ENVIRO SOIL TECH CONSULTANTS

Environmental & Geotechnical Consultants

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Alameda County
Environmental Health

August 31, 2009

File No. 8-90-421-SI

Mr. Jerry Wickham
ACHCSA-EHS
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502-6577

SUBJECT: EXCAVATION OF CONTAMINATED SOIL AT THE PROPERTY
Located at 400 San Pablo Avenue, in
Albany, California

Dear Mr. Wickham:

It is our understanding that you recently spoke with our Client, Mr. Murray Stevens, regarding the possibility of remediating contaminated soil at 400 San Pablo Avenue, and excavation was one of the methods to be evaluated. Mr. Stevens instructed our company to determine the size and location of the potential excavation so that he could consult with the tenants and other affected parties at the site and discuss the impact of this method on their business operations. In this letter, we address that issue and make our recommendation as how to proceed.

As you are aware, sidewall samples that were collected from the original (1990) excavation indicated that not all of the contaminated soil had been removed. In the past two years, two additional borings have been drilled to the west and southwest of that excavation, and Total Petroleum Hydrocarbons in the gasoline range were detected in both borings.

Figure 1 is a site map showing the estimated minimum size of the excavation that would be necessary to remove the soil in the vicinity of these two borings. The area measures 40 feet by 30 feet to a depth of 10 to 15 feet. Mr. Stevens has contacted the operator of the car wash and the owner of the dry cleaners, and both parties strongly object to having such large areas taken out of service as a result of both the excavation and the transportation and stockpiling of excavated materials. They feel that this would create a severely adverse impact on their business and would probably shut both of them down for a minimum period of 2 to 4 weeks during the excavation. The proposed stockpiled area will adversely affect the cleaners for several months thereafter. It is also possible that contaminated soil extends beyond the initial limits shown in Figure 1 so that the final excavation could be even larger. Therefore, Mr. Stevens feels that soil excavation is not a feasible or reasonable option.

As we have explained in previous reports, ESTC does not believe that in-situ remediation would be cost-effective at this site because of the low permeability of the soil. Many expensive and questionable effective injection and/or extraction wells would likely be needed in order to access the contaminated media.

Our most recent report describes a “very hard, resistant horizon…encountered at a depth of 22 or 23 feet.” We conclude that the “water table is fairly strongly confirmed by the low-permeability clay that underlies the site, and most of the water is probably within the weathered sandstone (soil) layer at the top of the resistant bedrock horizon.” Furthermore, the “predominant contour trend beneath the site is in an east-west direction, implying that the main groundwater flow direction is to the south rather than westward along El Cerrito Creek.” Of even more importance, we believe, is our conclusion that “groundwater concentrations are declining, which suggests that the residual source is gradually being depleted.” In other words, the contamination is decreasing with time, and the contamination, that does remain, is not migrating anywhere.

The current adverse economic climate has several effects on our analysis and recommendation. First, the two businesses on the site already suffer from the economic downturn and do not need further disruption from any form of attempted remediation. Neither business, nor their customers, is adversely affected by the presence of hydrocarbons in the soil beneath them. Second, the State of California is in severe financial stress and is unable to pay for current costs of many urgently needed public services. Mr. Stevens advises our company that he has not been reimbursed for any expenses has incurred during 2009 for this site. The State has simply advised him that he will have to await payment at a future date.

All the above leave Mr. Stevens with no effective economic option for remediating the site. Hence, the only viable option that we see is to close the case and place a deed restriction on the site for future use. If the property is developed for a different use in the future, the contaminated soil could be excavated at that time if testing indicates that the contamination is still a hazard. Therefore, on behalf of our Client, we recommend preparing a Site Closure Report for review by Alameda County Health Care Services Agency (ACHCSA) and the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB).

If you have any questions or require additional information, please feel free to contact our office at (408) 297-1500 or via email at info@envirosoiltech.com.

Respectfully yours,

ENVIRO SOIL TECH CONSULTANTS

FRANK HAMEDI-FARD
GENERAL MANAGER

VICTOR B. CHERVEN, Ph. D.
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cc: Mr. Murray Stevens, Kamur Industries, 2351 Shoreline Drive, Alameda, CA 94501
SFBRWQCB 1515 Clay Street, Suite 1400, San Francisco, CA 94612

Enviro Soil Tech Consultants	PROJECT	Figure 1
131 Tully Road San Jose, CA 95112	Plaza Car Wash 400 San Pablo Ave Albany, California PROJECT # 8-90-421-SI DATE: 2/24/2009	Site Map