



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maureen F. Gorsen, Director
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721



Arnold Schwarzenegger
Governor

December 4, 2006

Marc Babsin
Peralta Street, LLC
501 2nd St., Ste 212
San Francisco, CA 94107

Dear Mr. Babsin:

Based upon the following information, the Department of Toxic Substances Control (DTSC) finds that all response actions, other than long-term operation and maintenance at the Site, have been satisfactorily completed in accordance with the requirements of the Giampolini Site Cleanup Plan approved by DTSC on May 25, 2006.


- The *Remediation Completion Report, 2847 Peralta Street, Oakland, California* (Completion Report) prepared by Treadwell & Rollo, Inc. and dated November 8, 2006 documents the soil excavation and offsite disposal activities, abandonment and installation of monitoring wells, removal of underground storage tanks and hydraulic hoists found during the soil excavation activities, and the confirmation sampling conducted.
- Peralta Street, LLC and DTSC have executed a land use covenant restricting the use of groundwater at this Site and requiring a soil vapor management system that has been recorded with the County of Alameda.
- Peralta Street, LLC has entered into an Operation and Maintenance Agreement with DTSC that includes an adequate plan for long-term operation and maintenance of the groundwater and soil vapor monitoring systems and includes contingency plans for a soil vapor management system. Peralta Street, LLC has demonstrated initial compliance with the Operation and Maintenance Plan.

Therefore, in accordance with the requirements of the California Land Reuse and Redevelopment Act (CLRRRA), the Department of Toxic Substances Control (DTSC) issues the enclosed certificate of completion for the La Vista, LLC Site.

Mr. Marc Babsin
December 4, 2006
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If you have any questions, please contact Janet Naito of my staff at (510) 540-3833 or jnaito@dtsc.ca.gov.

Sincerely,



Barbara J. Cook, P.E., Chief
Northern California
Coastal Cleanup Operations Branch

enclosure

cc: James Sorensen, Director
Alameda County Community Development Agency
224 West Winton Avenue, Suite 110
Hayward, California 94544

Dan Vanderprien
Director of Redevelopment, Economic Development,
Housing and Community Development
1 Frank H. Ogawa Plaza
Oakland, California 94612

David J. Kears, Director
Alameda County Environmental Health
1131 Harbor Bay Parkway
Alameda, California 94502-6577

Leroy Griffin, Assistant Fire Marshall
Hazardous Materials Unit
Oakland Fire Department
1605 Martin Luther King Jr. Way
Oakland, California 94612

Mr. Bill Lightner
Lightner Property Group
612 Howard Street #390
San Francisco, CA 94105

CERTIFICATE OF COMPLETION

California's Land Reuse and Revitalization Act (CLRRA)
California Health and Safety Code, Division 20, Chapters 6.82 and 6.83
Giampolini Site, County of Alameda, Parcel Nos. 007-0589-017, 007-0589-018-3,
007-0589-023, 007-0589-018-02 and 007-0589-016

The Department of Toxic Substances Control (DTSC) entered into CLRRA Agreement, Docket No. HSA-CLRRA 05/06-78 with Peralta Street, LLC on April 11, 2006 to specify the process that will be used to evaluate the Site located at 2847 Peralta Street in Oakland, California ("Site") under CLRRA, facilitate the assessment and remediation of the Site, provide a framework for terms and conditions for qualifying for immunities afforded under CLRRA and provide a framework for reimbursement of DTSC's costs.

The Response Plan prepared pursuant to Health and Safety Code section 25395.96 underwent a thirty day public comment period from April 20 to May 19, 2006 and was approved by DTSC on May 25, 2006.

In accordance with Health and Safety Code section 25395.97, DTSC has determined that:

1. All response actions, other than long-term operation and maintenance at the Site, have been satisfactorily completed in accordance with the approved Response Plan. Response actions taken are described in Exhibit A, attached.
2. Long-term operation and maintenance is required at the Site. Peralta Street, LLC has recorded a land use covenant with Alameda County restricting the use of groundwater, entered into an Operation and Maintenance Agreement with DTSC that includes an adequate plan for long-term operation and maintenance of the groundwater and soil vapor monitoring systems, and has demonstrated initial compliance with the operation and maintenance plan.

Therefore, conditioned upon continuing compliance with the CLRRA and O&M Agreements, DTSC finds that Peralta Street, LLC has properly completed the Response Plan and thus exercised appropriate care with respect to the release or threatened release of hazardous materials identified in the approved Response Plan for this Site.

Issued this 4 day of DECEMBER 2006 by

Name: Barbara J. Cook, P.E., Chief
Coastal Cleanup Operations Branch

Signature: 

Giampolini Site Certificate of Completion

EXHIBIT A

The approximately 1.8-acre Site is located north of the intersection of Peralta and 28th Streets at 2847 Peralta Street in Oakland, Alameda County, California. Circa 1900, the Property was a mix of undeveloped land and residential structures. By 1912, the Property was a combination of residential buildings and storage areas with a warehouse located at the central part of the Property. By 1939, the Site and surrounding area were developed with residential and commercial buildings. By 1951, the Site was occupied by the Morwear Paint Company. Facilities on the Site included a warehouse, varnish kitchen, and paint factory near the southern end and a warehouse, offices, and a storage yard to the northern end. An auto dismantler operated at the Site from the 1980s until 2000. The Giampolini Group occupied the Site from September 2000 until February 22, 2006 when the Site was vacated.

