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 Alameda County  
 Environmental Health

August 7, 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 Request for Work Plan for Site Investigation  
 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 May 1, 2007 letter from the Alameda County Environmental Health (ACEH) requesting submittal of a Work Plan for Site Investigation. The ACEH comments and subsequent request for additional site investigation were not based solely on the data presented in the April 7, 2007 Chemical Spill Clean Up Report, but also on a review of several documents prepared for the site, including two reports prepared by URS Greiner Woodward Clyde (URSGWC) for Sun Country Partners, LLC.

During the Phase II Environmental Site Assessment (ESA) and Remedial Investigation performed by URSGWC on behalf of Sun Country Partners, LLC, URSGWC identified lead in site soils in excess of the modified California Preliminary Remedial Goal (PRG) for residential soils of 150 mg/kg (current EPA value) in only one sample out of thirty samples analyzed. Sample SS-1 contained a lead concentration of 380 mg/kg; however, the average reported site-wide lead concentration in the Phase II ESA was 36 mg/kg, well below the most conservative residential screening levels. The modified California PRG and the current Environmental Screening Level (ESL) for lead in shallow soils on a property with a residential land use where groundwater is a current or potential drinking water resource is 150 mg/kg. The equivalent ESL for lead for shallow soils on a property with a commercial/industrial land use is 750 mg/kg.

During the emergency response and remedial action conducted at the site by CLS Environmental Services, Inc. (CLS), following excavation of approximately 90 tons of hydrocarbon impacted soil, confirmation soil samples from the sidewalls of the open excavation contained slightly elevated concentrations of Total Petroleum Hydrocarbons as hydraulic oil (TPH-ho) and lead. TPH-ho concentrations in all of the confirmation samples were above the most conservative shallow soil ESL for groundwater protection (for both residential and commercial/industrial land use) of 100 mg/kg.

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



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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

