

Wickham, Jerry, Env. Health

From: Woodburne, Keith (Concord,CA-US) [kwoodburne@trcsolutions.com]
Sent: Wednesday, March 05, 2008 1:52 PM
To: Wickham, Jerry, Env. Health
Subject: RE: Copy of Phase I ESA for 22-Acre former Alameda Belt Line property

Jerry,

I should have it to you sooner than that, but March 19th gives me some time to get the copies made.

Thanks,
Keith

Keith L. Woodburne, P.G.
Senior Project Manager
TRC Companies, Inc.

From: Wickham, Jerry, Env. Health [mailto:jerry.wickham@acgov.org]
Sent: Wednesday, March 05, 2008 1:53 PM
To: Woodburne, Keith (Concord,CA-US)
Subject: RE: Copy of Phase I ESA for 22-Acre former Alameda Belt Line property

Keith,

Thank you for locating the Phase I report. I agree to extending the schedule two weeks to March 19, 2009 for the Phase I report.

Regards,
Jerry Wickham
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
510-567-6791 phone
510-337-9335 fax
jerry.wickham@acgov.org

From: Woodburne, Keith (Concord,CA-US) [mailto:kwoodburne@trcsolutions.com]
Sent: Wednesday, March 05, 2008 12:39 PM
To: Wickham, Jerry, Env. Health
Subject: Copy of Phase I ESA for 22-Acre former Alameda Belt Line property

Mr. Wickham,

After much searching and many messages left unreturned, I have finally located a copy of the Phase I ESA for the 22-Acre Former Alameda Belt Line property. A friend of mine who still works at URS, and who had worked on the Phase I report, has a personal copy of the report in her office. As soon as I can get an email authorization to her from Mike Valley at Sun Country Partners, LLC, she will let me borrow the report to make a copy.

In your response letter following the meeting, you had requested a copy of the report by March 5, 2008. I doubt

3/5/2008

that I can get the report today and get it copied, but I will have it for you within a few days. Therefore, I would like to request an extension to the March 5, 2008 deadline for providing a copy of the report. I should have it to you by the end of next week at the latest.

Let me know if you have any questions regarding the request for extension.

I have also revised the work plan and will be submitting that to the ACEH within a few days, following a review by the clients. We can then schedule the site meeting for sometime the following week.

Regards,
Keith

Keith L. Woodburne, P.G.
Senior Project Manager



TRC Companies, Inc.
1590 Solano Way, Suite A
Concord, California, 94520

925.688.2488 phone
925.688.0388 fax
925.260.1373 cell
kwoodburne@trcsolutions.com

Wickham, Jerry, Env. Health

From: Woodburne, Keith (Concord,CA-US) [kwoodburne@trcsolutions.com]
Sent: Thursday, January 31, 2008 11:28 AM
To: Wickham, Jerry, Env. Health
Subject: FW: File review for ABL site

Jerry,

Apparently the proper files were not made available to Kristen. I would like to send her back this afternoon to complete the file review. Can you please confirm with the file clerk that all the folders for the ABL yard are present?

Thanks,
Keith

Keith L. Woodburne, P.G.
Senior Project Manager
TRC Companies, Inc.

From: Bolen, Kristin (Concord,CA-US)
Sent: Thursday, January 31, 2008 11:13 AM
To: Woodburne, Keith (Concord,CA-US)
Subject: RE: File review for ABL site

Alameda County only gave me one file for 1925 Sherman St. The other folder they gave me was for a property on 49th St. I asked if they had any more files on 1925 Sherman St. they said they did not.

From: Woodburne, Keith (Concord,CA-US)
Sent: Thursday, January 31, 2008 11:04 AM
To: Bolen, Kristin (Concord,CA-US)
Subject: FW: File review for ABL site

Kristen,

Apparently you were reviewing the correct file. However, did you review all of the folders? Apparently the June 1999 URS report was in the brown folder. Was there a brown folder?

Keith

Keith L. Woodburne, P.G.
Senior Project Manager
TRC Companies, Inc.

From: Wickham, Jerry, Env. Health [mailto:jerry.wickham@acgov.org]
Sent: Thursday, January 31, 2008 10:54 AM
To: Woodburne, Keith (Concord,CA-US)
Subject: RE: File review for ABL site

1/31/2008

Keith,

I checked with our file clerk. Kristen Bolen of TRC came in this morning and checked out the RO2487 file consisting of one brown and one green folder. The RO2487 file is the correct case for the Alameda Belt Line Yard. The brown folder has three reports including the June 1999 URS report and one work plan. The green file has LOP correspondence and notes and photos from the CUPA inspection.

Regards,

Jerry Wickham

Alameda County Environmental Health

1131 Harbor Bay Parkway

Alameda, CA 94502-6577

510-567-6791 phone

510-337-9335 fax

jerry.wickham@acgov.org

From: Woodburne, Keith (Concord,CA-US) [<mailto:kwoodburne@trcsolutions.com>]

Sent: Thursday, January 31, 2008 10:35 AM

To: Wickham, Jerry, Env. Health

Subject: File review for ABL site

Jerry,

My staff geologist conducted a file review for the ABL site yesterday (using the site address referenced in the Phase II of 1925 Sherman Street) and there were no copies of any reports or correspondence. The only documents in the file were some receipts. Is the 22-Acre Former Alameda Belt Line Yard (ABL) case filed under a different site address or name?

I will need to complete another file review but I need to confirm with you that the correct file is present for the review.

Thanks,

Keith

Keith L. Woodburne, P.G.

Senior Project Manager



TRC Companies, Inc.

1590 Solano Way, Suite A

Concord, California, 94520

925.688.2488 phone

925.688.0388 fax

925.260.1373 cell

kwoodburne@trcsolutions.com

1/31/2008

Wickham, Jerry, Env. Health

From: VCLIFFTO@UP.COM
Sent: Thursday, November 01, 2007 12:25 PM
To: Wickham, Jerry, Env. Health
Subject: Change of Address for Michael Grant at Union Pacific Railroad

Mr. Wickham: Please change Mr. Grant's address to:

Michael J. Grant
Remediation
Union Pacific Railroad Company
1408 Middle Harbor Road
Oakland, CA 94607
Tel: 510-891-7433
Fax: 402-233-2791

I will fax your "Notice of Violation" to Mr. Grant. Best regards, Vala Clifton

Vala Clifton, Administrative Assistant to CAROL A. HARRIS, ESQ.
UPRR Law Department
49 Stevenson Street, Suite 1050
San Francisco, CA 94105
Tel: 415/541-7013
Fax: 415/541-7017
E-mail: vcliffto@up.com

This message and any attachments contain information from Union Pacific which may be confidential and/or privileged.

If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this message is strictly prohibited by law. If you receive this message in error, please contact the sender immediately and delete the message and any attachments.

