

Nowell, Keith, Env. Health

From: Medalle-Alcantara, Emilie <ealcantara@downeybrand.com>
Sent: Tuesday, February 20, 2018 4:54 PM
To: 'jredding@wendel.com'; 'dwood@wshblaw.com'; 'pton@ww-envlaw.com';
'jtill@PaladinLaw.com'
Cc: Nowell, Keith, Env. Health; Khatri, Paresh, Env. Health; Roe, Dilan, Env. Health;
'smichelson@awrcorp.net'; Sobelman, Donald
Subject: Mehta Family Trust
Attachments: 2018-02-20 Mehta Family Trust.pdf

On behalf of Don Sobelman, please find attached correspondence in connection with the Mehta Family Trust.

Emilie Medalle-Alcantara
Legal Secretary to Christian
Marsh, Arielle Harris, Darrin D.
Gambelin and Christopher
Rendall-Jackson

DOWNEY BRAND

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February 20, 2018

VIA EMAIL

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John R. Till
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jtill@PaladinLaw.com

**Re: Former Red Hanger Kleaners, 6235-6239 College Avenue, Oakland, CA
Alameda County Dept. of Environmental Health (ACDEH) Case No. RO00002981**

**Former Red Hanger Kleaners, 6251-6255 College Avenue, Oakland, CA
ACDEH Case No. T10000011188**

Dear Mssrs. Redding, Wood, Ton, and Till:

I am writing on behalf of the Mehta Family Trust (Trust) with respect to the ongoing investigation of chlorinated solvent contamination associated with the above-captioned sites

(Sites), pursuant to ACDEH oversight. As you are aware, the Trust is the owner of the multi-family residential property located at 309 63rd Street (Trust Property), adjacent to the Sites. We understand that the Sites were owned or operated by your clients—College Claremont Venture LLC, the Bouzos family, and the Gordon family—as dry cleaning facilities that used chlorinated solvents.

In an April 20, 2017 letter to the Trust (copy enclosed), ACDEH noted that, as part of ongoing investigative efforts, it would be “prudent that a vapor intrusion evaluation also be conducted” at the Trust Property, “and if warranted implementation of mitigation measures.” Based on subsequent conversations with ACDEH—including on May 24, 2017, on September 28, 2017, and, most recently, on January 25, 2018—it is the Trust’s understanding that ACDEH expects your clients, and not the Trust, to conduct this work. However, to date, the Trust has not been contacted by any of your clients concerning development and implementation of a vapor intrusion evaluation workplan for the Trust Property (VI Workplan).

We understand that at least one workplan for further investigative work related to the Sites will be submitted to ACDEH in the near future. Whether included as part of that workplan submittal or otherwise, the Trust expects one or more of your clients to address this issue by promptly developing a VI Workplan—with input from the Trust’s environmental consultant, Steve Michelson of Applied Water Resources—and submitting that VI Workplan for ACDEH approval. The Trust will cooperate with the party(ies) implementing the VI Workplan to ensure that the work is performed as soon as feasible, following execution of an appropriate access agreement.

Please advise as to how your clients wish to proceed, no later than February 28, 2018.

Very truly yours,

DOWNEY BRAND LLP



Donald E. Sobelman

Encl.

cc: Keith Nowell, ACDEH (keith.nowell@acgov.org)
Paresh Khatri, ACDEH (paresh.khatri@acgov.org)
Dilan Roe, ACDEH (dilan.roe@acgov.org)
Steve Michelson, Applied Water Resources (smichelson@awrcorp.net)

ALAMEDA COUNTY
**HEALTH CARE SERVICES
AGENCY**
REBECCA GEBHART, Interim Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP) FOR
HAZARDOUS MATERIALS RELEASES
1131 HARBOR BAY PARKWAY, SUITE 250
ALAMEDA, CA 94502
(510) 567-6700
FAX (510) 337-9335

April 20, 2017

Manish Mehta
6036 Rockwell Street
Oakland, California 94618

Subject: Notification of Environmental Conditions of Concern and Request for Site Access 309 63rd
Street, Oakland, California

Dear Mr. Mehta:

Red Hanger Kleaners (RHK) operated at two parcels on the City block in Oakland where your 309 63rd Street apartment building is located. Since at least 2005, City of Oakland Fire Department and Alameda County Department of Environmental Health (ACDEH) have been evaluating the impacts to soil and groundwater due to releases from the former RHK located at 6235-6239 College Avenue. In addition to the dry cleaning operation located at 6235-6239 College Avenue, the property located to the east of your property (305-307 63rd Street, aka 6251-6255 College Avenue) is also known to have been operated as a dry cleaning business from as least 1953 (including Kay Kleaners and RHK).

