

10-12-2000

Spoke to D.J. Watkins of the San Joaquin Company concerning closure. I informed him before closure can be obtained, there must be evidence that the plume has stabilized or is shrinking in size. We agreed that the data from downgradient well MW-7 has been fluctuating, and does not confirm the plume has stabilized or is diminishing in size. My suggestion to Watkins is to continue monitoring MW-6 and MW-7 until data is obtained from these two wells that suggest the plume has stabilized. Another alternative to confirm the plume has stabilized is to collect a series of "grab" groundwater samples downgradient from MW-7 and compare it to data collected 5 years ago. He will contact his client to determine which options they want implement.

10-13-2000

Went to site to verify whether it was possible to take on-site water samples. Construction has already started and it is not possible to collect a on-site sample at this immediate time.

3-8-2000

Construction has begun on-site. The foundation and piling are being set.

4-23-99

Went to site ~~to~~ to verify status of
site. All the buildings have been demolished,
and the debris removed. Site was being
graded.

8-21-98 Went by site. Contaminated soil has been excavated down to 2' below ground surface. Aeration of soil has begun.

9-11-98 Went to the site and met with Dai Watkins, ~~and~~ ^{part} of the San Joaquin Co and Bernie Diets of Diets Irrigation. They had excavated out the area of the former tank location to depths of 12'. They backfilled the excavation immediately afterwards with rocks to prevent cave-ins. They agreed to install a monitoring well outside to replace MW-4. Also mention to Bernie a replacement well ~~is~~ downgradient from MW-5 needs to be installed.

9-15-98 Went to the site and met with Bernie Diets. We discussed possible locations for a monitoring well to replace MW-5.

10-8-98 Met with Diets at the site. We discussed the lab results for the aerated soil, and monitoring well locations. He will send me a workplan identifying the precise locations for replacement monitoring wells MW-4 and MW-5.

9-29-93

Name

Representing

Tel #

Edgar Howell

Alameda County

510 271-4320

Thomas Pearson

Alco

271-4530

610 Johnson

ALAMEDA COUNTY DISTRICT ATT. 569-9281

Rich Hiest

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286-7359

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415-393-8346

Jennifer Eberle

Al Co

271-4530

Mee Ling Tung

Al. Co.

271-4330

Leon Ford

ALCO

"

7-21-78 Remediation report forwarded to Mackalla for
review

Site Summary for 9/29/93 Panel Review
208 Jackson St., Oakland CA 94607
STID 3707
East Bay Packing Co.

3/20/90 ~~4 USTs removed~~. . . up to 2500 ppm TPHd and 61 ppm benzene in soil, and 900 ppb TPHg, 8,200 ppb TPHd, and 82 ppb benzene in water. . . Tank #1 pit was overexed to ND TPHd and .013 ppm benzene . . . stockpile had 33 ppm TPHd and 5.4 ppm TPHg

3/28/90 ULR filed by AlCo (DB)

4/4/90 Letter to Kretschmar from AlCo . . . "no further soil excavation is required at this site."

5/5/90 ~~3 MWS installed~~

11/1/90 "Outline and Proposal for Initializing Site Remediation," by Geo-Environmental Tech. . . it's a shoddy workplan . . . includes a "Progressive Report" dated 8/8/90 documenting the installation of 3 MWS . . . up to 25,000 TPHg and 5,500 ppb TPHd and 400 ppb benzene (MW1 I think)

~~#76~~ Nov. 90 Tzu Ming Chen bought property (as per his trans-
3/9/92 Notification letter sent to Kretschmar Inc. in St. Louis MO. (later Philip Yee)

~~4-28-92 3 MWS installed~~

5/26/92 Letter sent to Kretschmar Inc. (The RP previously identified by AlCo) in St. Louis MO requesting continued gw mon.

7/13/92 ~~cannot locate RP!!!~~

9/24/92 ~~JE tel con w/Larry Jones from CB Commercial. He is the broker who represents seller. . . odd circumstances. . . property was sold by EBP, who is now bankrupt. . . Mr. Ming (Tzu Ming Chen) bought property. . . consultant is Courtenay Corp. in Canada, who hired Geo-Environmental. . . site has open holes, mounds of dirt. A number of bankers are paying for cleanup.~~

Wrote letter to Courtenay Corp. requesting continued gw monitoring.

11/23/92 JE tel con w/L. Jones. He has heard nothing. He represents EBP. John Loh is the broker for Mr. Ming.