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
(510) 567-6700
FAX (510) 337-9335

NOTICE OF VIOLATION

October 30, 2007

Mr. Matthew Graham
Burlington Northern & Santa Fe Railway
740 East Carnegie Drive
San Bernardino, CA 92408-3571

Mr. Michael Grant
Union Pacific Railroad
49 Stevenson Street, Suite 1050
San Francisco, CA 94105

Mr. Dave Buccolo
Alameda Belt Line
C/o Central California Traction Company/Oakland Terminal Railway
2201 Washington Street
Stockton, CA 94583

Subject: SLIC Case RO0002487 and Geotracker Global ID T06019761967, Alameda Belt Line, 1925 Sherman Street, Alameda. CA 94501 – NOTICE OF VIOLATION

Dear Mr. Graham, Mr. Grant, and Mr. Buccolo:

Alameda County Environmental Health (ACEH) staff has received correspondence entitled, "Response to Additional Request for Work Plan for Site Investigation," dated October 5, 2007. This response, which was prepared on your behalf by TRC, reiterates arguments that were made in previous August 7, 2007 correspondence prepared by TRC and provides no valid basis for your delays in preparing a Work Plan to conduct site investigation activities at the site. The TRC correspondence is without technical merit and does not adequately respond to any of the items identified in our May 1, 2007 correspondence and further defined in our September 4, 2007 correspondence. We originally requested preparation of a Work Plan by July 6, 2007. Based on your request for an extension, we extended the schedule to August 9, 2007. On August 9, 2007, we received correspondence from TRC requesting that we rescind the requirement for a site investigation. In correspondence dated September 9, 2007, we rejected the responses as technically inadequate and requested that you submit a Work Plan by October 9, 2007. We then received the TRC correspondence dated October 5, 2007 that reiterated the previous objections to preparing a Work Plan. Based on the continued delays and inadequacy of the responses, we are sending you this **Notice of Violation that your site is out of compliance with directives from this agency.**

It appears that you have taken undefined, somewhat limited steps in abandoning the former railroad maintenance facility without regulatory oversight or concurrence. The former locomotive maintenance building was demolished and two maintenance pits within the maintenance building were abandoned, apparently without environmental sampling or regulatory oversight. Since you apparently conducted these activities without environmental sampling or regulatory oversight, you contend that there are not sufficient analytical results to request an environmental investigation in this area. Please provide your documentation that includes a detailed description of the steps taken to decommission these facilities, sampling methods and analytical results from environmental sampling during the decommissioning, and manifests for proper disposal of contaminated materials with the Work Plan requested below.

Mr. Matthew Graham
Mr. Michael Grant
Mr. Dave Buccolo
RO0002487
October 30, 2007
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A former aboveground storage tank (AST) was removed (attached Figure 1) but no information appears to be available on the disposition of the tank, piping, or surrounding surface soil. Without any documentation or supporting information and even though a grab groundwater sample collected from a soil boring in the area of the former AST contained total petroleum hydrocarbons as diesel at a concentration of 3,700 micrograms per liter ($\mu\text{g/L}$), TRC contends on your behalf that no further investigation is required. Please provide documentation of the AST removal and sampling of the surrounding soils and groundwater with the Work Plan requested below.

Concrete, railroad ties, and surface soils were bulldozed and remain in debris/soil piles on site. Again, we have no records and you have not presented any reports with observations of conditions or environmental samples collected during these activities. It appears likely that surface contamination from the area of the locomotive maintenance building, AST, and other areas of the railroad yard were scraped from the surface and placed in the debris piles. We have requested investigation of the debris/soil piles.

The TRC correspondence, which has essentially been submitted twice, contends that investigation of the site or any of the features described in the above paragraphs is not required because the limited analytical results collected to date do not demonstrate significant contamination at the site. Please note that the facility decommissioning conducted at the site has not been adequately documented and no environmental samples were apparently collected during the decommissioning. The limited data acquisition conducted to date in support of a possible property transfer is inadequate to characterize the site and does not provide a basis for refusing our requests to conduct proper site characterization. The request in the October 5, 2007 correspondence to discuss the application of residential or commercial/industrial standards to the site is not relevant. We cannot discuss whether a site meets residential or commercial/industrial standards unless site characterization has been conducted. In order for your site to return to compliance, please **submit the previously requested Work Plan by November 30, 2007**. This date is not an extension of your due date, reports for this site are late, and your site is out of compliance. Further delays in investigation, late reports, or enforcement actions may result in referral of your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **November 30, 2007** – Work Plan for Site Investigation

ELECTRONIC SUBMITTAL OF REPORTS

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

Mr. Matthew Graham
Mr. Michael Grant
Mr. Dave Buccolo
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October 30, 2007
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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 reports (both LOP and SLIC cases) 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).

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.

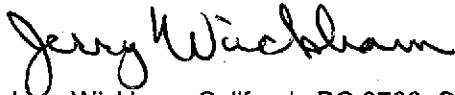
AGENCY OVERSIGHT

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.

Mr. Matthew Graham
Mr. Michael Grant
Mr. Dave Buccolo
RO0002487
October 30, 2007
Page 4

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Hazardous Materials Specialist

Attachments: Site photos (2 pages)

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Alyce Sandbach
Consumer and Environmental Protection Division
Alameda County District Attorney Office
7577 Colma Road, Suite 850
Oakland, CA 94621

Dale Lillard
City of Alameda
Alameda Recreation and Parks
2226 Santa Clara Avenue
Alameda, CA 94501

Teresa Highsmith, City Attorney
City of Alameda
2263 Santa Clara Avenue, Room 280
Alameda, CA 94501

Cherie McCaulou
San Francisco Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

Keith Woodburne
TRC
1590 Solano Way, #A
Concord, CA 94520

Donna Drogos, ACEH
Jerry Wickham, ACEH
File



Figure 1. Removed AST



Figure 2. Concrete Pad and Pipe

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



F

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

September 4, 2007

Mr. Dave Buccolo
Alameda Belt Line
C/o Central California Traction Company/Oakland Terminal Railway
2201 Washington Street
Stockton, CA 94583

Subject: SLIC Case RO0002487 and Geotracker Global ID T06019761967, Alameda Belt Line,
1925 Sherman Street, Alameda. CA 94501

Dear Mr. Buccolo:

Alameda County Environmental Health (ACEH) staff has received correspondence entitled, "Response to Request for Work Plan for Site Investigation," dated August 7, 2007. This response is rejected based on the lack of a Perjury Statement and technical inadequacy. The content of the August 7, 2007 TRC correspondence does not adequately respond to any of the items identified in our May 1, 2007 correspondence. These factors are discussed in more detail in the technical comments below. The issues identified in our May 1, 2007 correspondence remain valid and require the preparation of a Work Plan. **You are required to submit a Work Plan that addresses the issues described in our May 1, 2007 correspondence by October 9, 2007.** Further delays in investigation, late reports, or enforcement actions may result in referral of your case to the Water Board or other appropriate agency for possible enforcement actions.

We request that you address the following technical comments, perform the proposed work, and send us the work plan requested below.

