A·C·C ENVIRONMENTAL CONSULTANTS
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July 6, 2009

Ms. Barbara Jakub, P.G.
Hazardous Materials Specialist
Alameda County Environmental Health Services
1131 Harbor Way Parkway, Suite 250
Alameda, CA 94502-6577

RE: Response to Alameda County Environmental Health
Letter Dated November 6, 2008
160 14th Street, Oakland, California
Fuel Leak Case No. RO0002922
Geotracker Global ID T06019782296

Dear Ms. Jakub:

ACC Environmental Consultants, Inc., (ACC) has prepared this letter to respond to the November 6, 2008 letter sent from your office to the four identified responsible parties associated with the property located at 160 14th Street. The purpose of the letter is to address your concerns about the subject property and to again make the case for regulatory agency closure.

The subject property was formerly a service station. Following the demolition of the station in 1986, the property was paved and converted into a parking lot. In 2006, redevelopment of the property began and was completed in April 2008. The property is currently occupied by an eight-story, mixed-use building consisting of ground floor retail and parking garage with the remaining seven floors of used for residential apartments. The footprint of the building covers the entire parcel.

1. Dissolved Contamination Plume Definition

As stated above, the subject site was redeveloped in 2008. During the construction project approximately 8,000 tons of soil were excavated and removed from the site. The majority of the soil was removed from the stacked parking area located on the north side of the property. This excavation was approximately 150 feet long, 20-feet wide and 15-feet deep and included the area where the former USTs were located. In addition, based on billing from the East Bay Municipal Utility District (EBMUD), approximately 90,000 gallons of water were treated and discharged as part of site dewatering activities. Discharged water met EBMUD discharge requirements. Due to the current use of the property and because of the presence of a vapor barrier between the soil and building slab, it is not advisable to perform any subsurface investigations in the area of the former USTs.

2. Soil Vapor Sampling

A Tier 1 Human Health Risk Evaluation was performed for the subject property in May 2006 (see *Tier 1 Human Health Risk Evaluation*, dated June 1, 2006). The evaluation was based on groundwater samples collected at the

site in April 2006. The findings of the evaluation determined that by using environmental screening levels (ESLs) as established by the Regional Water Quality Control Board (RWQCB), the concentration of PCE ranged from 780 to 820 µg/L in groundwater in saturated silty sands below 10-feet below ground surface. Because the site development is a combination of groundfloor parking and retail, commercial ESLs (1,360 µg/L) were used to evaluate the data. Based on an average PCE concentration of 800 µg/L, the commercial ESLs were not exceeded.

Soil samples collected at the site (See Section 3) indicated no detectable to very low concentrations that were of TPHg, TPHd and BTEX.

During the course of the site development, approximately 8,000 tons of soil were excavated and removed from the site (see attached manifest copies). In addition, groundwater was treated and released under permit from the East Bay Municipal Utilities District during construction dewatering activities. A Stego® Wrap 15-mil Class A vapor barrier was installed prior to the installation of the slab-on-grade for the parking garage and ground floor commercial space. In addition, a Volclay Voltex DS bentonite waterproofing barrier was installed in the below grade parking garage lift area.

As the building footprint covers the entire lot, it would not be possible to advance borings to collect soil vapor samples without penetrating the vapor barrier and voiding it's warranty. Furthermore, the vapor barrier is mitigating any potential exposure pathways. The parking garage is well ventilated and based on the findings of the Tier 1 Human Health Risk Evaluation, the ESLs for commercial space are greater than the concentrations documented at the site. It is ACC's belief that soil vapor sampling is not necessary as the risk for exposure does not exist. Lastly, there is no historical evidence to suggest that PCE was used at the subject property, however, the dry cleaner that adjoins the subject property to the west is the likely source of the PCE detected at the subject property.

3. Source Area Characterization

In July 2001, three soil borings were advanced on the subject property. Analytical results from SB1 (13-feet bgs) reported benzene at 0.014 ppm. All other analyzed constituents were non-detect. The soil sample from 15.5-feet bgs was non-detect for TPHg, BTEX and MTBE. TEPH was not analyzed in this sample.