Based on investigations completed to date, chemicals of potential concern have been detected in soil, soil vapor, and groundwater at sampling locations at your site and areas immediately downgradient of your property. The chemicals detected on your site are most commonly related to dry cleaning businesses. The investigations completed to date have not fully delineated the source area(s) nor the limit of impacts to soil, soil vapor or groundwater.

Vapor intrusion mitigation measures have been undertaken at the former RHK property at 6235-6239 College Avenue property under oversight of the ACDEH to address indoor air exposure issues resulting from dry cleaning compounds. Mitigation measures at the 6235-6239 College Avenue have included conducting a hazardous materials audit of all work spaces, installation of air filters and other improvements to increase building air exchanges, and installation and operation of a soil vapor extraction system to aid in controlling subsurface contaminated vapor buildup. These mitigation measures have successfully mitigated risks of exposure to occupants at that the 6235-6239 College Avenue property only. It is prudent that a vapor intrusion evaluation also be conducted at the Mehta Family property and if warranted implementation of mitigation measures.

The relationship of your property to the former dry cleaning operations located at 6235-6239 College Avenue and 6251-6255 College Avenue is shown on **Attachment 1, Site Map**. A Fact Sheet describing the history and chemical usage/storage of dry cleaning businesses, and an overview of investigation findings is presented in **Attachment 2 – Fact Sheet**.

Site Investigation Participation

ACDEH is requiring further site investigation in the vicinity of your property and other adjacent properties to facilitate the delineation of impacts and evaluation of additional source areas as described in **Attachment 3, ACDEH Letter Dated 4/18/2017**. Your full cooperation and participation in these continued investigations and future remedial efforts is requested.

Manish Mehta
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Following ACDEH approval of the work plan for supplemental remedial investigation we will contact you regarding access to your property to allow completion of soil, groundwater, and soil vapor sampling activities which are expected to occur in the Spring/Summer of 2017.

If your email address does not appear on the cover page of this notification ACDEH is requesting you provide your email address so that we can correspond with you quickly and efficiently regarding your case. Additionally if your mailing address information is incorrect please provide us with your current information.

Should you have any questions, please contact me at (510) 567-6764 or send me an electronic mail message at keith.nowell@acgov.org.

Sincerely,



Digitally signed by Keith Nowell
DN: cn=Keith Nowell, o=Alameda County,
ou=Department of Environmental Health,
email=keith.nowell@acgov.org, c=US
Date: 2017.04.20 13:48:07 -0700

Keith Nowell, PG, CHG
Hazardous Materials Specialist

Attachments:

Attachment 1 - Site Map

Attachment 2 - Fact Sheet

Attachment 3 - ACDEH Letter Dated April 18, 2017

cc: Ronald Elvidge, College Claremont Venture LLC, 1345 Grand Ave., Piedmont, CA 94610 (*Sent via electronic mail to: ronpatelvidge@gmail.com*)

Todd Borst, Trustee, Ila Lynn Gordon Investment Trust, 2305 Little Ben, Lincoln, CA 95648

Ila Lynn Gordon, Trustee of SIRILA Living Trust, Ila Lynn Gordon Investment, Trust of Gordon Family Trust, 554 Red Arrow Trail, Palm Desert, CA 92211

Ila Lynn Gordon, Trustee of SIRILA Living Trust, Ila Lynn Gordon Investment, Trust of Gordon Family Trust, 827 Mesa Grande Drive, Palm Desert, CA 92211

Ila Lynn Gordon, Trustee of SIRILA Living Trust, Ila Lynn Gordon Investment, Trust of Gordon Family Trust, PO Box 13214, Palm Desert, CA 92255

Brian J. Gordon, PO Box 13214, Palm desert, CA 92255

David B. Gordon, 9 Calle, San Clemente, CA 92673

George Kong, (*Sent via electronic mail to: gkongwashworld@comcast.net*)

Jonathan W. Redding, Wendel, Rosen, Black & Dean LLP, 1111 Broadway, 24th Floor, Oakland, CA 94607 (*Sent via electronic mail to jredding@wendel.com*)

Dilan Roe, ACDEH, (*Sent via electronic mail to dilan.roe@acgov.org*)

Paresh Khatri, ACDEH, (*Sent via electronic mail to paresh.khatri@acgov.org*)

Keith Nowell, ACDEH, (*Sent via electronic mail to keith.nowell@acgov.org*)

Geotracker, Electronic File