On June 30, 2005, Peralta Street, LLC and the Department entered into a Voluntary Cleanup Agreement for the investigation and cleanup of the Property. On April 11, 2006, pursuant to the California Land Reuse and Revitalization Act of 2004 (CLRRA), Peralta Street, LLC and the Department entered into an agreement (Docket No. HSA-CLRRA 05/06-78) ("CLRRA Agreement") for the investigation and cleanup of the Property.

Soil and groundwater investigations were conducted at the Site between 1999 and 2006. The investigations revealed the presence of chemicals above human health and/or environmental protection criteria.

Soil. Lead, mineral spirits, benzene, and benzo(a)pyrene were found in soil at the Site and polychlorinated biphenyls (PCBs) were detected in sediments collected on top of the pavement in the southern portion of the Site. Lead was reported up to 1,100 milligrams per kilogram (mg/kg) in surface soil near the vacant residential house on the northeast corner and in the former paint storage area in the center of the Site. Mineral spirits and benzene were found in soil in the southwest portion of the Site at concentrations up to 18,000 mg/kg and 1.5 mg/kg, respectively. Benzo(a) pyrene was detected at levels up to 1.8 ppm under the former storage area. PCBs were found in sediments at levels up to 2.4 ppm. The residential cleanup goals for lead, mineral spirits, benzene, benzo(a)pyrene and PCBs were established at 244 mg/kg, 400 mg/kg, 0.18 mg/kg, 0.062 mg/kg and 0.220 mg/kg, respectively.

Soil Gas. Benzene was reported in soil gas up to 170,000 micrograms per cubic meter of air. This is above the California Human Health Screening Level of 36.2 micrograms per cubic meter of air. The benzene is believed to be associated with mineral spirits used in the paint manufacturing process.

Groundwater. Mineral spirits and benzene were found in the groundwater in the southwest corner of the Site at levels up to 810 parts per billion (ppb) and 100 ppb, respectively. This is above the Water Board's screening level of 100 ppb and 1 ppb for mineral spirits and benzene in groundwater.

The Response Plan, prepared pursuant to Health and Safety Code section 25395.96, underwent a thirty day public comment period from April 20 to May 19, 2006 and was

Giampolini Site Certificate of Completion

EXHIBIT A

approved by DTSC on May 25, 2006.

The final remedy consisted of 1) excavation and offsite disposal of soil containing mineral spirits, PAHs, PCBs, benzene and/or lead above residential cleanup goals; 2) placement of oxygen-releasing compounds (ORC[®]) to treat the groundwater; 3) recordation of a land use covenant to restrict the use of groundwater at the Site; and 4) execution of an Operation and Maintenance Agreement to conduct groundwater sampling and soil vapor monitoring. Additionally, during implementation of the final remedy, an area with yellow paint stained soil, three hydraulic hoists and four underground storage tanks were discovered and removed. Soil excavation and offsite disposal activities were initiated on June 9, 2006 and completed on September 15, 2006. 7,199 tons of soil containing mineral spirits, PAHs, PCBs, benzene and/or lead were excavated and disposed offsite. 5,700 gallons of waste water and 12,300 gallons of water/waste petroleum mixture were removed and disposed offsite. 1900 tons of ORC[®] was placed in excavations extending into groundwater.

The confirmation sampling results indicated that soil remediation work has reduced residual concentrations of chemicals of concern to meet the residential cleanup goals in vadose zone soils. No petroleum hydrocarbons in the mineral spirits range were detected in groundwater samples collected following implementation of the soil remedy. Benzene was detected at a concentration of 12 micrograms per liter ($\mu\text{g}/\text{L}$) in groundwater samples collected from MW-2R. Benzene was also detected in soil gas at levels ranging 21 to 85 micrograms per cubic meter of air ($\mu\text{g}/\text{m}^3$) following implementation of the soil remediation work.

A land use covenant requiring implementation of a vapor management system on a portion of the Site, restricting the use of groundwater underlying the Site and requiring non-interference with the groundwater and soil vapor monitoring system was recorded with the County of Alameda Clerk-Recorder on December 1, 2006. On December 1, 2006, Peralta Street, LLC and DTSC executed an Operation and Maintenance Agreement, Docket No. HSA-OMEA 06/07-030. The Operation and Maintenance Plan requires periodic groundwater and soil vapor monitoring. If soil vapor cleanup goals are not achieved prior to building construction, there is a contingency plan to install a vapor management system under buildings on a portion of the Site.



Department of Toxic Substances Control

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Arnold Schwarzenegger
Governor

December 4, 2006

Marc Babsin
Peralta Street, LLC
501 2nd St., Ste 212
San Francisco, CA 94107

Dear Mr. Babsin:

Enclosed is your copy of the executed Operation and Maintenance Agreement Docket No. HSA-OMEA 06/07-030 for your records. Also enclosed is a copy of the signed land use covenant with documentation from the Alameda County's Assessor's Office to indicate that it was recorded on December 1, 2006.

If you have any questions, please contact Janet Naito of my staff at (510) 540-3833 or jnaito@dtsc.ca.gov.

Sincerely,

Barbara J. Cook, P.E., Chief
Northern California
Coastal Cleanup Operations Branch

enclosure

cc: See next page

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Alameda County Community Development Agency
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