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1:36 pm, Dec 10, 2007

Alameda County  
Environmental Health

November 20, 2007

TRC Project No. 151792

Mr. Jerry Wickham  
Hazardous Materials Specialist  
Alameda County Health Care Services  
1131 Harbor Bay Parkway  
Alameda, California 94502-6577

RE: Response to October 30, 2007 Notice of Violation  
California Central Traction Company / Oakland Terminal Railway  
Alameda Belt Line, 1925 Sherman Street, Alameda, CA 94501  
SLIC Case RO0002487 and Geotracker Global ID To6019761967

Dear Mr. Wickham:

On behalf of Alameda Belt Line (ABL), TRC is responding to the October 30, 2007 letter from the Alameda County Environmental Health (ACEH) and the Notice of Violation. In our most recent response letter (October 5, 2007), TRC responded to each of the four technical comments in the September 4, 2007 ACEH letter and additionally, on behalf of the ABL, requested a meeting with the ACEH to discuss the application of residential standards to a commercial/industrial site.

Based on the issuance of the October 30, 2007 Notice of Violation, it would appear the ACEH is unwilling to meet with the ABL to discuss our concerns. As we stated in our previous response, it would seem problematic to discuss the need for additional assessment without a clear understanding of the objectives of that assessment. The ABL regrets that the ACEH is unwilling to meet to discuss the site. As the current owner and Responsible Party (RP), a meeting does not seem to be an unreasonable request.

In addition to previously documented concerns, the ABL is particularly concerned about recent statements in the October 30, 2007 ACEH letter regarding improper abandonment of the former railroad maintenance facility. No mention of improper abandonment of the facility has been included in any previous correspondence from the ACEH and the ABL is concerned why statements to this affect were included in the October 30, 2007 response.

The railroad maintenance facility, specifically the railroad maintenance building, was destroyed in an arson suspected fire that occurred on Friday, September 14, 1979. The maintenance building was a total loss and the structure was never rebuilt by the ABL.

Documents from the files of ABL indicate conclusively that the 20,000 gallon Above Ground Storage Tank (AST), pump house and oil unloading fixture were sold to All Cal Marketing located at 520 Boden Way, Oakland, California on February 23, 1976, for the sum of \$1100.00 plus \$71.50 in sales tax. Other documents state that the AST had been empty for two years at the time of sale. All Cal Marketing is identified as a potato processor and presumably purchased the AST for its own use. Copies are available for your review.

This sale of the AST, etc. was complete as of February 23, 1976 prior to any requirement for documentation and reporting by the ACEH or the Alameda Fire Department. The Aboveground Petroleum Storage Act (Act) became effective January 1, 1990.

Photographs included in the October 30, 2007 ACEH response letter clearly show some debris piles and a concrete pad and piping. The debris/soil piles referenced in your October 30, 2007 letter, and apparently photographed by ACEH staff, have subsequently been removed during routine site maintenance activities conducted by the ABL.

Furthermore, with the exception of one elevated lead result from sample SS-1, soil samples collected from the vicinity of the soil piles identified during the March 1999 Phase II Environmental Assessment did not contain any significant impacts. The concrete pad would presumably have been the location of the AST removed in 1976. The photographs clearly show locations on the site that are known to exist (or have existed in the case of the debris piles) and the ABL has never denied their existence. What is unclear however is why the mere presence of a debris pile and concrete pad warrant a site-wide investigation when data collected during the Phase II Environmental Assessment do not support such a recommendation. This is the precisely why the ABL has requested, and continues to request, a meeting with the ACEH staff.

It appears the ACEH will not facilitate a meeting with the ABL until some progress has been made regarding further site assessment. Therefore, at the request of the ABL, TRC will submit a work plan for limited site assessment by the revised deadline of November 30, 2007. The scope of work in the pending work plan will involve a shallow soil and groundwater investigation limited to areas previously identified as requiring additional assessment in the March 1999 Phase II Environmental Assessment; specifically, the areas containing elevated lead concentrations in soil and the area surrounding the former AST location.

However, the ABL would still request a meeting with all stakeholders and the ACEH staff involved with the case at your earliest possible availability. As stated previously, if it is the ACEH's intention to require a site-wide investigation of a commercial/industrial facility based on one elevated lead result and an elevated concentration of total petroleum hydrocarbons as diesel (TPH-d) in one grab groundwater sample, then it will be absolutely necessary for all parties involved to have a clear understanding of the objectives of that assessment before any field work begins.

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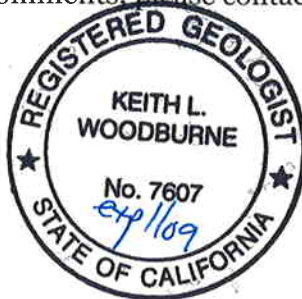
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If you have any questions or comments, please contact me at (925) 688-2488.

Sincerely,



Keith Woodburne, P.G.  
Senior Project Manager



cc: Donna Drogos, Supervising Hazardous Materials Specialist, ACEH  
Dave Buccolo, General Manager, Central California Traction Company  
Bill Bitting, ABL Legal Counsel  
Matt Graham, BNSF Environmental Manager  
Russell Light, BNSF Legal Counsel  
Mike Grant, UPRR Environmental Manager  
Bob Blysmas, UPRR Legal Counsel  
Christine Smith UPRR Legal Counsel  
Peter Lee BNSF Legal Counsel  
Alyce Sandbach, Consumer and Environmental Protection Division  
Dale Lillard, City of Alameda  
Teresa Highsmith, City Attorney  
Cherie McCaulou, San Francisco Regional Water Quality Control Board