ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
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March 12, 2009

Stephen Boyd
Pacific Electric Motor Company
137 Fiesta Circle
Orinda, CA 94563-4350

Richard R. Anderson
Modad Properties, LLC
561 4th Street
Oakland, CA 94607-3558

Charles Robitaille
Aspire Public Schools
1001 22nd Avenue
Oakland, CA 94606

Subject: Fuel Leak Case No. RO0000411 and GeoTracker Global ID T0600101950, Pacific Electric Motor, 1009 66th Avenue, Oakland, CA 94621

Dear Messrs. Boyd, Anderson, and Robitaille:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site including the recently submitted document entitled, "Corrective Action Plan," dated February 20, 2009, which was prepared by LFR Consultants for the subject site. LRF concluded that soil excavation for the shallow contamination and soil vapor extraction with air sparging (SVE/AS) for deeper soil, groundwater, and soil vapor contamination were the most appropriate and cost-effective remediation alternatives for the site.

The remediation alternative presented in the above-mentioned Corrective Action Plan (CAP) is acceptable provided that the technical comments presented below are incorporated into the CAP. Please note that public participation is a requirement for the CAP process. Therefore, ACEH will notify potentially affected stakeholders who live or own property in the surrounding area of the proposed remediation described in the "Corrective Action Plan" through mailing of a fact sheet (enclosed). Public comments on the proposed remediation will be accepted for a period of thirty days beginning Monday, March 16, 2009 through Wednesday, April 15, 2009. Following the public comment period, the comments received, including ACEH's technical comments described below, must be addressed and incorporated into a Final CAP.

TECHNICAL COMMENTS

1. **Proposed Site Remediation Goals** – The LFR calculated proposed remediation or cleanup goals are above most of the DTSC approved cleanup goals for a school site. The assumptions in the calculated LFR recommended cleanup goals incorporate an exposure duration of 180 days per year for 6 years. It is not clear whether the LFR cleanup goal included possible after school programs, summer school, etc., which will increase the exposure duration. It is also not clear why LFR did not adopt the DTSC approved cleanup goals across the board since they are accepted and have been adopted at school sites across the State, and the proposed redevelopment is a school. Therefore to be protective of

the sensitive receptor, the student (i.e. child), at this site, ACEH approves the CAP provided that the lower of the three cleanup goals compared in the CAP (ESL for commercial direct exposure, DTSC approved Cleanup Goal, and the LFR Student Receptor Cleanup Goal) are adopted for the site.

2. **Excavation Confirmation Soil Sampling** – LFR's excavation confirmation soil sampling proposal includes collecting one soil sample every 25 linear feet of excavation wall at a depth of 1 ft bgs. In addition to sidewall samples, please collect samples at locations of obvious contamination identified either visually, olfactory, PID, etc and collect the appropriate number of excavation bottom samples as well.

3. **Soil Reuse and Backfill Material** – LFR proposes to backfill excavations with on-site soil with COPCs less than the cleanup goals and/or clean imported fill material or backfilled with drain rock or gravel in accordance with Geotechnical Engineering specifications. Should soil re-use be proposed, the soil must be characterized and the proposed soil re-use must be in accordance with RWQCB's Soil Reuse Policy[1]. Depth to groundwater at site is approximately 5 feet bgs. The RWQCB states that soil proposed for re-use onsite must be "placed at least five feet above the highest anticipated level of ground water." Since the depth to groundwater is approximately 5 feet bgs, the proposed soil reuse appears to be within the shallow water bearing zone, which appears to violate the RWQCB's soil reuse guidelines. Since soil reuse criteria may not be met, ACEH recommends using clean imported fill material rather than soil re-use. Please note that drain rock or gravel porosity is significantly greater than native soil (i.e. 140 centimeters silty clay substrate specified in the Johnson & Ettinger vapor transport model presented in the above-mentioned CAP) and may exacerbate contaminant volatilization to indoor air not accounted for in the cleanup goal estimated using the Johnson & Ettinger vapor transport model and hence is not approved.

4. **Revised Site Figures** – Several areas at the site contain shallow soil contamination with excavation proposed as the remediation alternative. However, figures illustrating the proposed excavations in relation to shallow soil contamination were not included. In addition, many areas at the site contain intermediate to deep SVOC, VOC, PAHs, and hydrocarbon soil contamination. It is not clear whether the SVE/AS system encompasses all the areas of concern. Please include figures that clearly illustrate all the impacted areas in the shallow, intermediate, and deep zones in relation to the proposed remediation alternatives of excavation and SVE/AS (with possible ozone) as well as contamination at the site in relation to the proposed school.