11/24/92 Received fax from Courtenay Corp. . . "We do not represent a number of bankers. . ." ADDRESS ON LETTERHEAD IS SUITE 1870, 10123-99 ST., EDMONTON, ALBERTA

- 11/30/92 Wrote letter to EBP at 208 Jackson St. (letter later returned), requesting clarification of 90 GET report, and more gw monitoring. Wrote new Notification letter to new RP.
- 12/9/92 Phoned Assessor for RP address, since recent certified letters returned to us. No address listing for 208 Jackson St. . .she looked up Tzu Ming Chen and found the address of 169-3rd St., Oak 607.
- Wrote certified letter to EBP at 169-3rd St., requesting more gw monitoring (letter later returned)
- Wrote Notification letter to Tzu Ming Chen at 169-3rd St. (letter later returned)
- 12/11/92 JE spoke w/Kim McGovern. . . She wants to be cc'd. . .I asked for something in writing stating EBP was liquidated.
- 12/16/92 ~~Je spoke w/Kim McGovern. She is attorney for EBP,~~ who has not yet filed for bankruptcy. All 3 MWS to be sampled for TPHg, TPHd, and BTEX. . . spoke w/Rich Hiett re non-degradation policy. Spoke w/KM. Site is approx. 1000' from Inner Harbor; therefore gw may have >3000 TDS. Why do they have to do gw invest? Because there are benthic organisms and organisms in water column. It's a point source discharge. There is a non-degradation policy.
- 12/18/92 Lori Casias phoned re Notification letters.
- 12/21/92 Received letter from KM. . .~~says EBP was liquidated~~
- 4/1/93 spoke w/KM. She hasn't spoken w/client in 6 wks. They hired HLA to review Gen-Tech's report, and got a critique and proposal, but she hasn't spoken w/client since. . .doesn't know who current p.o. is, but believes he or she conducts business onsite.
- 4/2/93 spoke w/KM. Her client needs about 2 wks to decide on terms of the cleanup agreement.
- 4/21/93 spoke w/KM. No agreement yet. Language and cultural barrier between the 2 parties. She thinks there may be only 1 MW now.
- 6/23/93 Spoke w/KM. She hasn't spoken w/client. She deals w/a lawyer for same client in Canada, who's now on vacation. Who are the RPs??? She thinks Kretschmar is parent company of EBP. She'll update me when she gets updated.

- 6/25/93 Spoke w/KM. New owner (Tzu Ming Chen) has agreed to take full responsibility for cleanup. BUT the agreement not yet signed.
- 7/26/93 Spoke w/KM. Agreement not yet signed. Address for new p.o. is Tzu Ming Chen, c/o John Loh, Loh Realty, 6400 Moraga Ave., Oakland 94611
- Who owned property when contamination was identified (3/20/90)? EBP . . so they're being named as RP also
- 7/28/93 Sent revised Notification letter
- 8/9/93 Spoke w/John Loh. When EBP sold to Mr. Ming, EBP agreed to clean up. But now EBP is bankrupt. Parent co. of EBP is from Canada. Now they're trying to negotiate w/bank, who now holds the note (since EBP went bankrupt). There's a big hole and stockpiled soil. Can't use entire site. Ming doesn't have money to clean up. . .he just wants to make won tons onsite. Courtenay Corp. probably owns EBP, who's located c/o 2500, 10123-99th St., Edmonton, Alberta, Canada T5J3H1. . .Mr. Ming pays \$10,000/month to the Banc Boston Financial Co., 100 Federal St., Boston MA (EBP assigned the loan to this bank). . .
- wrote a list of remediation steps needed
- 8/20/93 Spoke w/KM. ~~She thinks Courtenay Corp. is a development company.~~ I asked her to send a copy of new agreement. She wants to know what the oversight costs would be. Received faxed copy of agreement signed only by EBP on **EBPs LETTERHEAD WITH THE FOLLOWING ADDRESS: C/O #2500, 10123-99 ST., EDMONTON, ALBERTA, CANADA**
- 8/23/93 Reviewed 8/20 fax w/agreement signed by BOTH parties. Spoke w/John Loh. His buyer did not agree to sign. BOTH RPS ARE DISPUTING RESPONSIBILITY!!!
- 8/27/93 spoke w/Sue Black of Boymer Engineers. John Loh requested a bid from her. One MW was installed in tank backfill. 6'to gw. This may act as an artificial rise in gw elev. Estimate of 125 yd3 stockpiled soil.
- 9/3/93 wrote Notice of Pre-Enforcement Review Panel letter to RPs.
- 9/8/93 John Loh called. . .has contract. . .called about Panel . . .spoke w/TP.
- 9/15/93 faxed the signed agreement to Gil Jensen.

9-20-93 sp w/ Gil. Perhaps there was collusion ... bet. seller (EBP) & realtor (J. Loh)

Get phone # of Tzu Ming Chen & also dialect? 444-7083 work

sp w/ John Loh.

