

RO 2857

**Wickham, Jerry, Env. Health**

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**To:** Tony Kershaw  
**Subject:** RE: 1187 Solano, environmental, model deed restriction  
**Attachments:** Alameda County's Model Deed Restriction (Final) 11-29-00.doc

Model deed restriction is attached.

Regards,  
*Jerry Wickham*  
Hazardous Materials Specialist  
Alameda County Environmental Health  
1131 Harbor Bay Parkway  
Suite 250  
Alameda, CA 94502-6577  
510-567-6791 phone  
510-337-9335 Fax  
jerry.wickham@acgov.org

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**From:** Tony Kershaw [mailto:tkershaw@pacbell.net]  
**Sent:** Monday, July 24, 2006 12:13 PM  
**To:** Wickham, Jerry, Env. Health  
**Cc:** Kathy Condron  
**Subject:** 1187 Solano, environmental, model deed restriction

Hello Mr. Wickham, I would like copy of 'model' deed restriction for Alameda Co, per your 7/5/06 letter to me. Our SLIC case is RO0002857, Albany 1-Hour Cleaners, 1187 Solano Ave, Albany. Our future plans for that property includes only commercial uses. Thanks,

TONY KERSHAW  
KERSHAW INVESTMENTS  
P. O. BOX 9026, BERKELEY, CA 94709-0026  
Telephone: 510-524-8122, Fax: 510-524-3264  
Email: tkershaw@pacbell.net

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



7

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

July 5, 2006

Mr. J. Anthony Kershaw  
Solano Group  
P.O. Box 9026  
Berkeley, CA 94709

Subject: SLIC Case ~~XXXXXXXXXX~~ Albany 1-Hour Cleaners, 1187 Solano Avenue, Albany, CA

Dear Mr. Kershaw:

Alameda County Environmental Health (ACEH) staff has reviewed the Spills, Leaks, Investigations, and Cleanups (SLIC) case file for the above-referenced site and the document entitled, "Soil Gas Investigation and Health Risk Assessment Performed at 1 Hour Cleaners," dated June 8, 2006, and prepared on your behalf by Avalon Environmental Consultants. The report presents the results of soil gas sampling conducted at four locations and includes a human health risk assessment. Based on the soil gas sampling results, the report concluded that the concentrations of the chemicals of potential concern, including tetrachloroethene (PCE), were within acceptable risk levels for commercial workers for incremental lifetime cancer risk (ILCR) and for noncancer hazard index. The report recommends no further investigation at this time.

We concur that the ILCR and hazard index are within the acceptable range for indoor vapor intrusion for indoor commercial workers. However, the concentration of PCE detected in soil gas exceeds the acceptable level for unrestricted future land use. If regulatory closure with unrestricted future land use is requested for this site, please submit a corrective action plan to cleanup the site to levels that will allow unrestricted land use. If regulatory closure for commercial land use is requested, please submit a request for closure for future commercial land use and a draft deed restriction limiting future land use. An electronic copy of a "model" deed restriction for Alameda County may be obtained by sending a request in an electronic mail message to me at [jerry.wickham@acgov.org](mailto:jerry.wickham@acgov.org).

We request that you perform the proposed work and send us the technical reports requested below.

**TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **September 20, 2006** – Draft Deed Restriction and Request for Regulatory Closure for Commercial Land Use or Corrective Action Plan (for Unrestricted Future Land Use)

responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

#### 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. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." 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)).

#### 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.

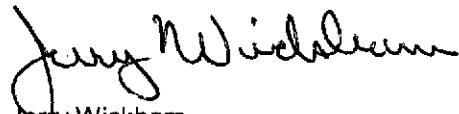
Mr. J. Anthony Kershaw  
July 5, 2006  
Page 3

**AGENCY OVERSIGHT**

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Trevor Santochi  
Avalon Environmental Consultants, Inc.  
131 North Tustin Avenue, Suite 213  
Tustin, CA 92780

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



7

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

January 24, 2006

Mr. J. Anthony Kershaw  
Kershaw Investments  
P.O. Box 9026  
Berkeley, CA 94709

