

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
07-25-06

July 24, 2006

Mr. Tom McCoy
Brush Street Partners
1155 3rd St., Suite 230
Oakland, CA 94607

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

Dear Mr. McCoy:

Subject: Toxics Case RO0002586, 751-785 7th St., Oakland, CA 94607,
Former Francis Plating

Alameda County Environmental Health staff has received and reviewed the June 5, 2006 Transmittal of Report on Phase II and Focused Phase III Investigation and Frog Pond Removal Workplan, 751-785 Seventh Street, Oakland, California prepared by Baseline Environmental Consulting. The report provides the results of the Phase III investigation of the Frog Pond area. Six borings were proposed to investigate the presence of halogenated volatile compounds (HVOCs) previously detected in boring B-FP14. A soil gas survey was also proposed to evaluate potential risk from volatilization from the detected HVOCs, however, this was not performed. Boring B-FP23A was attempted within the former Frog Pond, however, was unsuccessful in drilling through the concrete bottom. Boring FP23 was ultimately drilled just south of this attempted boring, just outside the Frog Pond perimeter. HVOCs were detected in both soil and groundwater samples in these samples. The source of this contamination remains unclear, however, it does not appear that the contamination is the result of an up-gradient source. In addition, during this investigation, water sampled from boring B-FP23 appeared greenish yellow and therefore was analyzed for metals. Elevated total chromium and hexavalent chromium was detected in the water sample. These results are indicative of a source of dissolved chromium contamination, coming likely from beneath the former Frog Pond area, a known storage area for metal waste materials. The subject report also recommends the demolition, sampling and potential excavation of the soils beneath the former Frog Pond. Our office believes there is a potential source of HVOCs, as well as metals contamination beneath the former Frog Pond area, therefore, our office approves the work plan.

Please address the following technical comments when performing this work.

TECHNICAL COMMENTS

1. After the Frog Pond inspection is completed the floor and sidewalls will be inspected for cracks, drains, openings, etc. Soil beneath any identified potential leak area should be sampled in addition to the proposed random locations.
2. The exposed soil screening process is proposed to be done visually. Because the contaminant may contain HVOCs, we recommend screening soils using a PID instrument. In addition, because of potential metal sludge contamination, we suggest screening for pH and extracting soil with distilled water and observing for

potential coloration from dissolved metals. We suggest that the screening be done in at least two locations within the proposed five cells proposed.

3. After the excavation of the Frog Pond, monitoring well(s) will be required in this area to determine groundwater impacts to metals and HVOCs, as well as determining what monitoring requirements are necessary for the rest of the site.

TECHNICAL REPORT REQUEST

Please submit the following technical report according to the following schedule:

- 45 days after completion of investigation- Phase II and Phase III report and monitoring well work plan

GEOTRACKER EDF SUBMITTALS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy and is expected to 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 Instructions." 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. 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 monitoring wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all reports (UST & non-UST) is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board at (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting) for more information on these requirements.

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 case.

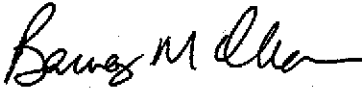
Mr. McCoy
July 24, 2006
Page 3 of 3

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 case meet this requirement.

Please contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

C: files, D.Drogos, A. Levi
Ms. Lydia Huang, Baseline, 5900 Hollis St., "D", Emeryville, CA 94608-2008
7_19_06 751-785 7th St

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
B-20-06

March 17, 2006

Mr. Tom McCoy
Brush Street Partners
1155 3rd St., Suite 230
Oakland, CA 94607

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

Dear Mr. McCoy:

Subject: Toxics Case RO0002586, 751-785 7th St., Oakland, CA 94607,
Former Francis Plating