Analytical results for the soil samples collected from SB2 at 8-feet bgs reported TPHg at 87ppm, benzene at 1.8 ppm, TEPH as diesel at 100 ppm and TEPH as motor oil at 600 ppm. The soil sample collected from 13.0-feet bgs was non-detect for TPHg, BTEX and MTBE. This sample was not analyzed for TEPH. Analyzed constituents were below the Region 9 PRGs.

The grab groundwater sample from SB1 indicated concentrations of TPHg at 78 µg/L, TEPH at 340 µg/L for diesel, 5.7 µg/L for benzene, 1.9 µg/L ethylbenzene and 6.1µg/L for HVOCs, specifically, tetrachloroethene. The grab groundwater sample from SB3 was analyzed for HVOCs only. Analytical results indicated the presence of tetrachloroethene at 2.6 µg/L.

In April 2006, six soil borings were advanced (B-1 through B-6) in areas proposed for excavation. The borings were advanced to depths ranging from 12 to 20-feet bgs. Samples were analyzed for TPHg, BTEX and MTBE. No constituents of concern were detected in B-1 at 10.5-feet bgs or B-4 at 6-feet bgs. 0.0064 ppm of ethylbenzene was detected in B-6 at 8-feet bgs. Lead was detected in borings B-4 (3-feet bgs), B-5 (2-feet bgs) and B-6 (4-feet bgs) at concentrations of 2.7, 5.0 and 3.2 ppm respectively. A composite sample obtained from B-2 and analyzed for Cam 17 Metals indicated the presence of lead at 18 ppm. Again, analytical results indicated that detected constituents of concern were below the Region 9 PRGs.

In July 2006, ACC collected samples from stockpiled soil that had a gasoline odor. Due to the small volume of soil, two discrete soil samples were collected; Comp. 1 and Comp. 2. Samples were analyzed for TPHg, BTEX and MTBE. Analytical results indicated concentrations of ethylbenzene and total xylenes at 0.005 ppm were detected in Comp. 1. Comp. 2 was non-detect.

Additional soil sampling was performed in August 2006 from drill spoils from holes advanced by the General Contractor in the area of proposed excavation. Discrete soil samples were collected in the field and composited by the laboratory. Five composite samples (Composite 1 through Composite 5) were analyzed for TPHg, BTEX, MTBE, TEPH as diesel, TEPH as motor oil and CAM17 Metals. The sample locations and results are as follows:

Sample ID	Depth of Sample	TEPH as Diesel (ppm)	TEPH as Motor Oil (ppm)
Composite 1	Surface to 5' bgs (NW of former USTs)	2.2*	18
Composite 2	5' to 10' bgs (NW of former USTs)	1.5*	13
Composite 3	Surface to 5' bgs (at former USTs and SE of former USTs)	53*	150
Composite 4	5' to 15' bgs (near former USTs and SE of former USTs	5.8*	13
Composite 5	Surface to 10' bgs (primary area of excavation)	1.2*	7.2

*Analytical results did not match the laboratory standard for diesel

Sample ID	TPHg (ppm)	Benzene (ppm)	Toluene (ppm)	Ethylbenzene (ppm)	Total Xylenes (ppm)	MTBE (ppm)
Composite 1	<0.93	<0.005	<0.005	0.005	0.005	<0.005
Composite 2	<0.94	<0.005	<0.005	<0.005	<0.005	<0.005
Composite 3	<0.89	<0.005	<0.005	0.069	<0.005	<0.005
Composite 4	<0.96	<0.005	<0.005	<0.005	<0.005	<0.005
Composite 5	<1.0	<0.005	<0.005	<0.005	<0.005	<0.005

Analytical results for CAM17 Metals are as follows:

Constituent	B2-COMP	North Bay Average*	Residential PRG**
Antimony	<2.9	1.3-10	31
Arsenic	2.9	6-16	22
Barium	68	500	5,400
Beryllium	0.22	<1	1,100
Cadmium	<0.24	---	1,400
Chromium	36	100-700	210
Cobalt	5.7	15-70	900
Copper	8.9	50-300	3,100
Lead	18	30-300	255
Mercury	0.066	0.082-0.13	23
Molybdenum	<0.97	<3	390