Subject: SLIC Case [REDACTED], Albany 1-Hour Cleaners, 1187 Solano Avenue, Albany, CA –  
Work Plan Approval

Dear Mr. Kershaw:

Alameda County Environmental Health (ACEH) staff has reviewed the Spills, Leaks, Investigations, and Cleanups (SLIC) case file for the above-referenced site and the document entitled, "Work Plan for Soil Gas Investigation and Health Risk Assessment at 1 Hour Cleaners," dated January 11, 2006, and prepared on your behalf by Avalon Environmental Consultants. The Work Plan proposes a soil gas investigation that will include four soil borings located in or near the area of the dry cleaning space where tetrachloroethene (PCE) was detected in soil. ACEH concurs with the soil gas investigation as proposed.

We request that you perform the proposed work and send us the technical reports requested below.

**TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **May 25, 2006 – Soil Gas Investigation Results**

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

**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. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." 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 [jerry.wickham@acgov.org](mailto:jerry.wickham@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.

#### AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

Mr. J. Anthony Kershaw  
January 24, 2006  
Page 3

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Trevor Santochi  
Avalon Environmental Consultants, Inc.  
131 North Tustin Avenue, Suite 213  
Tustin, CA 92780

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



7

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

November 4, 2005

Mr. J. Anthony Kershaw  
Kershaw Investments  
P.O. Box 9026  
Berkeley, CA 94709

Subject: SLIC Case [REDACTED] Albany 1-Hour Cleaners, 1187 Solano Avenue, Albany, CA

Dear Mr. Kershaw:

Alameda County Environmental Health (ACEH) staff has reviewed the Spills, Leaks, Investigations, and Cleanups (SLIC) case file for the above-referenced site and the report entitled, "Phase II Subsurface Groundwater Assessment," dated May 4, 2005, prepared on your behalf by Avalon Environmental Consultants. The "Phase II Subsurface Groundwater Assessment" documents the results of soil and groundwater sampling activities conducted at the site in April 2005. Soil samples were also collected from three locations inside the building during a previous phase of investigation conducted in November 2004. During the November 2004 investigation, tetrachloroethene (PCE) was detected in shallow soil beneath a portion of the building at concentrations exceeding Environmental Screening Levels (San Francisco Bay Regional Water Quality Control Board, February 2005) [ESLs] for evaluation of potential vapor intrusion concerns. PCE was not detected in groundwater samples collected in April 2005 but was detected in soil samples collected at a depth of 10 feet below ground surface in four of the five sampling locations outside the building. Based on these results, we request that you conduct additional investigation to assess potential risks from indoor vapor intrusion by PCE. **We request that you submit a work plan to address the items discussed in the technical comments below by January 16, 2006.**

We request that you address the following technical comments, perform the proposed work, and send us the technical reports requested below.

**TECHNICAL COMMENTS**

- 1. Potential for Indoor Vapor Intrusion.** The concentrations of PCE in soil beneath the facility exceed the ESLs for vapor intrusion under a building for commercial or residential use. In order to more directly evaluate the potential risks from vapor intrusion, ACEH requests that a soil gas investigation be conducted. Soil gas samples are to be collected from areas with elevated concentrations of PCE to evaluate potential risks from indoor vapor intrusion. Please refer to the January 28, 2003 DTSC/RWQCB-LAR *Advisory – Active Soil Gas Investigations* and the December 15, 2004 DTSC *Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air* to help plan the soil gas investigation. Please present your plans to collect soil gas samples and address the potential for indoor vapor intrusion in the work plan requested below.



2. **Lateral Extent of PCE in Soil.** PCE was detected in soil at a depth of 10 feet below ground surface (bgs) in 4 of the 5 sampling locations during the April 2005 investigation. All of these sampling locations are outside the building and are up to approximately 90 feet from the suspected source of PCE (dry cleaning machine). The depth to groundwater is reported to be greater than 20 feet bgs at the site. Please describe the suspected transport mechanism by which PCE migrated more than 90 feet from the suspected source in soil at depths of 10 feet bgs. Please present your evaluation in the work plan requested below. Please include plans in the work plan requested below to address any data gaps identified by this evaluation.
3. **Sensitive Receptors.** Please identify any sensitive receptors such as schools, day care centers, or medical care facilities within 100 feet of the site.