Alameda County Environmental Health staff has received and reviewed the February 24, 2006 Work Plan for Phase III Investigation, 751-785 Seventh Street, Oakland, Toxics Case RO0002586 prepared by Baseline Environmental Consulting. The work plan responds to comments to Baseline's January 20, 2006 Memorandum in the County's February 15, 2006 letter. The work plan is approved. We have the following comments. The scope of work now includes the following:

- Every attempt will be made to core through the bottom of the Frog Pond and sample soil and groundwater from boring B-FP23, located near boring B-FP14A. In the event this is not possible the proposed alternative location immediately outside the Frog Pond is acceptable.
- Baseline, in their #3 footnote, states that requesting soil samples from the capillary fringe may yield data whose origin is unclear ie this may result from either soil or groundwater contamination. Therefore, they recommend not sampling from this zone. The County requests the determination of the vertical extent of contamination and does not distinguish its source (soil or groundwater), therefore, we still request that these samples be taken for chemical analysis. As a note, Baseline states that the groundwater level is expected to be higher in March due to winter rains, therefore the capillary fringe may be even shallower than previously encountered and may be at the 15' depth already proposed for sampling.
- Specific soil vapor sampling methods have been provided in the new work plan consistent with guidance documents. Soil vapor samples are proposed for sampling from each of the six borings. In the event that all soil and groundwater samples from a boring do not detect volatiles organic compounds and no preferential pathways are observed, there would appear no need to sample soil vapor from such a boring.

TECHNICAL REPORT REQUEST

Please submit the following technical report according to the following schedule:

- 45 days after completion of investigation- Phase II and Phase III report

GEOTRACKER EDF SUBMITTALS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy and is expected to 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 Instructions." 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. 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 monitoring wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all reports (UST & non-UST) is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board at (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting) for more information on these requirements.

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 case.

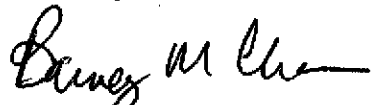
PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

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Mr. Tom McCoy
March 17, 2006
Page 3 of 3

Please contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

C: files, D.Drogos, A. Levi
Ms. Lydia Huang, Baseline, 5900 Hollis St., "D", Emeryville, CA 94608-2008
3_17_06 751-785 7th St

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SENT
03-15-06

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

March 10, 2006

Mr. Tom McCoy
Brush St. Group
1155 3rd St., Suite 230
Oakland, CA 94607

Dear Mr. McCoy:

Subject: Toxics Case RO0002586, 751-785 7th St., Oakland, CA 94607

Our records indicate that the current balance on the above-referenced Toxics oversight account is -\$1647.20. 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 \$6000.00. Please send your check to the attention of our Finance Department.

This initial 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, 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 "TOXICS" (the type of project), the site address and the AR# 0310608 on your check.

If you have any questions, please contact me at (510) 567-6862.

Sincerely,


Artu Lew
Division Chief

cc: D. Drogos, B. Chan, J. Jacobs

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



SENT
02-17-06

February 15, 2006

Mr. Tom McCoy
Brush Street Partners
1155 3rd St., Suite 230
Oakland, CA 94607

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

Dear Mr. McCoy:

Subject: Toxics Case RO0002586, 751-785 7th St., Oakland, CA 94607,
Former Francis Plating

Alameda County Environmental Health staff has received and reviewed the January 20, 2006 Memorandum from Baseline, your consultant. We note that this memo did not come with a cover letter signed by you, was not submitted to Geotracker or the County's FTP site, nor was it stamped or identified with a professional registration number of the project manager. Please be informed these items must be done and the report resubmitted before the document is acceptable by our office as a technical report. Please insure all future submissions meet these requirements. This memo proposes additional focused investigations near a boring B-FP14, where elevated trichloroethene (TCE) and cis-1,2-dichloroethene (c-TCE) was detected in groundwater. Baseline has determined that this area is the only area of concern in regards to the planned site development. Because the County has not received a copy of the 11/05 Phase II investigation report, we cannot comment nor concur with this conclusion. We do have the following comments to the memorandum, which we request you address in your resubmission prior to performing this work.

