

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



02-20-03

February 14, 2003

Mr. David Diamond  
Mrs. Deborah Diamond  
1115 Hillview Road  
Berkeley, CA 94708

**Subject:** 1350 Powell Street, Emeryville, CA  
Case No. R00002506

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

Dear Mr. and Mrs. Diamond:

Alameda County Environmental Health (ACEH) staff have completed review of the case file for the above referenced site, including the most recent technical reports "Corrective Action Plan, dated July 3, 2002 and "Corrective Action Completion Report," dated December 13, 2002, both prepared by Cambria Environmental Technology, Inc. We request that you address the following technical comments, perform the proposed work, and send us the technical reports, to progress towards case closure:

1. The Corrective Action plan (CAP) stated that confirmation soil samples will be collected as follows: "one sample from the excavation floor for every 2,500 square feet of the excavation floor (unless deeper than 10 ft bgs)." Upon review of the Correction Action Completion Report, confirmation soil samples were predominantly collected from the final excavation sidewalls, with two samples collected from the excavation floor (EX-B-B-10 and EX-A-B-10). Several soil samples collected at 7 to 9 feet bgs contained TPHd exceeding the cleanup goals (up to 12,000 ppm TPHd). The pit was excavated to 10 feet bgs, however, confirmation soil samples were not collected.

We request that you collect confirmation soil samples from the excavation bottom (at 10, 13, and 16 feet bgs) at a rate of one sample per 2,500 square feet of floor area for TPHd, TPHmo, TPHg, and BTEX analysis.

2. Residual soil contamination remains at 3 to 9 feet bgs (up to 350 ppm TPHg, 3,000 ppm TPHd, 1,100 ppm TPHmo, and 21 ppm benzene). Cleanup goals were not established for benzene in the July 2002 CAP. A risk assessment for all residual contaminants detected is required for your site. Additionally, please address the elements contained in ACEH letter dated June 21, 2002, in your risk assessment.
3. Resample onsite groundwater monitoring wells.

4. Report text and figures describe and depict total TPH as Total TPHg (C6-C9) plus TPHbo (C10+). Please present total TPH as cumulative result of TPHg + TPHd + TPHmo as stated in the approved CAP.

Please submit technical reports according to the following schedule:

- by February 27, 2003 - Work plan for confirmation soil samples
- by March 28, 2003 - Soil sampling report and Risk Evaluation

If you have any questions, I can be reached at (510) 567-6762.



eva chu  
Hazardous Materials Specialist

c: Mike Kim, Pulte Homes, 7031 Koll Center Pkwy, #150, Pleasanton, CA 94566  
Bob Clark-Riddel, Cambria, 1144 65<sup>th</sup> Street, Suite B, Oakland, CA 94608  
Ignacio Dayrit, City of Emeryville, 1333 Park Ave, Emeryville, CA 94608  
Betty Graham, RWQCB  
Keith Carson, Board of Supervisors

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1131 Harbor Bay Parkway, Suite 250  
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FAX (510) 337-9335

February 19, 2003

Mrs. Deborah Diamond  
1115 Hillview Road  
Berkeley, CA 94708

**RE: Project RO0002506, Add-on  
at 1350 Powell Street, Emeryville, CA**

Dear Mrs. Diamond:

Our records indicate the deposit/refund account for the above project has fallen below the initial deposit amount of \$4000.00. To date, a total of approximately \$8300.00 was charged. The account is currently in a negative balance. To replenish the account, please submit an additional deposit of \$8500.00, payable to Alameda County, Environmental Health Services, within two weeks of receipt of this letter.

It is expected that the amount requested will allow the project to be completed with a zero balance. Otherwise, more money will be requested, or any unused monies will be refunded to you or your designee.

The deposit/refund mechanism is authorized in Section 6.92.040L of the Alameda County Ordinance Code. Work on this project will be debited at the Ordinance specified rate, currently \$105 per hour.

Please be sure to write the following identifying information on your check or cover letter:

project # RO0002506  
type of project (SLIC, add-on), and  
site address (1350 Powell, Emeryville, CA)

If you have any questions, please contact me at (510) 567-6762.

eva chu  
Hazardous Materials Specialist

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



062622

R02505/2506

June 21, 2002

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

Mr. Richard Becker  
160 La Cuesta  
Greenbrae, CA 94904

Mr. David Diamond  
1115 Hillview Road  
Berkeley, CA 94708

**RE: Properties Located at 1300 and 1350 Powell Street, Emeryville, CA 94608  
(CO 0001475 and CO 0001477)**

Dear Messrs. Becker and Diamond:

This letter follows in the wake of a June 11, 2002 meeting between staff of Alameda County Department of Environmental Health (DEH), and that of the San Francisco Bay Regional Water Quality Control Board (RWQCB). This meeting was convened to discuss cleanup goals and oversight issues for the subject affiliated projects. Mr. Scott Seery represented DEH at the referenced meeting, while Mr. Chuck Headlee and Dr. Ravi Arulanantham represented the RWQCB. Proposed cleanup goals were previously articulated in letters to this office dated March 25 and 28, 2002, authored by Mark Arniola of Lowney Associates. The cleanup goals presented in the referenced Lowney letters reflect a previous meeting between project proponents and Dr. Arulanantham held on March 21, 2002.