5. **Soil and Groundwater Sample Analytical Suite** – LFR proposes to analyze samples for petroleum hydrocarbons, semi-volatile organic compounds, PCBs, and metals. In addition, please ensure that lead scavengers lead scavengers (i.e. ethylene dichloride (EDC) and ethylene dibromide (EDB)), are part of the analytical suite.

6. **Institutional Controls** – LFR proposes passive and active institutional controls as a potential interim measure to allow for site redevelopment and reuse while cleanup remedy is in progress. Passive institutional controls includes "vapor barriers to mitigate the potential for vapor intrusion." The active system would include the installation of horizontal piping within a

[1] Technical Reference Document, *Characterization and Reuse of Petroleum Hydrocarbon impacted soil as Inert Waste*, Draft, San Francisco Bay Regional Water Quality Control Board, October 20, 2006.

layer of permeable base rock, and the application of a vacuum on that piping to achieve negative vapor pressure within the base rock. Indoor air and sub-slab sampling would be conducted to confirm effectiveness.

Although institutional controls may be implemented as an added measure of safety and protectiveness, ACEH does not have resources to manage and/or monitor the success of the institutional controls installed to mitigate potentially completed exposure scenarios that may be present at the site nor is it an appropriate or approved remedy for site occupancy. Therefore, please note that redevelopment must not hinder remediation alternatives employed, which must address and remediate COPCs to approved cleanup goals within the approved timeframe, to be protective of site occupants as well as achieve case closure.

7. **GeoTracker Compliance** – A review of the case file and the State Water Resources Control Board's (SWRCB) GeoTracker website indicate that electronic copies of analytical data and reports have not been submitted, rendering the site to non-compliance status. Please upload all applicable electronic submittal types such as the analytical data (EDF), survey data (GEO_XY and GEO_Z), and PDF reports from July 1, 2005 to current to GeoTracker by the date specified below. Electronic reporting is described below.

NOTIFICATION OF FIELDWORK ACTIVITIES

Please schedule and complete the fieldwork activities by the date specified below and provide ACEH with at least three (3) business days notification prior to conducting the fieldwork.

TECHNICAL REPORT REQUEST

Please submit technical reports to ACEH (Attention: Paresh Khatri), according to the following schedule:

- **April 1, 2009** – GeoTracker Upload Compliance
- **April 15, 2009** – End of 30-day Public Participation Period
- **April 30, 2009** – Quarterly Monitoring Report (1st Quarter 2009)
- **May 15, 2009** – Submittal of Final CAP
- **July 30, 2009** – Quarterly Monitoring Report (2nd Quarter 2009)
- **October 30, 2009** – Quarterly Monitoring Report (3rd Quarter 2009)
- **January 30, 2010** – Quarterly Monitoring Report (4th Quarter 2009)

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) require submission of reports in electronic form. The electronic copy replaces paper copies 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 all 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, these same reporting requirements were added to Spills, Leaks, Investigations, and Cleanup (SLIC) sites. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites is required in GeoTracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.swrcb.ca.gov/ust/electronic_submittal/report_rqmts.shtml.

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.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

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) 777-2478 or send me an electronic mail message at paresh.khatri@acgov.org.

Sincerely,

Paresh C. Khatri
Hazardous Materials Specialist

Donna L. Drogos, PE
Supervising Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions
Fact Sheet on Environmental Assessment
List of Fact Sheet Recipients

cc: Lucas Goldstein, LFR, Inc., 1900 Powell Street, 12th Floor, Emeryville, CA 94608
Ron Goloubow, LFR, Inc., 1900 Powell Street, 12th Floor, Emeryville, CA 94608
Leroy Griffin, Oakland Fire Department, 250 Frank H. Ogawa Plaza, Ste. 3341, Oakland, CA 94612-2032
Donna Drogos, ACEH (sent via electronic mail)
Paresh Khatri, ACEH (sent via electronic mail)
GeoTracker
File
Mark Malinowski, Acting Schools Team Leader/Performance Manager, Brownfields & Environmental Restoration Program, Department of Toxic Substances Control, 8800 Cal Center Drive, Sacramento, California 95826

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	**ISSUE DATE:** July 5, 2005
	REVISION DATE: December 16, 2005
	PREVIOUS REVISIONS: October 31, 2005
SECTION: Miscellaneous Administrative Topics & Procedures	**SUBJECT:** Electronic Report Upload (ftp) Instructions

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.