#### **TECHNICAL REPORT REQUEST**

Please submit technical reports to Alameda County Environmental Health (Attention: Jerry Wickham), according to the following schedule:

- **January 16, 2006** - Work Plan for Subsurface Investigation
- **120 days after ACEH approval of Work Plan** – Subsurface Investigation Report

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

#### **ELECTRONIC SUBMITTAL OF REPORTS**

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 is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

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

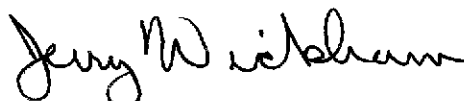
The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For 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.

AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Trevor Santochi, Avalon Environmental Consultants, Inc., 131 North Tustin Avenue,  
Suite 213, Tustin, CA 92780

Donna Drogos, ACEH  
Jerry Wickham, ACEH  
File



131 NORTH TUSTIN AVENUE • SUITE 213 • TUSTIN, CALIFORNIA 92780  
TEL: (714) 836-6632 • FAX: (714) 836-6642

941 SHOREPOINT COURT • SUITE F121 • ALAMEDA, CALIFORNIA 94501  
TEL: (510) 521-2441 • FAX: (510) 521-2607

May 20, 2005

Mr. Robert Schultz, P.G.  
Alameda County Environmental Health Department  
1131 Harbor Bay Parkway  
Alameda, California 94502-6577

**Subject: Transmittal of Phase II Groundwater Assessment at 1 Hour Cleaners located at 1187 Solano Avenue, Albany, California 94709.**

Dear Mr. Schultz:

Attached is one copy of the Phase II Groundwater Assessment performed at 1187 Solano Avenue in Albany, California. We are pleased to inform you that we did not encounter any groundwater contamination at the site. We are recommending no further action.

Should you have any questions or require further information, please feel free to contact me at (510) 521-2441.

Sincerely,  
**AVALON ENVIRONMENTAL CONSULTANTS, INC.**

A handwritten signature in black ink, appearing to read "Trevor Santochi", is written over a horizontal dotted line.

Trevor Santochi, RG, CEG  
President

CC: J. Anthony Kershaw, Solano Group.

RECEIVED  
MAY 21 2005  
ALAMEDA COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



F

April 6, 2005

Tony Kershaw  
Kershaw Investments  
P.O. Box 9026  
Berkeley, California 94709

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

Subject: Toxics Case No. ~~1000000057~~ 57, Albany 1-Hour Cleaners, Dry Cleaning Facility at  
1187 Solano Ave., Albany, California

Dear Mr. Kershaw:

Alameda County Environmental Health (ACEH) has reviewed your March 29, 2005, *Revised Work Plan for Groundwater Assessment* and the case file for the above-referenced site. We concur with your workplan provided the following conditions are met:

1. The final report will include summary figures and cumulative data tables presenting all current and historical sampling locations and analytical data. At a minimum, two tables will be included in the report, one for soil and one for groundwater, that present all data for the site including sample identification, sampling dates, sample depths, depth to water measurement, analytical results, etc. A scaled boring log will be prepared for each boring advanced during the investigation. The final investigation report will include recommendations for any necessary corrective action to progress this case towards regulatory closure.
2. Technical comments Nos. 1 and 2, below, will be addressed prior to drilling.
3. As required by 23 CCR 3890 through 3895, all analytical data, monitoring well locations and top-of-casing elevations will be uploaded to the State Geotracker database. Confirmation will be submitted to ACEH in the report requested below.
4. 72-hr advance written notification (email preferred) will be provided to ACEH prior to field sampling activities.

Please implement the proposed investigation and submit technical reports following the schedule below. In addition, we request that you address the following technical comments in your report.

**TECHNICAL COMMENTS**

1. Groundwater Investigation

No additional evaluation of the likely groundwater flow direction at the site was presented in the revised workplan. An additional groundwater sampling locations appear necessary west of the site. We recommend including a boring in the location shown on the attached figure.