The RWQCB and this agency concur with the cleanup goals presented in the noted Lowney letters, with the following additions:

1. Clean imported soil shall comprise the upper 2 feet of all landscaped areas, planting boxes, etc.
2. Vapor barriers (membranes) shall underlie the entirety of all inhabited structures; no utilities shall penetrate vapor barriers
3. Final site development plans must be submitted prior to site development
4. Post remediation groundwater monitoring program shall be conducted to confirm residual groundwater contaminants found at the sites.
5. Deed notifications/restrictions shall be filed, the details of which will be determined at a later date

Messrs. Becker and Diamond

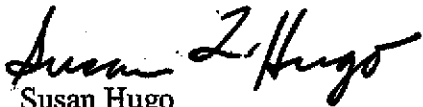
RE: 1300 and 1350 Powell St., Emeryville (CO 0001475, CO0001477)

June 21, 2002

Page 2 of 2

In addition, based on the current body of technical information submitted to date, these affiliated projects will be managed as separately-funded SLIC cases. Please contact me at (510) 567-6780 if you have any questions regarding the subject sites.

Sincerely,



Susan Hugo

Supervising Hazardous Materials Specialist

cc: Chuck Headlee, S.F. Bay RWQCB  
Ignacio Dayrit, City of Emeryville, 1333 Park Ave., Emeryville, CA 94608  
Donna Drogos, ACDEH  
SH / files

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



04-22-02

R02506

April 19, 2002

Mr. David Diamond  
1115 Hillview Road  
Berkeley, CA 94708

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

**RE: Property Located at 1350 Powell Street, Emeryville, CA 94608 (CO 0001477)**

Dear Mr. Diamond:

This office has been requested to begin oversight of an environmental assessment and cleanup project at the referenced site. Our records indicate that a deposit for regulatory oversight has not been submitted for this project. Please submit an initial deposit of \$4000 (four thousand dollars), payable to Alameda County, Environmental Health Services.

We must receive this deposit so that future regulatory oversight on the subject site can proceed in a timely fashion. At the completion of this project, any unused monies will be refunded to you or your designee.

The deposit refund mechanism is authorized in Section 6.92.060L of the Alameda County Ordinance Code. Work on this project will be debited at the Ordinance specified rate, currently at \$105 per hour.

Please be sure to write the following on the check to identify your account:

- type of project (**Site Mitigation / SLIC**)
- site address and CO# (see RE: line above)

If you have any questions, please contact me at (510) 567-6783.

Sincerely,

Scott Seery, CHMM  
Hazardous Materials Specialist

c: Ignacio Dayrit, City of Emeryville, 1333 Park Ave., Emeryville, CA 94608  
Donna Drogos, ACDEH  
Susan Hugo, ACDEH

SOS / files

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



R02506

November 29, 1989

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Program  
80 Swan Way, Rm. 200  
Oakland, CA 94621  
(415)

Norm & Robert Balaan  
1443 Rockledge #2  
Walnut Creek, CA 94595

Re: 1350 Powell St, Emeryville, CA 94608

**NOTICE OF LEGAL OBLIGATION**

Dear Mr. Balaan:

Our records indicate that there are underground tank(s) at your site at the above facility.

In accordance with the California Code of Regulations, Title 23, Chapter 3, Subchapter 16 Underground Tank Regulations you must perform one of the following actions:

1. Submit a tank closure plan to this Department as required by Article 7, 2670, or
2. Apply for a permit as required by Article 10, 2710.

Notify this Department within 10 days of your intentions and to obtain the necessary instructions and forms.

Please note that section 25299 of the California Health and Safety Code states that any operator or owner of an underground storage tank is liable for a civil penalty of not less than five hundred dollars or more than five thousand dollars per day for failure to obtain a permit, or failing to properly close an underground storage tank, as required by section 25298.

If you have any questions concerning this matter, please contact this office at 271-4320.

Sincerely,

Thomas F. Peacock, Senior HMS  
Hazardous Materials Division

TFP:tfp

cc: Gil Jensen, Alameda County District Attorney, Consumer and  
Environmental Protection Agency  
Lester Feldman, RWQCB