TECHNICAL COMMENTS

1. **Lack of a Perjury Statement.** The correspondence entitled, "Response to Request for Work Plan for Site Investigation," dated August 7, 2007 was signed by Mr. Keith Woodburne of TRC. No perjury statement from the responsible party accompanied the correspondence. As stated in the standard language in our May 1, 2007 and in this correspondence, "All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party..." Please include a perjury statement with future technical documents.
2. **Invalid Assumption Regarding Site Characterization and Use of Screening Criteria.** The August 7, 2007 TRC correspondence presents comparisons of site data to screening criteria for industrial land use as justification for not conducting further investigation of the site. In addition, the August 7, 2007 correspondence appears to draw conclusions regarding human health risks without considering whether the data set is adequate to do so. This approach is invalid because the data that have been collected to date at the 22-acre site are not adequate to characterize the extent of contamination from the various potential sources. Further characterization is required to obtain representative data sets for the potential

sources of contamination at the site. Several potential sources were identified in our May 1, 2007 correspondence. Further review of historic activities and site features is required. Only after the sources of contamination have been identified and the extent of contamination has been delineated can conclusions be drawn regarding potential human health and environmental risks.

3. **Statements Regarding Commercial/Industrial ESLs.** The sixth paragraph of the August 7, 2007 correspondence includes a statement, "However, as long as the site is owned by ABL and is zoned as industrial, there should be no requirement, or directive from the County or City, to investigate soil impacts that do not exceed the commercial/industrial ESLs." Later statements requested that ACEH rescind requirements for site-wide investigation. These statements imply that we have requested that you investigate areas of the site that have been adequately characterized and the data indicate that soil and groundwater concentrations do not exceed ESLs for commercial land use. This is not the case. With regard to the spill of petroleum hydrocarbons and excavation of visually contaminated soil, we requested supplemental information regarding visual observations and screening conducted during excavation along with some evaluation of the site data. Your report presented the data in tabular form with no conclusions or recommendations. With regard to elevated concentrations of lead detected in the confirmation soil samples, the source of the lead does not appear to be the spill of petroleum hydrocarbons. Therefore, it is unclear how the removal of a limited volume of visually impacted soil would address and fully characterize an unknown source of lead. The remaining potential sources of contamination at the site have not been adequately characterized. Contaminant sources at the site must be characterized before human health risks can be evaluated under any land use scenario.
4. **Schedule Delays.** We are disappointed that the brief response in the August 7, 2007 correspondence required a schedule extension and four month period to produce.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **October 9, 2007** – Work Plan for Site Investigation

ELECTRONIC-SUBMITTAL OF REPORTS

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 reports (both LOP and SLIC cases) 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).

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.

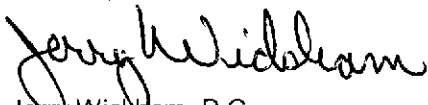
AGENCY OVERSIGHT

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.

Mr. Dave Buccolo
RO0002487
September 4, 2007
Page 4

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham, P.G.
Hazardous Materials Specialist

Attachments: TRC Correspondence dated August 7, 2007
ACEH Correspondence dated May 1, 2007

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Dale Lillard
City of Alameda
Alameda Recreation and Parks
2226 Santa Clara Avenue
Alameda, CA 94501

Teresa Highsmith, City Attorney
City of Alameda
2263 Santa Clara Avenue, Room 280
Alameda, CA 94501

Cherie McCaulou
San Francisco Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

Keith Woodburne
TRC
1590 Solano Way, #A
Concord, CA 94520

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

F

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

June 28, 2007

Mr. Dave Buccolo
Alameda Belt Line
C/o Central California Traction Company/Oakland Terminal Railway
2201 Washington Street
Stockton, CA 94583

Subject: SLIC Case R00002487 and Geotracker Global ID T06019761967, Alameda Belt Line, 1925 Sherman Street, Alameda. CA 94501

Dear Mr. Buccolo:

Alameda County Environmental Health (ACEH) staff has reviewed your June 12, 2007 request to extend the schedule for submittal of Work Plan on the Spills, Leaks, Investigations, and Cleanups (SLIC) case for the above-referenced site. The Work Plan is required to address the issues described in our May 1, 2007 correspondence. Based upon your request, the schedule for submittal of a Work Plan for Site Investigation is extended to August 9, 2007.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **August 9, 2007** – Work Plan for Site Investigation

ELECTRONIC SUBMITTAL OF REPORTS

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.

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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

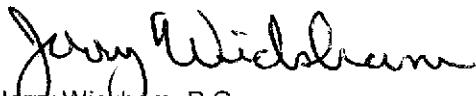
The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For 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.

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.

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham, P.G.
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Dale Lillard
City of Alameda
Alameda Recreation and Parks
2226 Santa Clara Avenue
Alameda, CA 94501

Mr. Dave Buccolo
RO0002487
June 28, 2007
Page 3

Keith Woodburne
TRC
1590 Solano Way, #A
Concord, CA 94520

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

R02487

Alameda Belt Line Railway Company
2201 West Washington Street # 12
Stockton, CA 95203
Phone 209-466-6927 Fax 209-466-1204

David Buccolo
General Manager

Richard Grigsby
Manager Operations & Administration

Gerry Martinez
Manager Track and Equipment

June 12, 2007

Mr. Jerry Wickham, P.G Hazardous Materials Specialist
Alameda County Environmental Health Services
Environmental Protection
113 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

Dear Mr. Wickham:

I am in receipt of your letter of May 1, 2007. The Spill at the site at 1925 Sherman Ave. was cleaned up per the counties and Alameda fire departments request. This was a spill caused by unknown parties who cut the lock off the fence and dumped on the property.

I apologize for the tardiness of my answer to your letter of May 1, 2007 but due to an illness and then a death in my family in New Jersey I was out of the office for over three weeks.

I am now advising that effective June 12, 2007 TRC of Concord, CA will be the lead company handling the response to your letter. Due to a change of contractors and the need for them to review the information on the spill and the site The Alameda Belt Line Railway company requests that an extension be granted to prepare a response to your letter of May 1, 2007 and to prepare a work plan addressing the area of the spill that is due July, 6, 2007.

Mr. Keith Woodburne, P.G at TRC will be the Senior Project Manager.
kwoodburne@trcsolutions.com
1590 Solano Way #A
Concord, Ca 94520
925-688-2488 or cell 925-260-1373

Thank you for your cooperation in this matter.

Dave Buccolo
Dave Buccolo
General Manager

Cc; Keith Woodburne, TRC, Matt Graham

RECEIVED
JUN 18 2007
ENVIRONMENTAL HEALTH SERVICES

However, none of the reported TPH-ho concentrations were above the more appropriate shallow soil ESL for direct exposure for a commercial/industrial land use of 750 mg/kg. Furthermore, only two of the confirmation samples contained lead concentrations above the residential ESL for shallow soil and none were above the commercial/industrial ESL for shallow soil.

Regarding residual concentrations of lead in site soils, the 22-Acre Former Alameda Belt Line Rail Yard (ABL) is zoned historically and currently as an industrial property. As such, soil impacts at the ABL should not be compared to residential screening levels. This approach is inconsistent with the application of ESLs at other similar facilities throughout Alameda County. It would seem a bit excessive to request a full site-wide investigation for lead impacts to soil based on a very small number of sample result in excess of a residential ESL of 150 mg/kg that should not in fact be applied to shallow soils on an existing industrial property.