TECHNICAL COMMENTS

1. The focused investigation proposes to answer these posed questions: Is the unsaturated soil near B-FP14 a source of chlorinated compounds? Do the chlorinated compounds in soil or groundwater pose a risk to future site users? and What is the extent and concentration of soil and groundwater contamination in this area? One boring adjacent to and four borings, approximately 10' from boring B-FP14 in the four compass directions are proposed for soil and soil vapor sampling. Soil samples will be collected and analyzed for VOCs. In addition, soil gas samples would be collected from ~5' from the five borings for VOC analysis.

Evidence of an on-site source is the presence of contaminants in soil and groundwater in the same general area. However, this evidence is not conclusive. Soil impact is dependent on the release scenario. As an example, releases from underground tanks and/or piping, subsurface utilities or from depressed vaults may cause groundwater impact without exhibiting shallow contamination. Therefore, the absence of significant soil contamination in the unsaturated soil in the area of B-FP14 would not rule out a source of HVOCs

being present onsite. Another characteristic of an on-site release is the presence of high contaminant concentration on-site with lower concentrations as you move away from the source. On the other hand, high concentrations off-site with lower concentrations down-gradient and on-site is indicative of an off-site source. At this time, elevated HVOCs have not been detected up-gradient nor off-site of the area in question, B-FP14. Therefore, to determine the extent of contamination in groundwater, we require groundwater sampling in addition to soil sampling from the proposed borings. Assuming a southwest gradient like that of the neighboring Shell Station at 610 Market St., to determine the extent of the contamination detected in B-FP14, a transect of borings down-gradient of this point would be appropriate. The proposed borings should have a boring immediately down-gradient of B-FP14, with the borings spaced further apart (~15'), in line with the former boring, B-FP3. An additional boring is recommended near former boring B-FP3, since HVOCs were not run on soil or groundwater samples from this boring originally. Based on your results, additional delineation may be needed. Soil samples should be collected at 5, 10, 15' bgs and at the capillary fringe for HVOC analysis. Because the area immediately up-gradient of B-FP14 was not investigated we request that a shallow soil and groundwater sample be taken from B-FP14A, after coring through the Frog Pond foundation.

We concur that the best evaluative tool to estimate risk from VOCs is to take soil vapor samples above the contaminant. We request that you follow the guidance document from DTSC, December 15, 2004. The description of the sampling procedures from Baseline does not specify their sampling method. We note that the guidance document recommends taking samples from greater than 5', while Baseline states that samples will be collected from about 5 feet. We further note that 3 volumes will be purged before sampling. Please insure this is consistent with DTSC methodology and that appropriate QC data is presented to verify appropriate sampling procedure.

TECHNICAL REPORT REQUEST

Please submit the following technical report according to the following schedule:

- February 28, 2006- Appropriately resubmitted work plan addendum addressing technical comments plus specific soil vapor sampling procedures.

GEOTRACKER EDF SUBMITTALS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy and is expected to 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 Instructions." 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. 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 monitoring wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all reports (UST & non-UST) is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board at (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting) for more information on these requirements.

PERJURY STATEMENT

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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 case meet this requirement.

Please contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

C: files, D.Drogos, A. Levi
Ms. Lydia Huang, Baseline, 5900 Hollis St., "D", Emeryville, CA 94608-2008

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SEN 10-7-05

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

October 7, 2005

Mr. Tom McCoy
Brush Street Partners
1155 3rd St., Suite 230
Oakland, CA 94607

Dear Mr. McCoy:

Subject: Toxics Case RO0002586, 751-785 7th St., Oakland, CA 94607,
Former Francis Plating

Alameda County Environmental Health staff has received and reviewed the September 2005 report entitled *Work Plan for Phase II Soil and Groundwater Investigation* from Baseline, your consultant. This report follows our August 24, 2005 meeting at the County offices. We request that you address the following technical comments when performing the proposed work.