2. Operational History and Historical Layout

No discussion of site use prior to 1986 was provided in the revised workplan. The presence or absence of dry cleaning operations prior to 1986 needs to be confirmed. If dry cleaning was performed at the site prior to 1986, the site layout needs to be shown.

## REPORT REQUEST

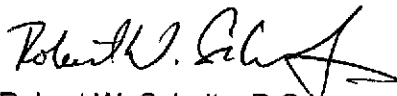
Please submit your *Groundwater Assessment Report*, which addresses the comments above, by **July 7, 2005**. Any extension in the above deadline must be confirmed in writing by ACEH staff.

### Professional Certification and 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 call me at (510) 567-6719 with any questions regarding this case.

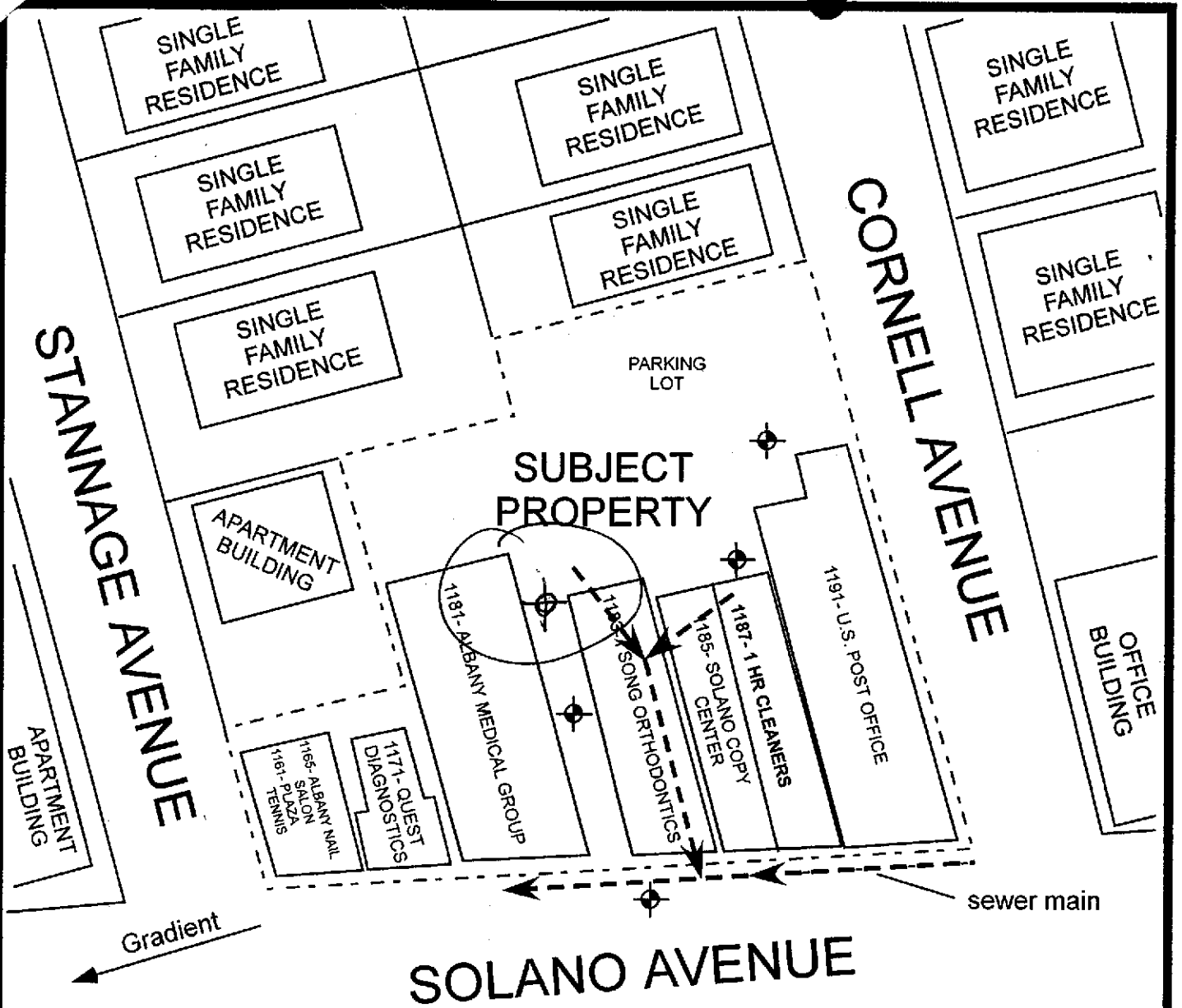
Sincerely,





Robert W. Schultz, P.G.  
Hazardous Materials Specialist

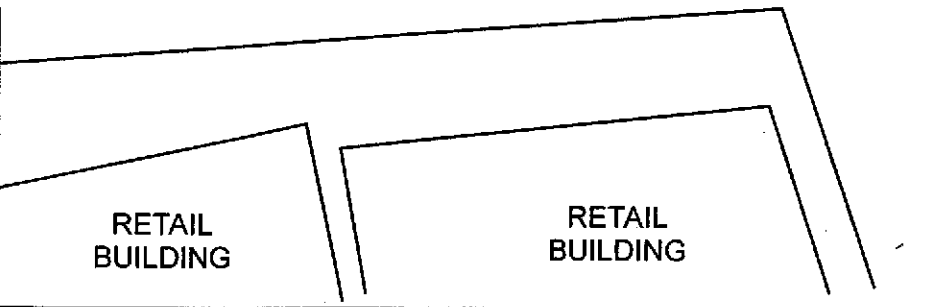
cc: Trevor Santochi, Avalon Environmental Consultants, Inc., 131 North Tustin Ave., Ste.  
213, Tustin, CA 92780  
Donna Drogos, ACEH  
File, ACEH

attachment: site location plan



**LEGEND**

-  Approximate location of proposed probes to groundwater
-  Approximate location and direction of sewer lines



**SITE LOCATION PLAN (Location of proposed borings)**

N

Site Address: 1161-1191 Solano Avenue	Client Name: Kershaw Investments
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Site City/State: Albany, California	Project No.: 0420-458-3