In the conclusions of the March 1999 Phase II ESA report, URSGWC recommended additional delineation of the extent of the area where lead exceeds the modified residential California PRG. This recommendation by URSGWC likely took into consideration the ultimate goal of the Phase II ESA, which was "to satisfy the requirements of the Alameda County Department of Environmental Health (the County) and the City of Alameda (the City) for residential development of the site." The 22-acre property is currently zoned as industrial and ABL has no plans to redevelop the site or to change the zoning. Residential development of the property may have been the intention of Sun Country Partners, LLC, and was likely their reason for conducting the due diligence investigations. However, as long as the site is owned by ABL and is zoned as industrial, there should be no requirement, or directive from the County or City, to investigate soil impacts that do not exceed the commercial/industrial ESLs.

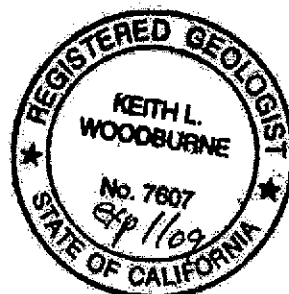
The ABL therefore requests the ACEH reevaluate their comments and rescind the requirements put forth in the May 1, 2007 letter for additional site-wide investigation. Based on the existing site data and the current ownership and zoning of the site, ABL recommends no further assessment be conducted at the site. Furthermore, any further assessment or subsequent site remediation deemed necessary to satisfy the requirements of the County and the City for residential development of the site should be the responsibility of the property owner at the time the rezoning request is made.

If necessary, ABL can respond to technical comments directly related to the April 7, 2007 Chemical Spill Clean Up Report. However, ABL will not respond to comments related to investigations conducted at the site on behalf of Sun Country Partners, LLC, or any other potential buyers, that do not take into account the current industrial zoning of the property.

If you have any questions or comments, please contact me at (925) 688-2488.

Sincerely,


Keith Woodburne, P.G.
Senior Project Manager



Response to Request for Work Plan for Site Investigation
California Central Traction Company / Oakland Terminal Railway
Alameda Belt Line, 1925 Sherman Street, Alameda, CA 94501
August 7, 2007
Page 3

cc: Dave Buccolo, General Manager, Central California Traction Company
Matt Graham, BNSF Environmental Manager
Jim Levy, UPRR Environmental Manager
Bill Bitting ABL Legal Counsel
Christine Smith UPRR Legal Counsel
Peter Lee BNSF Legal Counsel



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
(510) 567-6700
FAX (510) 337-9335

May 1, 2007

Mr. Dave Buccolo
Alameda Belt Line
C/o Central California Traction Company/Oakland Terminal Railway
2201 Washington Street
Stockton, CA 94583

Subject: SLIC Case RO0002487 and Geotracker Global ID T06019761967, Alameda Belt Line, 1925 Sherman Street, Alameda. CA 94501

Dear Mr. Buccolo:

Alameda County Environmental Health (ACEH) staff has reviewed the Spills, Leaks, Investigations, and Cleanups (SLIC) case file for the above-referenced site, including the recently submitted report entitled, "Chemical Spill Clean Up Report, Alameda Belt Line Site, 1925 Sherman Way, Alameda, CA," dated April 7, 2007 and received in hard copy form by ACEH on April 13, 2007 (report). Please note that the address of the site is 1925 Sherman Street rather than Sherman Way. The report presents results from the excavation and removal of contaminated soil in the area of a surface release, which occurred in the eastern portion of the Alameda Belt Line site. The Alameda Belt Line site is an approximately 22-acre site bounded by Sherman Street on the east, a commercial office complex to the north, Constitution Way on the west, and residential properties to the south. The report indicates that approximately 90 tons of contaminated soil was removed from the site. Confirmation soil samples collected from the sidewalls and base of the excavation contained elevated concentrations of petroleum hydrocarbons and lead. Please see our technical comments 2 and 3 below regarding the detection of elevated concentrations of petroleum hydrocarbons and lead in the confirmation soil samples.

In addition to the above referenced, "Chemical Spill Clean Up Report," ACEH staff has reviewed correspondence entitled, "Environmental Matters," dated March 26, 2007 from CLS Environmental Services to ACEH. As clarification, regulatory review of the entire site as well as the surface spill referenced in your March 26, 2007 correspondence and April 7, 2007 report is being conducted under the SLIC program and not as an unauthorized release of petroleum from a UST system.

ACEH staff has also reviewed two reports pertaining to the entire site, entitled, "Phase II Environmental Assessment, 22-Acre Former Alameda Belt Line Rail Yard, Alameda California," dated March 1999 and "Remedial Investigation, 22-Acre Former Alameda Belt Line Rail Yard, Alameda California," dated June 1999. Both reports were prepared by URS Greiner Woodward Clyde for Sun Country Partners, LLC.

Based on our review of the above referenced documents, further investigation of potential soil and groundwater contamination at the site is required. We request that you address the following technical comments, perform the proposed work, and send us the reports requested below.

REQUEST FOR INFORMATION

The ACEH case file contains only the reports referenced in the introductory paragraphs to this correspondence. We request that you submit copies of any other reports or documents you have documenting additional investigation activities or other environmental work related to this site. This information is to be submitted with the Site Investigation Work Plan requested below.

TECHNICAL COMMENTS

1. **Extent of Surface Spill Excavation.** The dimensions of the surface spill excavation are not discussed in the text or shown on a site figure. Neither Figure 2, which is entitled, "General Site Plan w/ Location of Spill," nor Figure 3, which is entitled, "General Site Plan w/ Sample Locations," has a scale. As a result, the location of the spill, excavation, and confirmation samples with respect to the site boundaries and other reference points cannot be determined from the report. We request that you revise Figures 2 and 3 by showing site features on scaled base maps. Cumulatively, Figures 2 and 3 are to include the following features: Sherman Street, fence line along northern property boundary, southern site boundary, limits of excavation, outline of spill as observed on the surface, confirmation sample locations, areas of the site used by tenants, locations of compressed gas cylinders, batteries, and other containers found at the site, and any other features that may be relevant to the spill and excavation. Please present these revised figures in the Work Plan requested below.
2. **Petroleum Hydrocarbons Detected in Confirmation Soil Samples.** Total petroleum hydrocarbons (TPH) as hydraulic oil were detected in each of the five confirmation soil samples collected from the excavation at concentrations ranging from 118 to 702 micrograms per kilogram. The report presents these results in tabular form but draws no conclusions and makes no recommendations. PS-1, collected from the west excavation sidewall, contained 702 mg/kg of TPH as hydraulic oil, which exceeds Environmental Screening Levels (ESLs) for TPH (middle distillates and residual fuel) in shallow soil (San Francisco Regional Water Quality Control Board February 2005). No screening results or other observations from the excavation are presented to supplement the confirmation soil sampling results. Please present a discussion of potential human health or ecological risks posed by the residual petroleum hydrocarbons and any recommendations for future actions in the Work Plan requested below.
3. **Lead in Confirmation Soil Samples.** Lead was detected in the confirmation soil samples at concentrations ranging from 11 to 190 mg/kg. Two of the five confirmation soil samples (PS-3 and PS-4) contained lead in excess of the ESL for shallow soil and residential land use (150 mg/kg). The report makes no comment on the potential source of elevated lead in the confirmation soil samples. Batteries with cracked casings were observed in the vicinity of the spill area during a site inspection by Mr. Lawrence Seto of ACEH on October 17, 2006. Please identify any other possible sources of lead in this area of the site. We request that you present plans to delineate the extent of lead in shallow soil at the site in the Work Plan requested below.