TECHNICAL COMMENTS

PROPOSED SOIL BORING SAMPLING

1. The nine proposed additional soil sample locations were based upon the prior E&E report depicting source areas and upon the "screening" as well as laboratory analytical results. Based upon these results, we request that an additional soil sample be taken in the northern portion of the Front Yard, in the location of former SED sample, located between the two former trailers. Sample SED reported elevated metal concentrations in "screening" results.

We request that the two proposed soil samples from these borings be analyzed discretely and not as a composite. This will allow vertical contaminant delineation and the data will also be used in determining remedial options for the site.

It is proposed that should the total concentration of a metal contaminant indicate a potential hazardous concentration of soluble metals, either a WET (Waste Extraction Test) or a TCLP (Toxicity Characteristic Leaching Procedure) be performed on the sample. Such extractions are over-estimations of the leaching potential of the soil, therefore, we recommend a distilled water extraction be done instead. Actual groundwater sample results are the most representative of true conditions.

Only the shallow soil sample is proposed for volatile organics analysis by EPA Method 8260, however, the deeper sample should also be analyzed if contaminants are detected.

SURFACE SOIL SAMPLING

2. Three areas where surface soils are present at the site are proposed for sampling. Composites of surface and near surface soil samples are proposed for metals analysis. Additionally, samples may be analyzed for volatile organics if staining, odors or PID readings above background are observed. Please be aware that composite samples conservatively estimate only (1/# of samples) the highest possible chemical concentration. In addition, because this soil represents surface soils exposed to receptors, the metals concentrations should be compared with appropriate cleanup standard ie RBSLs, ESLs and/or background levels. These soil samples should be kept by the laboratory in the event discrete sampling is necessary.

GROUNDWATER SAMPLING

3. The proposed groundwater sampling is not sufficient to characterize groundwater conditions at the site. Additional groundwater sampling besides that from the two monitoring wells and boring B-FP7A is necessary. We recommend that groundwater samples be taken in and down-gradient of potential source areas. In the absence of installing additional monitoring wells, the southwest gradient from the adjacent Shell station may be assumed. Please note that this gradient would put the Shell station cross and down-gradient from this site and not a likely source of fuel contaminants. However, the presence of MTBE in groundwater samples maybe indicative of offsite contamination. Please provide an additional groundwater sampling plan as requested below.

GEOTRACKER EDF SUBMITTALS

4. ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy and is expected to 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 Instructions." 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. 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 monitoring wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all reports (UST & non-UST) is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board at ([http://www.swrcb.ca.gov/ust/cleanup/electronic reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic%20reporting)) for more information on these requirements.

TECHNICAL REPORT REQUEST

- November 7, 2005- Supplemental Groundwater Monitoring Plan
- 60 days after SWI- Soil and Groundwater Investigation Report

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 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 case meet this requirement.

Please contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

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Ms. Lydia Huang, Baseline, 5900 Hollis St., "D", Emeryville, CA 94608-2008

10_8_05 751-785 7th St

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



Scot
7-22-05

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

July 21, 2005

Mr. Tom McCoy
Brush Street Partners
1155 3rd St., Suite 230
Oakland, CA 94607

Dear Mr. McCoy:

Subject: Toxics Case RO0002586, 751-785 7th St., Oakland, CA 94607,
Former Francis Plating

Alameda County Environmental Health staff has received and reviewed the June 2, 2005 letter report from Baseline, your consultant. This report follows our May 13, 2005 site visit and meeting at your offices. We discussed the existing data, its presentation and the appropriate characterization necessary to evaluate the site before approval for residential development of the site could be given by our agency. The letter report recommends either no further investigation or consideration of the previously submitted draft work plan be implemented. Our office requests that you respond to the following technical comments and provide the technical report requested below.

