

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



7

December 1, 2006

Mr. Peter Schellinger
Bay Rock Residential LLC
1300 Clay St., Suite 620
Oakland, CA 94612-1427

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

Dear Mr. Schellinger:

Subject: Toxics Case [REDACTED] Walk Development, 4090 San Pablo Ave.,
Emeryville, CA 94608

Alameda County Environmental Health (ACEH) has reviewed the case file for the subject and adjacent sites including the November 2006 Addendum to Corrective Action Plan prepared by The San Joaquin Company Inc. in response to the County's October 12, 2006 letter. The County Technical Comments have been addressed and the Corrective Action Plan is approved. However, we have the following technical comments, which must be addressed when performing the proposed work.

TECHNICAL COMMENTS

1. Grout Curtain Installation- We have reviewed your evaluation of the potential consequences of the installation of the proposed grout curtains and believe that unless the barriers include some type of chemical remediation, there appears to be little benefit to their installation. As stated in the addendum, the grout curtains will cause contaminants to move into adjacent less permeable soils, slightly alter the flow path around the barrier and slow the transport of contaminants down-gradient of the barrier. This may result in the increase of contaminant concentration up-gradient of the grout curtain. Therefore, higher contamination in soil may result up-gradient of the curtains than had they not been installed. We believe, the up-gradient areas may be "innocent" parties and should not be exposed to this potential. The other elements of your CAP are sufficiently protective to allow your proposed development.
2. Groundwater Remediation- We concur that after the proposed groundwater extraction, monitoring well sampling will be indicative of the effectiveness of this remediation. The anticipated reduction in concentration to 40% of original is your consultant's professional estimate based upon his experience. It is not a target goal and represents a "best effort" to remediate groundwater. The 20,000 gallons proposed for removal is based upon what is technically and economically feasible. We concur that the proposed groundwater removal from the extraction ponds is an acceptable remedial effort coupled with the other elements of your CAP.
3. Additional Monitoring Wells- We requested an additional monitoring well in the location of MWT-7. Your Addendum provides clarification that a replacement well in this location would be located beneath a principal building. Proposed post-remediation well, MW-14 will be located down-gradient of MWT-7, within the same

permeable channel and will serve as a suitable replacement. Providing this is the case, this alternative is acceptable.

To verify actual groundwater concentration entering the site and assess the need for remediation, we request two additional post-remediation wells be installed north of proposed well, MW-9, in a transect in the assumed down-gradient location of the Ennis boring within the stream-bed channel as verified by exploratory Trench 10. These wells will provide an estimate of the contamination entering the site through the channel and indicate the need, if any, for additional remediation. If groundwater remediation is shown necessary by groundwater monitoring, one reasonable approach is to use the stream-bed channel as a treatment area for the plume. The responsible parties could then treat the contamination within the stream-bed channel as part of their corrective action plan (CAP).

4. Vertical Delineation of Groundwater Contamination- We shall defer to your consultant's interpretation of the existing boring logs at this site and his professional judgment in determining the need for depth discrete monitoring wells. Since it is unclear if multiple water bearing zones exist and whether they are continuous beneath the site, we concur with the proposal to install a well cluster in MW-16 as a site surrogate and installing depth discrete short screen wells sufficient to delineate the vertical extent of contamination. Sampling results from this well cluster will be considered representative and will be used to determine if the other post-remediation well clusters are necessary.
5. Monitoring of Groundwater Release from former SFFBC- The Addendum points out existing and future wells down-gradient of the former SFFBC that can and will be used to monitor the plume. However, the County is concerned about the contamination from the former SFFBC tanks that may have migrated through the former stream-bed channel to the west of San Pablo Ave. This potential is seen in the results from former well, MW-2 located on 3999 San Pablo Ave. We recommend co-operation with the City of Emeryville in well placements as they have been requested to complete the evaluation of the fuel release from the former Celis Service Station located at 4000 San Pablo Ave.
6. Request for Updated Figure of Unauthorized Release Sites in Neighborhood- Our office has provided your consultant with reports for the former Boysen Paint (ONE) site, 1001 42nd St., Oakland. We request that you update the "Unauthorized Release Sites in Neighborhood" figure to include this information since this site has been indicated to be one of the sources of contamination which has impacted the Oak Walk site.

TECHNICAL REPORT REQUEST

Please provide the following technical reports according to the following schedule:

- December 29, 2006- Work Plan for monitoring well(s) down-gradient of the former SFFBC (in co-operation with the City of Emeryville)
- December 29, 2006- Updated Figure of Unauthorized Release Sites in Neighborhood

ELECTRONIC SUBMITTAL OF REPORTS

Effective **January 31, 2006**, 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. 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 necessary reports 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)).

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at barney.chan@acgov.org.

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.

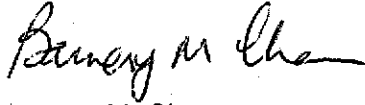
PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

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.

Mr. Peter Schellinger
RO 2733, Oak Walk Development
Page 4 of 4

If you have any questions, please call me at (510) 567-6765.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

cc: files, D. Drogos, A. Levi
list of interested parties (sent by e mail)
Mr. Constantino Cellis, 2319 Monte Vista Dr., Pinole, CA 94564

11_15_06 Oak Walk CAP

List of Interested Parties for Commingled Investigations:

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Mr. Ignacio Dayrit
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Mr. John Tibbetts
4097 San Pablo Ave.
Emeryville, CA 94608

Mr. Constantino Cellis
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List of Interested Parties for Commingled Investigations:

cc:

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Mr. Dave Ennis
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Files, D. Drogos, A. Levi