REQUIREMENTS

- Entire report including cover letter must be submitted to the ftp site as **a single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- Signature pages and perjury statements **must** be included and have either original or electronic signature.
- **Do not password protect the document**. Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted**.
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:
  RO#_Report Name_Year-Month-Date (e.g., RO#5555_WorkPlan_2005-06-14)

Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

Submission Instructions

1) Obtain User Name and Password:
   a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
      i) Send an e-mail to dehloptoxic@acgov.org
      or
      ii) Send a fax on company letterhead to (510) 337-9335, to the attention of Alicia Lam-Finneke.
   b) In the subject line of your request, be sure to include **"ftp PASSWORD REQUEST"** and in the body of your request, include the **Contact Information, Site Addresses**, and the **Case Numbers (RO# available in Geotracker) you will be posting for**.

2) Upload Files to the ftp Site
   a) Using Internet Explorer (IE4+), go to ftp://alcoftp1.acgov.org
      (i) Note: Netscape and Firefox browsers will not open the FTP site.
   b) Click on File, then on Login As.
   c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
   d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
   e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.

3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
   a) Send email to dehloptoxic@acgov.org notify us that you have placed a report on our ftp site.
   b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name at acgov.org. (e.g., firstname.lastname@acgov.org)
   c) The subject line of the e-mail must start with the RO# followed by **Report Upload**. (e.g., Subject: RO1234 Report Upload)

LIST OF FACT SHEET RECIPIENTS

ACTS FULL GOSPEL CHURCH
1034 66TH AVE
OAKLAND CA 94621

ASPIRE PUBLIC SCHOOLS
1001 22ND AVE
OAKLAND CA 94606

CITY OAKLAND HOUSING
1805 HARRISON ST
OAKLAND CA 94612

CITY OAKLAND HOUSING
1805 HARRISON ST
OAKLAND CA 94612

CITY OF OAKLAND
250 FRANK H OGAWA PLZ #4
OAKLAND CA 94612

FRUITVALE CANNING CO
PO BOX 2102
ORINDA CA 94563

HOUSING AUTHORITY OF THE
CITY OF OAKLAND
1619 HARRISON ST
OAKLAND CA 94612

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KAVPED INC
PO BOX 2102
ORINDA CA 94563

KAVPED INC & S P TRANS CO
872-1-89-6
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RESIDENT
FENHAM ST
OAKLAND CA 94608

RESIDENT
6235 TEVIS ST
OAKLAND CA 94621

RESIDENT
1016 66TH AVE
OAKLAND CA 94621

RESIDENT
1101 65TH AVE
OAKLAND CA 94621

RESIDENT
66TH AVE
OAKLAND CA 94621

RESIDENT
FENHAM ST
OAKLAND CA 94608

RESIDENT
905 66TH AVE
OAKLAND CA 94621

RESIDENT
LION WAY
OAKLAND CA 94621

RESIDENT
6399 FENHAM ST
OAKLAND CA 94621

RESIDENT
1009 66TH AVE
OAKLAND CA 94621

RESIDENT
SAN LEANDRO ST
OAKLAND CA 94621

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

FACT SHEET ON ENVIRONMENTAL ASSESSMENT
PACIFIC ELECTRIC MOTORS
(PROPOSED ASPIRE PUBLIC SCHOOL)

1009 66TH Avenue, Oakland, CA 94621
Fuel Leak Case No. RO0000411 and
GeoTracker Global ID T0600101950

ENVIRONMENTAL HEALTH SERVICES
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Site Remediation Summary

This fact sheet has been prepared to inform community members and other interested stakeholders regarding the status of a proposed soil and groundwater cleanup at Pacific Electric Motors located 1009 66th Avenue, Oakland, California. Mr. Robitaille with Aspire Public Schools, the lead responsible party for the case and their environmental consultant LFR are proposing in-situ soil vapor extraction with air sparing (SVE/AS) and soil excavation as remediation technologies to cleanup the site.

