



CITY OF EMERYVILLE

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Alameda County
Environmental Health

September 10, 2010

Mark Detterman, PG, CEG
Hazardous Materials Specialist
Alameda County Environmental Health Department
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502

RE: Response to Request for Additional Information; Fuel Leak Case No. RO0002973 and Geotracker Global ID T0619717287, Ambassador Laundry, 3623 Adeline St., Emeryville, CA 94608

Dear Mr. Detterman:

In keeping with our conversation of several weeks ago, this letter conveys additional information, the corrected boring logs and cross-sections from Kleinfelder, and the results of my review of the project file. This is coming to you from me instead of our service provider because the Kleinfelder contract and the EPA grant upon which it was based have been exhausted.

You'll recognize some of what follows below as similar in form to what I sent by email prior to our meeting of August 3rd.

As I reviewed the file for detail with which to supplement the boring logs and help increase the overall confidence level I noticed the dates of project activity relative to the 2009 SWRCB "No Further Directives" decree. The workplan describing the investigation to be conducted by Kleinfelder was submitted prior to this important date (in fact, the workplan was submitted, reviewed and submitted again a couple of times); concurrence by your predecessor was provided on January 9, 2009.

From the record, it's pretty clear that by the time the Kleinfelder scope was approved it addressed every aspect of site environmental conditions that the agency believed in need of evaluation. I understand and appreciate your desire to treat this matter thoroughly; the City of Emeryville shares your priority of making certain that this site is redeveloped as a badly needed amenity safely and responsibly.

Hopefully this letter with the needed information will arrive while the project file is still on your desk (that was our intention). As we discussed, to make the affordable housing project "pencil" Resources for Community Development (the developer) must apply for grant funding and tax credits. The applications require that the project be free and clear of potential impediments – including open environmental case files. It's my hope that I'll have given you all you require

with this transmittal. If there is anything lacking, please call me at your earliest convenience. The tax credit and grants window is closing quickly.

Technical information is presented below in an arrangement similar to the issue areas called out in your recent letter.

Source (Occurrence) of Shallow Groundwater (and Groundwater Contamination)/Soil Bore Logs

Thanks for pointing out the error in the Kleinfelder well logs. This mistake has been corrected; the revised logs show the correct value for first encountered groundwater. The wells are screened in the appropriate intervals.

Review of the technical record shows signs of the occurrence of ephemeral groundwater along the southern border of the site. This water was not present at the time of the Kleinfelder CPT exploration; its potential historic signature seems apparent by the indication of residual hydrocarbons in soil at approximately 11 feet below ground surface in select borings in this area. Kleinfelder indicates that water was not encountered at the time the diesel UST was removed, further supporting the conclusion that water occurrence is a function of precipitation.

Historic rainfall records (Golden Gate Weather Services) indicate that precipitation during the 1994-1995 season was roughly double that of 2008-2009 (34 inches v. 18 inches). It would not be unusual for the site investigators at that time (it was during this period that samples of groundwater were collected from this depth) to have encountered shallower water during an investigation than did Kleinfelder during a dry season.

Additionally, with respect to the residual hydrocarbons present at this site and risk to human or environmental health:

1. The sources of the hydrocarbons carried by ephemeral groundwater to the soil in the southern reaches of the site have been removed (two of them many years ago; the third by Kleinfelder more recently).
2. The concentrations of hydrocarbons measured historically during earlier investigations, while in excess of regulatory guidance, are not inordinately high.
3. Utilities (storm sewer) are buried beneath 36th Street at a depth roughly similar to the water-bearing sediments encountered during the 1994-1995 rainy season. It would be reasonable to presume that water moving from shallow subject site sediments during those years of sufficient wetness would encounter utility backfill. It would also be reasonable to assume that this utility backfill would contain water impacted by contaminants from other sources – both point and non-point. It would be unreasonable to expect that contamination that may have entered utility backfill from the subject property could be distinguished from contamination from other sources.
4. This area of Emeryville and neighboring Oakland is typified by highways and light industrial property. It is impossible to conceive groundwater in this area being used for beneficial purposes (in fact, Emeryville has a municipal ordinance banning the construction of new wells). The sensitive receptor survey by Kleinfelder found no existing proximal water supply or irrigation wells. Though again, there is no indication that a high-concentration contaminant source ever existed at this property and consequently little chance, given the

nature of sedimentary conditions in this location, that substantial off-property migration even occurred.