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 <p>AVALON ENVIRONMENTAL CONSULTANTS, INC. ALAMEDA, CALIFORNIA</p>	 <p>0 30 60 feet</p>	<p><b>FIGURE 1</b></p>
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PO-2857

131 NORTH TUSTIN AVENUE • SUITE 213 • TUSTIN, CALIFORNIA 92780  
TEL: (714) 836-6632 • FAX: (714) 836-6642

941 SHOREPOINT COURT • SUITE F121 • ALAMEDA, CALIFORNIA 94501  
TEL: (510) 521-2441 • FAX: (510) 521-2607

Alameda County  
APR 01 2005  
Environmental Health

March 30, 2005

Mr. Robert Schultz, P.G.  
Alameda County Environmental Health Department  
1131 Harbor Bay Parkway  
Alameda, California 94502-6577

**Subject: Transmittal for Revised Work Plan, Groundwater Assessment at 1 Hour Cleaners located at 1187 Solano Avenue, Albany, California 94709.**

Dear Mr. Schultz:

Attached is a revised proposal for the proposed groundwater investigation at 1 Hour Cleaners in Albany, California. We are scheduled to perform the geoprobe borings on April 20, 2005. A review of our revised workplan prior to that date would be greatly appreciated.

Should you have any questions or require further information, please feel free to contact Mohammad Navid or myself at (510) 521-2441.

Sincerely,  
**AVALON ENVIRONMENTAL CONSULTANTS, INC.**

A handwritten signature in black ink, appearing to read "Trevor Santochi", written over a horizontal line.

Trevor Santochi, RG, CEG  
President

CC: Jim Walker, Washington Mutual  
Mohammad Navid, Avalon Environmental Consultants, Inc.  
J. Anthony Kershaw, Solano Group.

