



Alameda County

FEB 28 2012

AMERICA'S BUILDER OF THE YEAR

Environmental Health

February 24, 2012

Mr. Mark Detterman
Alameda County Health Care Services
Environmental Health Department
1131 Harbor Bay Parkway, Suite 250
Alameda, Ca. 94502-6577

Re: Response to January 18, 2012 Letter
Fuel Leak Case No. R00002737 (Global ID #T06019771179)
Former Impulse Motors
1210 Bockman Road
San Lorenzo, California

Dear Mr. Detterman:

Your letter of January 18, 2012 to Dale Hines has been forwarded to my attention. I understand you are aware and are informed that Dale Hines left the employment of The Olson Company in March 2011, and that his oversight of the referenced project was transferred to Tom Moore, Director of Operations. Please direct all further correspondence on this matter to my attention (kchandler@theolsonco.com), with a copy to Tom Moore (tmoore@theolsonco.com) at the same address.

As you know, Olson did not cause or contribute to the relatively minor petroleum hydrocarbon impacts to soil and groundwater at the subject site. Olson, however, did undertake an investigation and subsequent remediation of these impacts, and has been seeking closure from Alameda County Environmental Health (ACEH) for the past three years. Pursuant to your correspondence of July 22, 2011 (closure summary document), Olson was informed and believed that the pending case would be closed following the public notification sent to vicinity residents in November 2011. It is my understanding that Olson has fully complied with all requirements of state law, as well as additional requests made by ACEH staff so as to support an immediate closure of the site.

It is notable that the active cleanup was completed in December 2006, and that the DCEH staff thereafter requested additional testing (see letter dated September 10, 2007), which testing was completed in October 2007 (see report dated November 30, 2007). Thereafter, at the request of ACEH, Olson performed periodic groundwater monitoring for a another year. The test results for the groundwater samples all indicate diminished and very low concentrations of petroleum hydrocarbons. Indeed, these concentrations do not represent a threat to human health or the environment at this location.

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It is Olson's understanding and position that all appropriate and necessary remediation and testing for closure has been completed.

In your letter of January 18, 2102, you have requested Olson to address additional technical comments, and perform additional testing and prepare additional reports. These are being requested by your office following receipt of an anonymous "voice mail message regarding a residential well located at one of the notified addresses." You are asking Olson to perform sampling activities (i) on a well for which there is no public record and is used for irrigation purposes only; (ii) on a property for which Olson has no right of access, 160 feet away; and (iii) and test for constituents that would not have originated from the property Olson is developing.

As demonstrated in the enclosed site plan, the groundwater gradient is in the Northwesterly direction, which at best is cross-gradient to the 17107 Via Chiquita property with the water well. Most significantly, the laboratory analysis were reported as "non-detect" before reaching even the middle point of Bockman Road, or 90 feet from the property with the water well. In addition, groundwater sampled from SB-01 and SB-02, locations even closer to the water well, were also "non-detect."

This newly-identified "concern" raised in a voicemail message left for ACEH staff is not legitimate. In Olson's view, it is the appropriate responsibility and role of ACEH to distinguish legitimate technical concerns from those that are not legitimate. We would hope that after the abundance of investigation, remediation and monitoring activities Olson has undertaken – for a problem not of its creation – that ACEH would finally deem it appropriate to grant closure for the subject site. If ACEH determines that additional sampling of the water well in question, or other water wells in the vicinity, is desired, ACEH should make such request(s) of the property owners in question, or of the parties responsible for the presence of the contamination in the environment.

Olson respectfully requests that ACEH reconsider the technical requests set forth in its January 18, 2012 letter, and grant immediate closure for the subject site.

Very truly yours,



KATHERINE M. CHANDLER
Senior Vice President, General Counsel & Secretary

Cc: Preston Brooks, Esq. – Cox, Castle & Nicholson
Kyle Emerson, Stantec
Thomas Moore