TECHNICAL COMMENTS

DEED RESTRICTION

1. Our office finds the argument for no further investigation flawed. One cannot reduce the characterization phase for the site by using a deed restriction. The proper order of site evaluation includes site characterization, risk evaluation/site conceptual model, feasibility study/corrective action plan, remediation, confirmation sampling, groundwater monitoring, risk evaluation/deed restriction, then lastly, when warranted, No Further Action.

PERJURY STATEMENT

2. 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 case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

3. 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. Note, work plans which are labeled "Draft" or which are unsigned are not acceptable.

DATA EVALUATION

4. Our office finds the evaluation of analytical data to be incomplete. The June 2, 2005 letter report provides in Figure 1, a site map and indicates the location and analytical results of samples. Figure 1 is lacking information and data. Known areas of potential concern ie drums, tanks, containment areas, etc are not shown. This information is necessary to determine the appropriate location and sample analysis for your investigation. Please revise Figure 1 to include the historical site usage information. Figure 1 does not include sampling data where analytical results were not performed by a certified laboratory. Therefore, screening data, which indicated elevated metal concentrations was ignored. Our prior March 1, 2005 letter recommended that this data be used to indicate areas of potential concern for re-sampling. Strictly speaking, even the data from the 1993 Versar report, reportedly analyzed by a certified lab, is unacceptable, since the entire report was never submitted to our office under the signature and stamp of a registered professional. We recommend that you evaluate the areas of concern and determine if adequate sampling of soil and groundwater has been done. The random sampling proposed in your draft work plan is more appropriate in areas of no known storage/use of hazardous materials.

GROUNDWATER SAMPLING

5. The current and proposed groundwater sampling is not sufficient to characterize groundwater conditions at the site. Groundwater sampling now consists of a single sampling the two monitoring wells and grab groundwater samples from three borings. One of the grab samples, B-FP3-grab was analyzed for TPH as gasoline only, while the others were analyzed for an entire suite of analytes. These samples were taken along the southern property boundary and in the northwest corner of the site. Although somewhat informative, samples closer to areas of potential concern plus additional well(s) to determine gradient is recommended. The draft proposal to resample the two wells and take a grab groundwater sample near the area where PAHs (polyaromatic hydrocarbons) were detected is insufficient. Please propose additional groundwater sampling.

July 21, 2005
RO0002586
751-785 7th St., Oakland
Page 3

AREAS OF CONCERN

6. Clearly at least two areas of potential concern are the former depressed vault, the "Pit" and the containment sump called the "Frog Pond", both of which were, at times, several feet deep in hazardous waste liquids. It is not obvious that the Frog Pond area was proposed for sampling in your draft work plan.

Other areas of concern are the exposed soil perimeters around the building, which detected metals exceeding background levels. This could have been the result from historic surface releases over many years or from the run-off generated from the 1992 fire. These areas are not addressed in the draft work plan. Please consider sampling in these areas of concern.

TECHNICAL REPORT REQUEST

- August 22, 2005- Revised work plan to address all above items.

Please contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

C: files, D.Drogos, A. Levi
Ms. Lydia Huang, Baseline, 5900 Hollis St., "D", Emeryville, CA 94608-2008
Mr. Lisa Motoyama, RCD, 2730 Telegraph Ave., Berkeley, CA 94705

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



SENT
03-01-05

March 1, 2005

Mr. Tom McCoy
Brush Street Group
1155 3rd St., Suite 230
Oakland, CA 94607

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

Dear Mr. McCoy:

Subject: Toxics Case RO0002586, 751-785 7th St., Oakland, CA 94607

Alameda County Environmental Health (ACEH) staff has received and reviewed the January 10, 2005 Site History and Data Summary Report for the referenced site prepared by Baseline Environmental Consulting and have determined that the data provided is unacceptable for the determination of site closure. Additional information is required to adequately comment on the environmental condition of the site. We offer the following technical comments and request that you provide the technical report requested below.