Cantonese
Wo lai ♀

~~Ming~~ Mai Ling
34338

George Young
S. Co.
~~55275~~

Cantonese
only

Hayward
~~55275~~

- 9/20/93 spoke w/Gil. . .perhaps there was collusion . . .between seller and realtor (John Loh). . .Loh claims that Mr. Ming "will only speak" to him, since Mr. Ming speaks only Cantonese.
- 9/29/93 Spoke w/Jonathan Redding (451-3300) lawyer. . .his colleague Mike Walsh will be at the Panel. I faxed the list of work needed to be done, as well as site summary, to him.
- 9/29/93 **PANEL REVIEW**
- 9/30/93 Site visit. Took photos. Pile of dirt and concrete at 3rd and Madison. The 208 Jackson entrance says "Wo Lee Food Co."
- 10/21/93 Spoke w/Gil. Redding told Gil they would hire a consultant. Loh may be funding this. Redding cannot make 11/19 mtg. Get a new date and have Redding get Kim McGovern to agree. New date is 12/15 at 9 am.
- Sp w/J. Redding. They're paying LOP bills. They're gonna spend \$7,000 to sample MWs. He'd rather wait for results, then have mtg (in Jan.?)
- 11/2/93 Set date w/Tom for Jan 18th, 9:00 am. **Sp w/J. Redding. His client is Tzu Ming Chen, not John Loh.** Which party is paying? He won't say. SCI has been hired. Asked him to okay date w/Kim McGovern. KM phoned. Date ok w/her.
- 11/3/93 sp w/Gil. Date is ok w/him. "Tell Redding it's his job to get KM to attend," (ie please write letter to KM, and cc AlCo). Phoned Redding. He's on a plane to Europe for one month. Relayed message to his secretary. Spoke w/Mike Walsh. He'll write the letter.
- 11/5/93 (walk-in) mtg w/Mr. Tzu Ming Chen and his translator, Mr. Philip Yee (465-0582). Mr. Yee is also an insurance agent to Mr. Chen. Mr. Chen bought property in Nov. 91. Seller went back to Canada, and offered to decrease selling price by \$450,000 if buyer would do cleanup. **Redding and/or Walsh do not represent Mr. Chen.** Copied files for them. What is Mr. Chen's address? Told them of January 18, 1994 meeting.
- 11/8/93 Spoke w/Gil. Spoke w/P. Yee. Asked for correct mailing address for Mr. Chen, to ensure that he will receive mail from us. . .said 208 Jackson St. (site address).
- 11/8/93 Spoke w/Richard Box w/Bay Area Tank & Marine (372-4270 or 415-695-8821). He found only one MW, approx. 100

9-29-93

| NAME | Representing | Tel # |
|------------------|--------------------------------------|--------------|
| Edgar Howell | Alameda County | 510 271-4320 |
| Thomas Pearson | Alco | 271-4530 |
| GIC Jewish | ALAMEDA COUNTY DISTRICT ATT 569-9281 | |
| Rick Hiest | BWPCC | 286 4359 |
| Melvin [unclear] | Fitzgerald, Abbott & Beardsley | 451-3300 |
| [unclear] | Gibson, Dunn & Crutcher | 415 393-8346 |
| Jennifer Eberle | Al Co | 271-4530 |
| Wesley Tung | Al. Co. | 271-4330 |
| Leon [unclear] | AC [unclear] | " |

9-29-93 Panel Review Mtg
Stid 3707

Mike Walsh - lawyer for Tzu Ming Chen, was just asked to become involved on 9-28. Since he didn't have time to get an independent interpreter, Tzu Ming Chen didn't show up.

Gil: indemnity agreement - we aren't subject to this... the RPs must resolve this... we want to move forward

Kim represents EBP - sold prop. to T.M. Chen in '90 or '91. T.M. Chen pays \$ to a group of banks to pay off a note...

Courtenay Corp. was a "glorified realtor" to EBP. CC does not own EBP, & never has... She gave us a letter from CC to AlCo (JE) dated 9-28-93.

for not being RP.

Gil: looks like CC should not be listed as RP.

Kim: ^{gave us a} ~~has~~ letter from John Loh

Can we ✓ Assessor's records at their office,
+ ✓ for lot configuration. ?