4. **Site Restoration.** The Site Restoration section of the report contains one sentence indicating that the excavated area, "was backfilled with soils stockpiled in other areas of the site and compacted." Please provide more information on the source of the backfill material and whether the backfill is known to be free of contamination.
5. **Other Areas of Site Requiring Further Investigation.** Several features and areas of the site were identified for soil and groundwater sampling as part of a "Remedial Investigation," conducted by URS Greiner Woodward Clyde in 1999. Unfortunately, the "Remedial Investigation" was cursory in nature and does not evaluate the site in sufficient detail. None of the site figures have scales and no detailed figures are presented to show the site features and possible sources of contamination discussed in the text. Since the location of the soil and groundwater sampling locations with respect to potential sources of unauthorized releases is not known, the analytical results presented in the report have limited value. We request that you review the results of the "Phase II Environmental Assessment, 22-Acre Former Alameda Belt Line Rail Yard, Alameda California," dated March 1999 and "Remedial Investigation, 22-Acre Former Alameda Belt Line Rail Yard, Alameda California," dated June 1999 as well as other sources of information available to you to propose additional investigation of the overall site. The additional investigation should address but in no way be limited to the former maintenance pits, above ground storage tank, and former maintenance building. Please present plans for the additional investigation in the Work Plan requested below.
6. **Piles of Soil and Construction Debris.** Several piles of soil and construction debris are present at various locations within the site. Please identify the origin of these materials; specifically, please indicate whether these piles may also contain ballast rock and railroad ties. Please propose investigation activities in the Work Plan requested below to identify and evaluate the soil and construction debris piles.
7. **Geotracker EDF Submittals** – On January 1, 2005, the State Water Resources Control Board's (SWRCB) adopted regulations that require electronic submittal of information for soil and groundwater cleanup programs including SLIC cases. A review of the case file and the Geotracker website indicate that electronic copies of reports have not been submitted for your site. Beginning July 1, 2005, electronic submittal of a complete copy of all reports (LUFT or SLIC) is required in Geotracker (in PDF format). In order to remain in regulatory compliance, please upload a copy of all reports to the SWRCB's Geotracker database website in accordance with the above-cited requirements. Please perform the electronic submittals for applicable reports and submit verification to this Agency **by July 6, 2007.**

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **July 6, 2007** – Work Plan for Site Investigation

ELECTRONIC SUBMITTAL OF REPORTS

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 reports (both LOP and SLIC cases) 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](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

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.

AGENCY OVERSIGHT

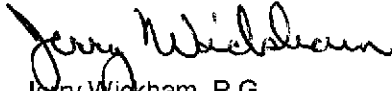
If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety

Mr. Dave Buccolo
RO0002487
May 1, 2007
Page 5

Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

If you have any questions, please call me at (510) 877-6791.

Sincerely,



Jerry Wickham, P.G.
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp)

cc: Dale Lillard
City of Alameda
Alameda Recreation and Parks
2226 Santa Clara Avenue
Alameda, CA 94501

David Solis
CLS Environmental Services
8 Crow Canyon Ct. #205
San Ramon, CA 94583

Donna Drogos, ACEH
Jerry Wickham, ACEH
File



ENVIRONMENTAL SERVICES

RO 2487

CORPORATE OFFICE:
8 CROW CANYON CT., SUITE 205
SAN RAMON, CA 94583
PH: 925.838.7900
FX: 925.838.7910

RECEIVED
MARCH 26 2007
ENVIRONMENTAL SERVICES

March 26, 2007

Jerry Wickham
Alameda County Health Agency
Department of Environmental Health
1131 Harbor Bay Pkwy.
Alameda, CA 94502

Re: Environmental Matters, Alameda Belt Line Site, 1925 Sherman Way, Alameda, CA

Dear Mr. Wickham:

CLS Environmental Services, Inc. (CLS) is in receipt of your letter dated March 16, 2007. Upon reviewing the document, several issues stand out as requiring clarification and/or modification. On behalf of Alameda Belt Line (ABL), CLS does respectfully request your consideration of the following.

1. Your letter states that the Alameda Belt Line site was used for storage of 55-gallon drums and other industrial activities. In order to record accurate information pertaining to the site, please consider that the site was not at any point in time, used for storage of the subject drums. The drums in question were in fact; discarded on the property by other unknown sources and the subsequent unauthorized release the result of vandalism of the drums by other unknown sources.
2. Conversations as well as written correspondence forwarded from the ACDEH has indicated that there has been an ongoing evaluation and monitoring of the site by the ACDEH as it pertains to the results of previous assessments completed of the site as a whole and which indicate that further assessment of the site may be required.

Although further site investigations of the property may be a necessity, the aforementioned spill has no correlation or relationship to any historical releases and/or subsequent migration of contamination that prerequisite additional assessment as they pertain solely to historical releases.

3. Your letter states that the technical report is being requested pursuant to California Health and Safety Code Section 25296.10. It also cites the requirements stipulated in 23 CCR Sections 2652 through 2654 and 2721 through 2728 which outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system.

ACDEH Letter
ABL Site
March 26, 2007
Page 2

The spill was surficial in nature, isolated in it's extent, and was not the result of a release from a UST system. Furthermore, as previously stated, the aforementioned spill has no correlation or relationship to any historical releases and/or subsequent migration of contamination originated from a UST system that may prerequisite additional assessment.

4. The requirements contained in 23 CCR Sections 2652 through 2654 and 2721 through 2728 address the specific requirements for UST systems and do not pertain to surface spills resulting from leaking drums. It is not usual or customary for a technical report accompanied by electronic report submittal to be completed in response to a small surface chemical spill clean up. It appears that the ACDEH may be co-mingling historical releases of UST systems and recent surface spill issues.

Alameda Belt Line and it's representatives thereof are in consideration of your requirement for a work plan which is in compliance with the stipulations of the UST regulations and will address additional assessment of the entirety of the property. Steps are being taken to move the process forward, however, in consideration of the data presented within the text of this letter, ABL does hereby propose to prepare the Spill Response and Clean Up Report which pertains solely to the leaking drum issue, in a more informal format that is representative of the true aspects of the case and not inclusive of technical data which has no relevance to the isolated spill issue. Any relevant documentation, electronic submittals, and future proposed work solely relating to the historical environmental issues of the site and not the spill, will be addressed in a separate document and under a separate cover.

Please contact us at your earliest convenience if you have any questions concerning the information provided.

Sincerely,
CLS Environmental Svcs.