TECHNICAL COMMENTS

1. The reports describing previous site investigations are inadequate for use in determining whether site conditions have been met for regulatory approval for residential development. The 1993 Versar report are presented as a "draft", without any certified analytical reports, without a stamp or signature from a registered professional and without specific data explaining how results were determined to be "significant" or not. As such, these results are not acceptable. The Ecology and Environment report (2000) was performed as part of the 1999 emergency response action at the site. The sampling included the characterization of stored liquids, sludge and sediment at the site. In addition, soil samples were collected from the north, east and west property boundaries and analyzed for selected metals and cyanide. The metals results from these samples were determined using the technique, X-ray Fluorescence (XRF), a semi-quantitative analytical method. This method was deemed appropriate by the EPA for determining if the samples exceeded EPA PRG-Ind (industrial) concentrations. However, there is significant uncertainty in this method and it is not an acceptable method for determining if residential clean up levels have been met. As such, this report is not acceptable. The Baseline 2003 investigation is the only investigation where analytical results are acceptable, however, the extent of this investigation is too limited to characterize the soil and groundwater at this site.
2. Although the analytical data, as mentioned, is unacceptable, it can be used to perform a focused investigation using acceptable analytical methods are used. Your work plan must evaluate all areas where contaminants were used, stored or released. A soil and groundwater investigation must be performed to determine the lateral and vertical extent of contamination. Previous "screening" results may be used to determine the most likely impacted areas. In addition confirmation samples may be used to verify previous "screening" results. Sampling will also be required beneath existing structures which previously held waste including sumps, tanks, vaults, drains, drums, baths, utilities etc. An inspection report of these structures should be used to develop a sampling plan. Samples from temporary borings can be used to assess impact to groundwater and the potential need for permanent wells.

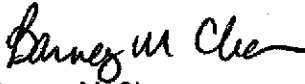
March 1, 2005
RO0002586, 751-785 7th St., Oakland, CA 94607
Page 2

TECHNICAL REPORT REQUEST

- April 4, 2005- Phase II Soil and Groundwater Investigation Work plan

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, D. Drogos

Ms. Lydia Huang, Baseline Environmental Consulting, 5900 Hollis Street, "D"
Emeryville, CA 94608-2008

Ms. Lisa Motoyama, Resources for Community Development, 2730 Telegraph Ave.
Berkeley, CA 94705

3_1_05 785 7th St

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



0001 11-29-04

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

November 17, 2004

Mr. Tom McCoy
Brush St. Group
1155 3rd St., Suite 230
Oakland, CA 94607

Dear Mr. McCoy:

Subject: Toxics Case RO0002586, 751-785 7th St., Oakland, CA 94607

Our records indicate that the current balance on the above-referenced Toxics oversight account is -\$959.60. 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 \$6000.00. Please send your check to the attention of our Finance Department.

This initial 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, 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 \$160.00 per hour.

Please write "TOXICS" (the type of project), the site address and the AR# 0310608 on your check.

If you have any questions, please contact me at (510) 567-6862.

Sincerely,


Ariu Levi
Division Chief

cc: D. Drogos, B. Chan, J. Jacobs

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



SNT
10-4-04

October 1, 2004

Mr. Tom McCoy
Brush Street Group
1155 3rd St., Suite 230
Oakland, CA 94607

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

Dear Mr. McCoy:

Subject: Toxics Case RO0002586, 751-785 Brush St., Oakland, CA 94607

Alameda County Environmental Health (ACEH) staff has received and reviewed the April 2003 Baseline Soil and Groundwater Investigation report for the referenced site and have determined that additional information is required to adequately comment on the environmental condition of the site. We request that you address the following technical comments and provide the technical reports requested below.