Constituent	B2-COMP	North Bay Average*	Residential PRG**
Nickel	23	30-200	1,600
Selenium	<0.24	0.5	390
Silver	<0.24	---	390
Thallium	<0.24	---	5.2
Vanadium	32	150-500	78
Zinc	42	150-500	23,000

* According to United States Geologic Survey Professional Paper 1270
** Residential Preliminary Remediation Goal set by USEPA Region 9 as of October 2004

STLC soluble lead was run on Composite 3 and soluble chromium was run on samples Composite-1, 2, 3 and 5. No detectable soluble chromium by STLC was detected. STLC soluble lead analysis of Composite 3 was 2.2 µg/L.

On September 1, 2006, two sidewall samples were collected along the excavation boundary. The samples, designated SW-S-16.0 (south portion of excavation at 16-feet bgs) and SW-W-21.0 (west portion of excavation at 21-feet bgs) were analyzed for TPHg, BTEX and MTBE. No detectable concentrations of TPHG, BTEX or MTBE were detected in SW-S-16.0. Minor concentrations of TPHg (1.9 ppm) and ethylbenzene (0.34 ppm) were reported.

On September 6, 2006, additional samples were collected from the east and west sidewalls and analyzed for TPHg, BTEX and MTBE. The sample from the west sidewall was collected at a depth of 14-feet bgs and approximately 13-feet from the western property boundary. The sample from the east sidewall was collected at a depth of 14.5-feet bgs. No analytes were detected in either sample.

On December 4, 2006, four discrete sidewall samples were collected and composited into a single soil sample S-Comp. The sample was analyzed for TPHg, BTEX, TEPH and CAM17. Concentrations of TPHg and BTEX were below laboratory reporting limits. TEPH as diesel was reported at 3.3 ppm while TEPH as Motor Oil was reported at 15 ppm. The lead concentration in the sample was reported at 46 ppm.

It is ACC's opinion that the soil and groundwater sampling performed at the site prior to and during construction activities adequately characterized site conditions and further source area characterization is unwarranted.

4. EDB and EDC Analysis

Neither EDB or EDC analysis was performed during any of the soil or groundwater sampling conducted at the site. Due to the fact that the site has been redeveloped and that both vapor and moisture barriers are in place, conducting soil and groundwater sampling at the site is not practical.

5. Soil and Groundwater Disposal

Approximately 8,000 tons of soil were excavated and removed from the site (see attached manifests). Approximately 90,000 gallons of water removed from the excavation was treated and discharged under an EBMUD discharge permit.

6. Geotracker Compliance

ACEH has identified four responsible parties (RPs) for the subject site. Of the four, Affordable Housing Association, Inc., (AHA) (aka Madison Street Lofts) is in the process of completing the form required to enable reports to be uploaded to Geotracker. Once the form is completed and log-in information has been received, all documents related to this site will be uploaded to Geotracker. ACC, on behalf of AHA, has uploaded reports to the ACEH server.

Request for Information

Additional information as requested has been uploaded to the ACEH file server.

Project Summary

It is ACC's opinion that the site has been characterized and that construction activities conducted at the site have removed the hydrocarbon impacted soil from the site and have mitigated any potential exposure pathways. Groundwater encountered during construction activities was treated and discharged under permit from EBMUD. A subsurface soil and groundwater investigation is not feasible at this time due to the presence of the vapor barrier system in place under the building slab. Finally, a Tier 1 Human Health Risk Assessment performed by ACC determined that environmental screening levels were not exceeded.

On behalf of Affordable Housing Associates, ACC requests that the Site be formally evaluated for full regulatory closure relative to the former USTs and that a finding of no further action be approved.

Thank you for your time and consideration. If you have any questions, please call me at (510) 638-8400, extension 108 or email me at ssouthern@accenv.com.

Sincerely,

Stephen Southern, REA I, CAC
Senior Project Manager

Reviewed By:

Misty C. Kaltreider
Engineering Geologist

Attachment

cc: Susan Friedland, Executive Director
Madison Street Lofts, L.P.
c/o Affordable Housing Associates, general partner