David C. Solis, PhD, JD, REA
Principal

Cc: David Buccolo, Alameda Belt Line
File

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



F

ENVIRONMENTAL HEALTH SERVICES

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

March 16, 2007

Mr. Dave Buccolo
Alameda Belt Line
C/o Central California Traction Company/Oakland Terminal Railway
2201 Washington Street
Stockton, CA 94583

Subject: SLIC Case RO0002487 and Geotracker Global ID T06019761967, Alameda Belt Line, 1925 Sherman Street, Alameda. CA 94501

Dear Mr. Buccolo:

Alameda County Environmental Health (ACEH) staff became aware of a soil excavation to remove petroleum-contaminated soil in an area of your site used for storage of 55-gallon drums and other industrial activities as a result of a site inspection by Lawrence Seto of this office on October 17, 2006. The inspection by Mr. Seto was initiated in response to a complaint regarding the site. There were also a large number of compressed gas cylinders on site and other empty chemical containers. On January 2, 2007, Jerry Wickham of ACEH visited the site and discussed confirmation soil sampling within the excavation and soil disposal with your environmental consultant, Mr. David Solis of CLS Environmental Services. Mr. Solis described the confirmation soil sample results in an email message dated January 31, 2007 and requested comments regarding backfilling the excavation. In an email message dated February 1, 2007, Jerry Wickham of ACEH indicated that we had no objection to placement of clean fill in the open excavation and proper disposal of the removed soil in order to restore the site. The February 1, 2007 also indicated that additional investigation would be required and requested that a report with a description of the soil removal and confirmation sampling results and documentation of the soil disposal be submitted to ACEH within 30 days. We have not received the report to date. We request that you submit the requested report along with recommendations for future investigation and/or cleanup **by April 9, 2007.**

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **April 9, 2007** – Soil Excavation and Confirmation Sampling Report

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

Mr. Dave Buccolo
RO0002487
March 16, 2007
Page 2

ELECTRONIC SUBMITTAL OF REPORTS

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.

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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.

AGENCY OVERSIGHT

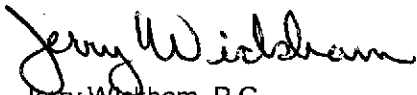
If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety

Mr. Dave Buccolo
RO0002487
March 16, 2007
Page 3

Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham, P.G.
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: David Solis
CLS Environmental Services
8 Crow Canyon Ct. #205
San Ramon, CA 94583

Donna Drogos, ACEH
Jerry Wickham, ACEH
File

Wickham, Jerry, Env. Health

To: dsolis@clsenviro.com**Subject:** RE: Alameda Beltline Site, 1925 Sherman St

David,

I have no objection to placement of clean backfill in the open excavation and proper disposal of the removed soil in order to restore the site. However, given the nature and history of the site, additional site investigation will be required. Please present a description of the soil removal with confirmation sampling results and documentation of soil disposal in a report submitted to this office within 30 days. I have attached instructions for electronic submittal of reports.

Regards,

Jerry Wickham

Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, CA 94502-6577
510-567-6791 phone
510-337-9335 fax
jerry.wickham@acgov.org

From: dsolis@clsenviro.com [mailto:dsolis@clsenviro.com]**Sent:** Wednesday, January 31, 2007 6:11 PM**To:** Wickham, Jerry, Env. Health**Subject:** Alameda Beltline Site, 1925 Sherman St**Importance:** High

Jerry:

We have received the confirmation soil sample results for the samples collected from the spill clean-up excavation located at the Alameda Beltline Site, 1925 Sherman St. The results presented no relevant concern for metals, voc, or semi-voc compounds. However, detectable concentrations of TPH-ho was identified in each of the 5 samples collected and subjected to chemical evaluation. The average concentrations ranged between 100 and 200 ppm with the exception of one sample which spiked at 720 ppm.

Given the nature and history of the site, we do not believe that the presence of TPH-ho and the associated concentrations thereof, present a pre-requisite for further corrective action and at the request of the client would like to proceed with backfilling the open excavation forthwith.

Please provide you advisory and any comments that you may have concerning the issue.

Thank you for your attention to this matter.

Sincere regards,

David C. Solis, PhD, JD, REA
Principal
CLS Environmental Svcs.

2/1/2007

R02487

Seto, Lawrence, Env. Health**To:** Hugo, Susan, Env. Health**Subject:** 1925 Sherman Street, Alameda**Attachments:** 1925 Sherman Street, Alameda 10-20-06 001.jpg; 1925 Sherman Street, Alameda 10-20-06 002.jpg; 1925 Sherman Street, Alameda 10-20-06 003.jpg; 1925 Sherman Street, Alameda 10-20-06 004.jpg; 1925 Sherman Street, Alameda 10-20-06 005.jpg; 1925 Sherman Street, Alameda 10-20-06 006.jpg; 1925 Sherman Street, Alameda 10-20-06 007.jpg; 1925 Sherman Street, Alameda 10-20-06 008.jpg; 1925 Sherman Street, Alameda 10-20-06 009.jpg; 1925 Sherman Street, Alameda 10-20-06 010.jpg; 1925 Sherman Street, Alameda 10-20-06 011.jpg; 1925 Sherman Street, Alameda 10-20-06 012.jpg; 1925 Sherman Street, Alameda 10-20-06 013.jpg

Hi Susan:

I followed up on a complaint we received on 10/17/06 from Ken Jefferies with Alameda Fire Department. There is an area on the property that have spillage of used oil from two 55 gallon drums. The affected area has been excavated, and the impacted soil has been stockpiled on site. The responsible party is Central California Traction Co./Oakland Terminal Railway, 2201 Washington Street, Stockton, CA, Contact: Dave B. @ 209-471-6251. They hired CLS Environmental Services, 8 Crow Canyon Ct. #205, San Ramon, CA 94583 to perform the clean up work. I met with David Solis 925-838-7900, a Principal with CLS and informed him that our office has to oversee the subsurface investigation. He agreed to wait to get direction from our office before anymore excavation is performed or confirmatory samples are taken.

In addition, there is an area on the property that has blast grit on top of the soil. There is a concern of heavy metals in the grit.

There are containers of waste petroleum products that will be characterized and disposed of haz waste along with the used batteries.

There are also a large number of compress gas cylinders on site. Ken Jefferies will write a letter to the property owner to have them taken off site for proper disposal per the Fire Code.

Larry

10/20/2006









ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



7

May 25, 2006

Mr. Mike Valley
Sun County Partners LLC
5000 Hopyard Road, Suite 170
Pleasanton, CA 94588

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

Subject: SLIC Case RO [REDACTED] Alameda Belt Line, 1925 Sherman Street, Alameda, CA

Dear Mr. Valley:

Our records indicate that the current balance on the above-referenced SLIC oversight account is a negative \$865.00. In order to continue to provide regulatory oversight, we are requesting the submittal of a check made payable to Alameda County Environmental Health in the amount of \$3,000. Please send your check to the attention of our Finance Department.

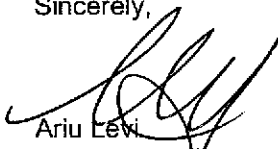
This deposit may or may not be sufficient to provide all necessary regulatory oversight. ACEH will deduct actual costs incurred based upon the hourly rate specified below. If these funds are insufficient, an additional deposit will be requested. Otherwise, any unused monies will be refunded to you or your designee.