5. The planned property development will include sub-grade parking features and impermeable surfaces. If any remnant contamination is discovered in areas of subgrade features it will be removed (under guidance of a Soil Management Plan to be prepared by the affordable housing developer). The construction of impermeable surfaces and structures will greatly inhibit groundwater infiltration and lessen the probability of shallow groundwater occurrence – even in relatively rainy years.

Please note – there is no evidence that substantially elevated levels of hydrocarbons are present in the subsurface or that soil containing residual contamination will be encountered during construction. The preparation of the SMP is, however, a prudent precaution. The developers intend to take every measure to ensure the health and safety of workers, and to be prepared for all construction-related possibilities so as to avoid delays during site work.

The SMP will be submitted to the agency for your file, but its submittal should not be a condition for closure evaluation.

Preferential Pathway Analysis

As I understand it, the location of subsurface utilities was not recorded at the time of structures demolition in 2005. I do not believe a map showing their former location could be produced. This noted, I would be surprised if these historic utilities existed at a depth where they could possibly have served as pathways for contaminant migration (all typical utilities are buried at only a foot or two underground and except in instances of very shallow groundwater they do not act as conduits for contamination).

The apparent movement of hydrocarbon-containing groundwater to this portion of the site is more plausibly associated with the ephemeral occurrence of groundwater.

Well Relocation (Abandonment)

Care will be taken during redevelopment (and this care documented in the Soil Management Plan) to identify the presence of the former monitoring well MW-1. Confirmation of proper abandonment seems the most prudent course of action. In the event inspection finds the well to not have been properly abandoned measures for abandonment will be directed by the SMP. Relocation would be necessary if there were benefit to be gained by the preservation of a monitoring well in this area. Given the specifics of this case, MW-1 (as well as all other monitoring wells) is no longer necessary.

The more recent wells installed by Kleinfelder will be properly abandoned prior to redevelopment. Methods to be utilized for abandonment will be described in the SMP.

Soil Management Plan

I have confirmed with RCD that an SMP will be prepared prior to the commencement of redevelopment activities. RCD has retained Fugro, Inc. for this purpose. Fugro is very familiar with projects of this nature; I have every confidence that what they prepare will ensure proper precautions are taken during redevelopment.

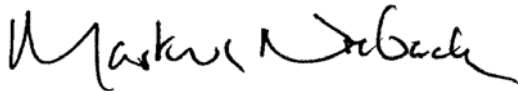
Concluding Observations

Your thorough analysis found issues that could have been addressed by authors and reviewers of investigative reports earlier in this project's history. Fortunately, the treatment that is lacking does not appear to point up a circumstance in need of anything more than better description. There is no indication that a significant quantity of residual contamination is present in soil or groundwater at the project property. Indeed, it appears as if whatever may be present will be cured by the planned redevelopment.

The City of Emeryville is interested only in the protective redevelopment of this underutilized land. Under no circumstances will the City accept otherwise. Were there a suspicion that site conditions were incompatible with the contemplated development project the City would insist that they be remedied before the project move forward. My review of project documents and conversations with Kleinfelder staff indicate that the data gaps can be filled and this case closed without additional physical evaluation prior to construction (save for the vigilance dictated by the SMP). I very much hope that after review of the missing data you will feel the same way.

Thank you again for all your help. Count on me for whatever you need to help put a period at the end of this file review and closure process.

Sincerely,



Markus Niebanck, PG
Brownfield Coordinator