration PCE (e.g., 43 ppb) in the smear zone could be explained by capillary action or by volatilization of dissolved PCE from ground water. Laboratory analysis of the grab ground water sample (LF-1) collected in June 2001 revealed that the off-site ground water on the Charles A. Whitton School site contains PCE at a concentration of approximately 210 ppb. Periodic monitoring of water elevations in the three wells located on 1723 Fruitvale Avenue indicates that the school is upgradient from 1723 Fruitvale Avenue.

In justification of "No Further Action," several reasons were offered by Mark Armstrong in his letter dated March 3, 2003:

1. Perchloroethylene (PCE) exists in ground water at stable concentrations generally less than 180 ppb ( $\mu\text{g/L}$ ). In comparison, the U.S. EPA Maximum Contaminant Level for PCE in drinking water is 5 ppb ( $\mu\text{g/L}$ ).
2. The PCE detected in the ground water is migrating onto 1723 Fruitvale Avenue from an off-site source.
3. PCE exists in soil at barely detectable concentrations less than 50 ppb ( $\mu\text{g/kg}$ ) at 11 feet below grade surface (bgs), without detectable concentrations at 10 feet bgs or above.
4. The maximum PCE concentration in soil on 1723 Fruitvale Avenue was reported to be 43 ppb ( $\mu\text{g/kg}$ ) at 20.5 feet bgs. This is significantly less than the U.S. EPA, Region IX, Preliminary Remediation Goal.
5. A contractor retained by the previous owner excavated the presumed area of maximum PCE concentration in soil because the contractor misrepresented the units as parts per million (ppm, or mg/kg), when the true units were parts per billion (ppb, or  $\mu\text{g/kg}$ ). The remaining PCE is found primarily in the capillary fringe, or "smear zone," at 16 to 22 feet bgs. Depth to ground water ranges from 22 feet bgs in June to 16 feet bgs in January.
6. Laboratory analysis of a grab ground water sample obtained by LFR for the Oakland Unified School District from a location beneath the alley, between the subject site and Charles A. Whitton School, found a PCE concentration of 210 ppb ( $\mu\text{g/L}$ ). This indicates that the ground water flowing onto the subject site contains PCE at a higher concentration than detected in the ground water samples collected from the three monitoring wells located on the subject site. The ground water gradient is extremely flat but the piezometric surface has consistently sloped down from the north northeast to the south southwest.



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Based on my own communications in September 2001 with Mr. Don Hwang of the County of Alameda, Health Care Services Agency, Department of Environmental Health, and Mr. Chuck Hedlee of the California Regional Water Quality Control Board (RWQCB), who consulted with Mr. Hwang on the matter of 1723 Fruitvale Avenue before you had any apparent involvement with the case, plume delineation and remedial action by a property owner would not be required in similar cases where a PCE source is proven to be located off-site away from that owner's property. The technical requirement stated by Mr. Hedlee was a requirement for off-site sampling and testing of ground water upgradient from 1723 Fruitvale Avenue. Mr. Hedlee stated that off-site grab ground water sampling and testing for PCE would fulfill this requirement.

This technical requirement for off-site grab ground water sampling and testing for PCE, therefore, has been fulfilled. The results were conveyed directly to you on April 4, 2003.

Please let me know if you need any further clarification of the previous inter-agency consultation between the Mr. Don Hwang, County of Alameda, Health Care Services Agency, Department of Environmental Health, and Mr. Chuck Hedlee of the California RWQCB, which occurred in September 2001.

Sincerely,

*Marc Papineau*

Marc Papineau, REA 791

cc. Rosalie Guerrini, Davis Realty Co., 818 5<sup>th</sup> Avenue Suite 209, San Rafael, CA 94901  
Mark Armstrong, RG 6134