**Schultz, Robert, Env. Health**

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2857  
PO - ~~2857~~

**From:** Tony Kershaw [tkershaw@pacbell.net]  
**Sent:** Thursday, March 10, 2005 9:13 AM  
**To:** Schultz, Robert, Env. Health; TSantochi@aol.com  
**Subject:** 1187 Solano, Albany, envir

Hi Robert, just making email contact for the 3 of us. Thanks, Tony

TONY KERSHAW, KERSHAW INVESTMENTS  
P. O. BOX 9026, BERKELEY, CA 94709-0026  
Telephone: 510-524-8122, Fax: 510-524-3264  
Email: tkershaw@pacbell.net





March 10, 2005

Tony Kershaw  
Kershaw Investments  
P.O. Box 9026  
Berkeley, California 94709

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

Subject: Toxics Case No. RO0002857, Albany 1-Hour Cleaners, Dry Cleaning Facility at  
1187 Solano Ave., Albany, California

Dear Mr. Kershaw:

Alameda County Environmental Health (ACEH) has reviewed your January 19, 2005, *Work Plan for Groundwater Assessment* and the November 10, 2004, *Phase II Subsurface Site Assessment* for the above-referenced site. As part of a property transaction screening evaluation performed by Avalon Environmental Consultants, Inc., up to 1.1 mg/kg tetrachloroethene (PCE) and 0.0059 mg/kg trichloroethene (TCE) were detected in soil beneath a dry cleaning facility. Your workplan proposes offsite sampling to evaluate the potential for groundwater impact. ACEH requests that you modify your workplan, present additional information regarding the conditions of the release, and, if necessary, propose additional sampling to fully characterize the contamination. Please revise your workplan and submit an addendum which addresses the technical comments below. This request is made in the interest of minimizing the number of iterations of field work to be performed, and to thereby reduce both the time period and costs for the case to progress to closure.

## TECHNICAL COMMENTS

### 1. Groundwater Investigation

Avalon proposes 4 soil borings continuously cored to 40 ft bgs in the parking lot and driveway near the facility. Avalon anticipates the depth-to-water beneath the site to be 40 ft. There is no distance scale provided for the workplan figure showing the proposed boring locations. Accordingly, it is not clear whether or not the figure is a scaled drawing, and we are not able to evaluate the appropriateness of either the number of proposed borings or the proposed locations. If it is not possible to drill to groundwater inside the dry cleaner space, we recommend that you consider installing borings immediately adjacent to the rear building entry. Also, depending on your findings in response to Comment #2, below, a boring may be necessary near the sewer lateral where it exits the building. As part of your revised workplan, we recommend that you present additional information regarding the likely groundwater flow direction at the site.

### 2. Operational History and Historical Layout

Your Phase II report states that the dry cleaning equipment was located in the northern portion of the building. Please include a map with your revised workplan that indicates the historical locations of all equipment using PCE and showing all historical PCE storage locations. The map should also include the locations of sewer laterals. Based on our March 10, 2005, telephone conversation, we understand that the building has been occupied by a dry cleaning facility for approximately the past 20 years, and that the dry cleaning equipment was recently upgraded.

Please confirm the operational history and historical layout of your facility in the revised workplan requested below.

### 3. Soil Vapor Assessment

If significant groundwater contamination is detected, a soil vapor assessment may be necessary to evaluate any potential risks to human health via the indoor air exposure pathway. Analysis of soil vapor from beneath the area where most PCE handling and storage historically occurred would also help evaluate the significance of the release. Please refer to the January 28, 2003, DTSC/RWQCB-LAR *Advisory – Active Soil Gas Investigations* and the December 15, 2004, DTSC *Guidance For The Evaluation And Mitigation Of Subsurface Vapor Intrusion To Indoor Air* should you find that this potential concern needs to be addressed.

### 4. Delineation of Soil Contamination

Depending on the results of your evaluation of historical layout and operational history, additional soil sampling may be necessary. Prior to issuing case closure or cleanup certification, we require that you define the likely vertical and horizontal extent of contamination. As part of your workplan, we recommend that you determine whether or not additional soil sampling is necessary to define the extent of PCE and TCE in soil and whether or not further assessment based on the site history is necessary.