The deposit is authorized in Section 6.92.040L of the Alameda County Ordinance Code. Work on this project is being debited at the Ordinance specified rate, currently \$166.00 per hour.

Please write "SLIC" (the type of project), the site address, and the AR# 0306015 on your check.

If you have any questions, please contact Jerry Wickham at (510) 567-6791.

Sincerely,


Ariu Lewi
Division Chief

cc: D. Drogos, J. Jacobs, Jerry Wickham

FAX TRANSMITTAL

URS Greiner Woodward Clyde

500 12TH STREET
SUITE 200
OAKLAND, CA 94607

TEL: (510) 893-3600 ■ FAX: (510) 874-3268

DATE: 4/29

PAGE 1 OF: 2

TO: Madhulla Logan

FROM: al Reddy

FIRM:

SUBJECT:

FAX NO: 510 - 337 - 9335

CC:

MEMO:

Here is a copy of the letter
that went with the
\$2200 check to you.

Have you received it?

al

**SUN COUNTRY
PARTNERS, LLC**

5000 Hopyard Road
Suite 170
Pleasanton, California 94588
925 467-9910
925 487-9919 facsimile

FX
510-337-9335

April 22, 1999

Ms. Madhulla Logan
Hazardous Materials Specialist
Alameda County Department of Environmental Health
1131 Harbor Bay Parkway
Alameda, California 94503

Subject: Phase II Environmental Assessment of the 22 Acre Former Alameda
Beltline Rail Yard, Alameda

Dear Ms. Logan:

Enclosed please find Check Number 109 for Two Thousand Two Hundred Dollars (\$2,200) representing the requested fee to review the above-referenced report previously sent to you by our consultant, Mr. Albert Ridley of Woodward Clyde, per his cover letter dated March 16, 1999.

We look forward to receiving your comments on this report. If you have any questions or need additional information, please call Al Ridley at (510) 874-3125 or myself at (925) 467-9900.

Very truly yours,

A handwritten signature in black ink, appearing to read "R. + R. S".

Robert Radanovich

Enclosure

CC: Albert P. Ridley, URS Greiner Woodward Clyde

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

ENVIRONMENTAL HEALTH SERVICES

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

July 6, 1999

Mr. Mike Valley
Sun Country Partners, LLC
5000 Hopyard Road, Suite 170
Pleasanton, California 94588

Ref: Alameda Belt line, 1925 Sherman Street, Alameda, CA-94501

Dear Mr. Valley:

I am in receipt of the document "Remedial Investigation 22-Acre Former Alameda Belt Line Yard" dated June 1999 prepared by Woodward Clyde Consultants for the above referenced property.

Previous investigation conducted on the property, identified the presence of chlorinated solvents, lead and petroleum hydrocarbon contamination onsite. Upon request from this Department, additional soil and groundwater investigation was conducted in May 1999 to define the extent of contamination. Fourteen ballast rock samples were collected from the vicinity of the previous sampling location SS-1, where lead was detected at 380 ppm. Also six groundwater samples were collected near the area of boring location B-6 where 1,2 DCE was previously identified and five additional groundwater samples were collected in the vicinity of boring B-6 where elevated TPH concentrations were detected.

The laboratory results of samples collected from different areas of the site did not indicate the presence of significant contamination. Hence no further characterization is required for the ballast rock and groundwater on site. However, during demolition of the two maintenance pits, as recommended in the report, soil samples should be collected and analyzed for petroleum hydrocarbons. Subsequent to removal of the maintenance pits, the laboratory results of the soil samples collected from the site should be submitted to this Department. Also, if there is any indication of contamination (like soil staining) during the removal of rails and tenant materials, this Department should be notified.

After the completion of the recommended work and submittal of reports documenting the work, this Department will evaluate the site for closure. If you have any questions, you can reach me at (510) 567-6764.

Sincerely,

Madhulla Logan
Hazardous Material Specialist

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY

DAVID J. KEARS, Agency Director

ENVIRONMENTAL HEALTH SERVICES

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

April 29, 1999

Mr. Mike Valley
Sun Country Partners, LLC
5000 Hopyard Road, Suite 170
Pleasanton, California 94588

Ref: Request for Workplan
Alameda Belt line, 1925 Sherman Street, Alameda, CA-94501

Dear Mr. Valley:

I am in receipt of the documents, phase I assessment, dated February 9, 1999 and phase II Environmental Assessment, dated March 9, 1999 prepared by Woodward Clyde Consultants for the above referenced site.

Based on the results of the previous investigations, additional soil and groundwater investigation is required to delineate areas with significant concentrations of chlorinated compounds, lead, and petroleum hydrocarbons.

Please submit a workplan within 30 days from the date of this letter. If you have any questions, you may reach me at (510) 567-6764.

Sincerely,

Madhulla Logan
Hazardous Material Specialist

C: Al Ridley, Woodward Clyde Consultants, 500 12th Street, Suite 200, Oakland,
CA 94607

ALAMEDA COUNTY HAZARDOUS MATERIALS DIVISION
DEPOSIT / REFUND ACCOUNT SHEET

printed 04/29/99

SITE INFORMATION

Alameda Beltline Rail Yard
1925 Sherman St
Alameda 94501
Site Contact:
Site Phone :

StID: 1649 Site#: 7527
PROJECT#: 7527A
PROJECT TYPE: *** M ***
INSP: Madhulla Logan
ACCT. SHEET PG #: _____

PROPERTY OWNER INFORMATION

Owner Contact:
Owner Phone :

PAYOR INFORMATION

Sun Country Beltline Llc
5000 Hopyard Rd Ste 170
Pleasanton CA 94588 #1168
Payor Contact:
Payor Phone : 925-467-9900

Date	Action Taken	Time		Hours	Hour	Money	Money
		In	Out	Spent/ Depstd	Balnce	Spent/ Depositd	Balance
	Rcpt# 800127						
04/26/99	Deposit of \$2,200.00 @\$100.Hour			+22.	+22.	2,200.00	2,200.00
04/26/99	Admin. Charge: 1 hour			1.00	21.	100.00	2,100.00
	<i>Meeting</i>			<i>1.5</i>			
	<i>Co-stk</i>			<i>3.0</i>			
	<i>review workplan</i>			<i>2.0</i>			
<i>4/28/99</i>	<i>Phone conversation</i>			<i>0.5</i>			
<i>4/28/99</i>	<i>Letter</i>			<i>1.0</i>			
<i>5/6/99</i>	<i>Review Workplan</i>			<i>1.5</i>			
<i>5/6/99</i>	<i>phone convs</i>			<i>0.5</i>			
<i>5/12/99</i>	<i>Letter approving work plan</i>			<i>2.0</i>			

UPON COMPLETION OF PROJECT

PROJ COMPLETED BY : _____ ATTACH: State Forms A, B & C
 Billing Adjustment*
DATE OF COMPLETION : _____ DATE SENT TO BILLING: _____
TOTAL COST OF PROJECT: _____ REFUND AMOUNT: _____ Rev. 7/96

* Billing adjustment forms needed when site is in our UST program.