TECHNICAL COMMENTS

1. Please provide a Phase I report for this site including the site description, site vicinity and historical property use, name(s) of business and operator and referenced City Directories, dates of operation, historical chemical storage and use, Sanborn maps, aerial photos, and list of prior assessments, release and cleanup reports, etc. In addition, please provide a detailed description of how the plating activities worked. Where were the chemicals, tanks, vats, sumps, etc located? Where was waste generated and how was it disposed? What permits did the business have?
2. Please submit all prior reports, which should include at a minimum, all historical environmental correspondences ie violations, inspections (generator, business plan, storm water, underground tank, TSD, air board, EBMUD, etc), regulatory submissions (including Hazardous Materials Management Plan (HMMP), waste disposal and treatment reports and all past environmental reports including the referenced 1993 Versar Phase I and II Site Assessments. I understand that the City of Oakland Hazardous Materials Division has files on this site.
3. Our office has the following comments to the referenced Baseline Report:
 - a. The rationale for the investigation, which included seven borings and two wells, was not provided. As a consequence of not being able install the third monitoring well site specific gradient cannot be determined.
 - b. Without a historical record of prior chemical use from all past site operators, tenants and squatters, it is not possible to determine the completeness of the chemical analysis. The report states that chemicals used at Francis Plating include acids, ketones, cyanide and metals. Please indicate how this list was generated. Did other plating businesses operate at this site? And, if so what type of plating did they perform?

October 1, 2004
Mr. Tom McCoy
RO0002586
751-785 Brush St., Oakland, CA 94607
Page 2

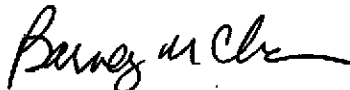
- c. Without the aid of a HMMP or similar reference material, it is not possible to identify all the likely areas of chemical concern. If waste material was generated, where was it stored and how was it disposed? Where are the subsurface utilities located at this site?
- d. The report states that the site was used to store wastes from other facilities in the 1990s. Ultimately, US EPA performed the removal of the waste materials. Please provide a summary of the amounts and types of wastes disposed and a copy of the removal inspection report. Was any post follow-up or clean-up action requested?
- e. The report noted at least two areas of potential concern, the depressed vault inside the plating building and an outdoor waste pond. Please describe what activities occurred at these locations and what chemicals were used/stored. The outdoor waste pond was not depicted in the figure within the report.

TECHNICAL REPORT REQUEST

Please provide the requested technical information by November 1, 2004, so our office may proceed with the evaluation of the referenced report.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, D. Drogos

Ms. Lydia Huang, Baseline Environmental Consulting, 5900 Hollis Street, "D"
Emeryville, CA 94608-2008

Ms. Lisa Motoyama, Resources for Community Development, 2730 Telegraph Ave.
Berkeley, CA 94705

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



Envision: # 751-785 7th St.
Oakland
(Francis Plating)

R02586

October 24, 2003

Mr. Tom McCoy
Brush Street Group
1155 3rd St., Suite 230
Oakland, CA 94607

RE: 751-785 ^{7th} Brush Street, Oakland

Dear Mr. McCoy:

Please note that the response time to your environmental clean up project by Alameda County Environmental Health is temporarily longer than normal due to a shortage in staffing. The County is already well along the civil service process to fill one of its vacancies, and is engaged in negotiations with local government such as the City of Oakland to create funding for a second position. If the negotiations prove fruitful, the second position shall have as its first responsibility the clean up of re-development sites where leaking underground fuel tanks were not the primary source of contamination.

In order for the County be as responsive to your needs as possible, be sure and provide information that identifies your project timeline. If your project is extremely time sensitive the County will present your case to its state level counterparts for their evaluation and possible acceptance as a case. At this time please accept the County's apology for whatever inconveniences this delay creates.

If you have any questions concerning the status of your case feel free to call or e-mail Ariu Levi, Division Chief at (510) 567-6862 or alevi@co.alameda.ca.us.

With Regards;

Mee Ling Tung, Director
Environmental Health

C: Leroy Griffen, City of Oakland
Donna Drogos, EHS

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