## REPORT REQUEST

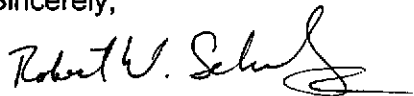
Please submit your *Soil and Groundwater Investigation Report*, which addresses the comments above by **June 7, 2005**. Any extension in the above deadline must be confirmed in writing by ACEH staff.

### Professional Certification and 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 call me at (510) 567-6719 with any questions regarding this case.

Sincerely,



Robert W. Schultz, P.G.  
Hazardous Materials Specialist

cc: Trevor Santochi, Avalon Environmental Consultants, Inc., 131 North Tustin Ave., Ste.  
213, Tustin, CA 92780  
Donna Drogos, ACEH  
Robert W. Schultz, ACEH

KERSHAW INVESTMENTS  
P.O. BOX 9026  
BERKELEY, CA 94709

Telephone: 510-524-8122  
FAX: 510-524-3264  
Email: tkershaw@pacbell.net

March 8, 2005

Mr. Robert Schultz  
Alameda County Environmental Health Dept.  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577

Alameda County  
MAR 11 2005  
Environmental Health

Re: Work Plan for 1187 Solano Ave, Albany, Ca 94706 submitted 1/19/05 by Avalon Environmental Consultants; Solano Group, owner

Dear Mr. Schultz:

Thank you for taking a few minutes to talk to me last week and letting us know that current response time for your department is around 60 days. We were concerned because when we first contacted Donna Dragos in November, she said it was 4 to 6 weeks, but I understand that the Livermore case, which I've read about in the news, has had an impact on your office.

Our engineer sent the request for plan approval about six weeks ago, so we're assuming we will receive response from you within a week or two. The time this process has taken has had a cost impact on us. If we have no ground water contamination, we are facing only additional costs associated extending our current loan due date, because of our current inability to refinance. The reason why I especially appreciate your willingness to move us up, however, is that if we do have groundwater contamination, we may miss the opportunity to collect our costs from the responsible party, the previous owner of the dry cleaner who is selling his remaining asset in this country and plans to move overseas.

Sincerely,

  
Kathy Condon

Cc: Tony Kershaw, Solano Group  
Trevor Santochi, Avalon Environmental

KERSHAW INVESTMENTS  
P.O. BOX 9026  
BERKELEY, CA 94709

Telephone: 510-524-8122  
FAX: 510-524-3264  
Email: tkershaw@pacbell.net

## TRANSMITTAL

TO: County of Alameda  
Dept. of Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577

Date: November 29, 2004

Attn: Ariu Levi

FROM: Tony Kershaw

RE: Avalon Envir. Consultants report

ENCLOSED: \$3,000 check #1751 to Alameda County and  
Site Assessment on 1187 Solano Ave, Albany; proj # 0420-458-2

Dear Ariu:

Thanks for your advice today. We have a refinance loan pending in escrow, and we'd like to proceed with and resolve this as soon as possible. Please let me know what should be done next.

Sincerely,

  
Tony Kershaw

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All mail should be sent to our mailing address at P. O. Box address above.  
Overnight courier or messenger delivery should be to our office address:  
KERSHAW INVESTMENTS, 600 SAN PABLO AVE., STE. 203, ALBANY, CA 94706

**SOLANO GROUP**  
P.O. BOX 9026  
BERKELEY, CA 94709

**BANK OF AMERICA**  
BERKELEY MAIN BRANCH 0175 (510) 649-6600  
2129 SHATTUCK AVENUE  
BERKELEY, CA 94704

**1751**  
11-35  
1210

11/29/2004

PAY TO THE  
ORDER OF County of Alameda

\$ \*\*3,000.00

Three Thousand and 00/100\*\*\*\*\*

DOLLARS

County of Alameda  
Dept. of Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577

MEMO

project #0420-458-2; 1187 Solano Ave, Albany



⑈001751⑈ ⑆121000358⑆ 01756⑈ 17003⑈

**SOLANO GROUP**

County of Alameda  
6870 · Inspection fees

Ph.II Environmental

11/29/2004

**1751**  
3,000.00

BOA

project #0420-458-2; 1187 Solano Ave, Albany

3,000.00

Details on back.  
Security Features Included