Printed: *****

***** Alameda County Department of Environmental Health *****
BILLING's WORKLOG: Total Deposit/Refund History for All Accounts at Site
~~~~~

\*\* SITE INFORMATION \*\*

Site#: 7527 -- StID: 1649 BELTLINE RAIL YARD  
Date Open: \*\*\*\*\* 925 SHERMAN STREET  
Date Closed: ALAMEDA CA 94501

\*\* PAYOR INFORMATION \*\*

> Project # --7527A for Payor # 1168 SUN COUNTRY BELTLINE LLC  
5000 HOPYARD RD #170  
PLEASANTON CA 94588

\*\* DEPOSIT HISTORY \*\*

| Proj#   | Deposit Date | Receipt# | Amount Received |
|---------|--------------|----------|-----------------|
| --7527A | *****        | 800127   | \$ 2,200.00     |
|         |              |          | =====           |
|         |              |          | \$ 2,200.00     |

\*\* WORKLOG HISTORY \*\*

| Proj#   | Work Date       | Activity Description                   | Insp | Time (hrs) | Amount Charged |
|---------|-----------------|----------------------------------------|------|------------|----------------|
| --7527a | 2/9/99<br>***** | On-site visit                          | ml   | 1. ✓       | \$100.00       |
| --7527a | 2/23<br>*****   | review as bilt report                  | ml   | 1. ✓       | \$100.00       |
| --7527a | 3/9<br>*****    | on site meet for Alameda Belt Line     | ml   | 2. ✓       | \$200.00       |
| --7527a | 3/21<br>*****   | review docs; 3/99 site invest. results | ml   | 3. ✓       | \$300.00       |
| --7527a | 4/1<br>*****    | Consultation                           | ml   | 0.5 ✓      | \$50.00        |
| --7527a | 4/20<br>*****   | administrative charge                  | adm  | 1. ✓       | \$100.00       |

Balance:

Amount Refunded:

new changes : \$850.00  
- 550.00  
300.00

3/8/00

ALAMEDA COUNTY ENVIRONMENTAL HEALTH - HAZARDOUS MATERIALS PROGRAM  
INFORMATION PER SITE ON ALL DEPOSITS FROM ALL PAYORS

as of 03/08/2000

DATABASE: DEPREF

~~~~~

===== SITE INFORMATION from DepRef DB =====

Alameda Beltline Rail Yard
1925 Sherman St
Alameda CA 94501

StID: 1649 Site#: 7527
Site Complete? -0-

===== ALL PAYORS ON SITE =====

> Project# 7527A for Payor# 1168 Sun Country Beltline Llc
5000 Hopyard Rd Ste 170
Pleasanton CA 94588

DR:WkShtPay

===== DEPOSIT INFORMATION =====

Project#	Rcpt#	DepDate	DepAmount	Proj Type	Deposit Complete	Insp Init	Collect Fees?
7527A	<-----						
	800127	04/26/1999	\$2,200.00	M	-0-	ML	-0-
Total Deposit for Project:			\$2,200.00				

Total Deps for all Sites :			\$2,200.00				

Report WkShtDep Complete; 6/99

LAST WORK DATE FROM BILLING ON THIS SITE: -0-

1649 --7527?

Listing of HAZMAT - FULL SITE HISTORY since 1987 for StID # 1649
as of 03/21/2001 all Activity Codes

SITE NAME & ADDRESS:

Alameda Belt Line -- 1925 Sherman St , Alameda CA 94501

InspDat	Insp Act	InspT	StID	Proj#	COMMENTS	DailBDat
=====	====	==	=====	=====	=====	=====

Archived Dailies:

InspDat	Insp	Activi	Categ	InspT	StID
11/09/1987	AL	I	1	3.	1649
04/03/1992	KT	82	0.5	1649 -0-	-0-

-0-

Current Dailies:

InspDat	Insp	Act	InspT	StID	DRPro	Comment	DailBDat
06/14/1996	DH	11	2.	1649			
06/14/1996	DH	51	2.	1649			
06/20/1996	DH	19	0.2	1649		522-7887 no ans	
06/20/1996	DH	59	0.1	1649		522-7887 no ans	
07/15/1996	DH	15	0.5	1649		522-7887noans	
07/17/1996	DH	15	0.1	1649		522-7887 no ans	
07/17/1996	DH	19	0.2	1649			
07/17/1996	DH	59	0.3	1649		sent:2001 Engineers Rd. 94607	
08/01/1996	DH	15	0.5	1649		832-8464 Phil	
08/15/1996	DH	59	0.4	1649		832-8464 Phil	
09/11/1996	DH	59	0.2	1649		Phil 832-8464,522-7887	
10/01/1996	DH	59	0.1	1649		832-8464 Phil	
10/02/1996	DH	13	0.5	1649			
10/02/1996	DH	53	0.4	1649			
10/09/1996	DH	14	0.1	1649		bil adj	
10/09/1996	DH	54	0.1	1649		bil adj	
02/09/1999	ML	77	1.	1649	7527A	on-site meeting	*****
02/23/1999	ML	75	1.	1649	7527A	review as-built report	*****
03/09/1999	ML	77	2.	1649	7527A	on-site meeting for Alameda Belt Line, Yet to give money for dep/ref	*****
InspDat	Insp	Act	InspT	StID	DRPro	Comment	DailBDat
03/31/1999	ML	75	3.	1649	7527A	review document, 3/99 site investigation results, and phone conversation with Al, Marco	*****
04/01/1999	ML	77	0.5	1649	7527A	phone conversation	*****
04/28/1999	ML	74	1.	1649	7527A	Letter	*****
04/28/1999	ML	77	0.5	1649	7527A	phone conversation, Marco	*****
05/06/1999	ML	75	2.	1649	7527A	review and phone conversation	*****
05/12/1999	ML	74	2.	1649	7527A	letter	*****
07/01/1999	ML	75	1.	1649	7527A	approval letter	*****
03/08/2000	EC	77	0.3	1649	7527A	rev. ask a ridley for status of case. were maintenancé pits demolished?	
03/10/2000	EC	75	0.4	1649	7527A	disc case w/ al ridley. msg to phil and mike valley to call. work has stopped	
01/12/2001	EC	77	0.4	1649	7527a	up slic status to rwqcb	

=====

LEGEND FOR 'OLD' DAILY ENTRIES

Category: (Program)

Activity:

- | | | |
|-----------------------|--------------------------|----------------------|
| O - Office | I - regular Inspection | 1 - Generators |
| L - Legal | F - Follow up inspection | 2 - UG Tanks |
| P - Program | S - Spill / release | 3 - Business Plans |
| T - Training | Q - reQuest / complaint | 4 - Haz.Waste Hauler |
| A - Advice / consult. | | 5 - Emerg. Resp. |
| E - Environ. study | | 6 - Contam. Site |
| | | 7 - Public Lands |
| | | 8 - Residential |

Valid for Dailies in 1987 --> 1989

=====
Complete

Valid for Dailies in 1987 --> 1989

7 - Public Lands
8 - Residential

=====
Complete

Phil Coppe 209/ 466-6927
@ Railroad (Alameda Belt Line)