Site Background

The 2.51-acre Site is located on the western side of 66th Avenue between East 14th Street to the north and San Leandro Street to the south, and is currently developed with two buildings referred to as the "Manufacturing/Office Building" and the "Warehouse." Previous site use for manufacturing and warehouse storage has resulted in the presence of chemicals (petroleum hydrocarbons, arsenic, PCBs, and SVOCs) in soil and groundwater beneath the Site. Aspire plans to develop a new charter high school on the Site. Land use surrounding the site is residential to the north and northeast with commercial/industrial to the south and southwest, with Interstate 880 located 0.6 miles west of the site.

Remediation Alternative: Soil Vapor Extraction with Air Sparging

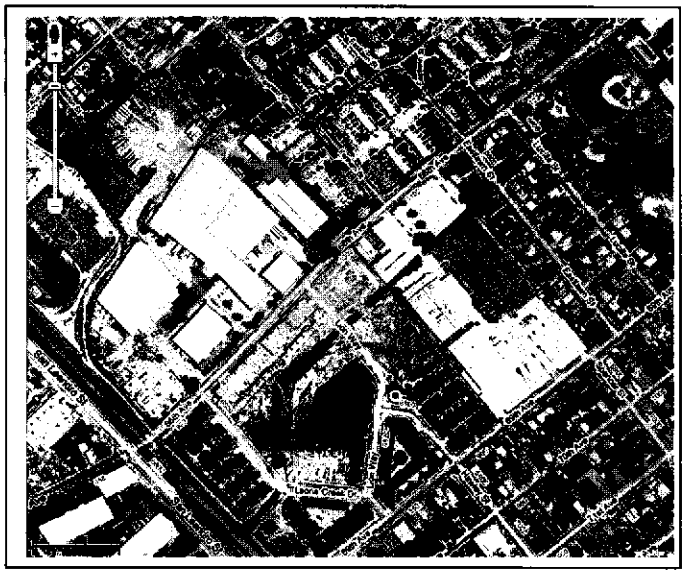
Soil Vapor extraction with air sparging (SVE/AS) is proposed to remediate the soil and groundwater contamination at the site. SVE is an in-situ remediation technology in which a vacuum is applied to the soil matrix to create a negative pressure gradient that causes movement of volatile constituents adsorbed to soils (i.e. vapors) toward extraction wells. Air sparging is an in-situ remediation technology that injects clean air into the subsurface to volatize or strip contaminants dissolved in groundwater and adsorbed to soils. This technology involves injection of clean air into the subsurface saturated zone, enabling a phase transfer of contaminants from a dissolved state to a vapor phase. The SVE system would then capture the vapor phase contaminant "stripped" from the groundwater, thus reducing contaminant concentrations in groundwater and soil.

For Additional information, please contact:

Paresh Khatri	Ron Goloubow
Alameda County Environmental Health	LFR, Inc.
1131 Harbor Bay Parkway, Ste 250	1900 Powell Street, 12th Floor
Alameda, CA 94502	Emeryville, CA 94608
Phone: 510-777-2478	Phone: 510-652-4500
E-mail: Paresh.Khatri@acgov.org	E-mail: Ron.Goloubow@lfr.com

Soil Excavation and Disposal

Soil excavation is proposed to remediate the shallow soil contamination identified at the site from the surface to two feet below the ground surface, using conventional earth moving equipment. Clean backfill material would be imported as necessary to restore the desired final site grade. This method is effective because it would remove contaminated soil, which would be confirmed by soil sampling and analysis.

Next Step

Mr. Robitaille is working with Alameda County Environmental Health (ACEH) to implement a soil and groundwater cleanup at the site. The proposed alternative is described in a report prepared by LFR, Inc. on behalf of Mr. Robitaille: "Corrective Action Plan," dated February 20, 2009. The public is invited to review and comment on the cleanup action proposed in the Report. The report is available on ACEH's website (http://www.acgov.org/aceh/lop/ust.htm) or the State Water Resources Control Board's GeoTracker website (http://www.geotracker.waterboards.ca.gov/). The report and case file are also available for review at the ACEH located at 1131 Harbor Bay Parkway in Alameda, California. Please send a fax to 510-337-9335 to request a date and time to review the case file. Please send written comments regarding the corrective action to Paresh Khatri at the address below. All written comments received by **April 15, 2009** will be forwarded to the Responsible Party and will be considered and responded to prior to a final determination on the proposed cleanup.