~~Wed. Oct 9th~~ Tue. Nov. ~~27th~~ 16th 9am
we'll meet again.

for Tzu Ming Chen

MICHAEL P. WALSH
ATTORNEY AT LAW

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**Alameda County Department of Environmental Health
Hazardous Materials Division**

80 Swan Way, Rm. 200, Oakland, CA 94621
Ph: 510-271-4320 FAX: 510-568-5766

Meeting Attendees

Subject Panel Review - 208 Jackson St., Oakland CA

Date 1-18-94

Location see above heading

| | <u>Name</u> | <u>Affiliation</u> | <u>Phone # / FAX #</u> |
|----|-----------------|---|---------------------------|
| 1 | Jennifer Eberle | Alameda County | 271-45301 |
| 2 | Glenn Jensen | Alameda Co DA | 569-9281 / 569-0505 |
| 3 | Tom Peacock | DLCO | 271-45301 / 569-4757 |
| 4 | Kegon Howell | " | " / " |
| 5 | Jennife Krebs | City of Berkeley Toxics | 644-7719 / 644-6015 |
| 6 | Kim McGovern | Gibson, Dunn + Crutcher | 415-393-8340 / 986-5309 |
| 7 | Jim B Horn | Jim B Horn & Co | (415) 893-5936 / 465-7655 |
| 8 | JOURNAN REDDING | FITZGERALD ABBOTT & BENEDETTI FOR CHAU MING CHEN | 451-3300 / 451-1527 |
| 9 | Jan Ming Chen | WOLFE CO | 444-7083 / 444-4657 |
| 10 | Lester Feldman | RW & CB # 2 | 286-1332 / 286-1380 |
| 11 | | | / |
| 12 | | | / |
| 13 | | | / |
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| 17 | | | / |

feet from the excavation. Janis Chow at Wo Lee Foods contacted him for the property owner. I think that Mr. Chen just wants a free estimate. I faxed Box the site summary (372-0745) and the map in the GET report, which indicates locations of 3 MWs and two buildings, but no scale or streets.

11/10/93 spoke w/D. Bates. Janis contacted him for a bid. Faxed the map to 408-646-8036. He can't locate MW1.

12/15/93 Wrote Notices for Further Review Panel.

12/16/93 spoke w/Lori Casias. Changed RBase: Tzu Ming Chen's address to 208 Jackson St. Do not need to mail revised NOR.

12/23/93 Scott Leck of SCI (268-0461) phoned. Wants to copy files. SCI is under contract to the property owner, Tzu Ming Chen. OK. I'll have to do the copying myself, and charge 215. He found one MW (thinks MW3), but cannot yet locate the other 2 MWs. There's a lot of debris and vegetation in those areas. Pit 4 (see GTE map) is still open and filled with water. SCI is under contract to 1) review everything that's been done to date, 2) sample and/or rehab MWs, and 3) write wp for further work.

Called Philip Yee to confirm this info. Got a return call from Jim Hom (893-5936) (346-9th St., Suite 210, Oak 607). He's the accountant to Mr. Chen. Says Mr. Yee is out of the picture. Mr. Hom "has all the papers." He'll be at the Jan. 18 mtg. Henry Poy is general counsel to Mr. Chen, but is not engaged in this matter. Mr. Redding is also a lawyer to Mr. Chen; he understands tank cases. Jim Hom will give a copy of "his papers" to SCI.

Spoke w/Scott Leck. SCI's proposal was sent to Henry Poy. He hasn't heard of Jim Hom, but will contact him to obtain a copy of "the papers."

Seems like Redding/Chen waited til the last possible moment to sample the MWs.

1/3/94 Broker John Loh called. Tom spoke w/him. He does not want to be associated with this site anymore.

1/4/94 Mtg w/Scott Leck of SCI. He reviewed the file and made some copies. Still hasn't found the other two MWs.

1/11/94 Scott Leck phoned. Wants copies of UST registration forms. Gathered info and sent to him.

1/13/94 Spoke w/S. Leck. He spoke w/Evan Calder at GTE (408-559-1220), who said they had problems getting paid. They drilled 3 MWS. Evan Calder said that a fuel oil UST was removed from inside the building (basement?), prior to GTE's involvement. Gen-Tech Env. is located at 1936 Camden Ave., Suite 1, San Jose CA.

Scott Leck said that SCI sampled two MWS and pit water (where MW1 was supposed to be) on 1/6/94. They can't find MW1. Will fax results once they're available. They had to develop the two MWS prior to sampling.

1/18/94 Pre-Enforcement Panel Review (see attached list of attendees) Redding: Mr. Loh was never tank owner/operator
Gil: Who proposed/wrote the hold harmless agreement?
Kim: EBP is not formally dissolved. Courtenay Corp. had no ownership interest. Title search past 25 yrs eliminates Courtenay (gave us a copy). Wants Courtenay off list of RPs.
Redding: OK to take Courtenay off list of RPs. Also wants Loh off RP list.
Gil: not yet
Hom and Redding: escrow closed on 11/16/90, not Nov. 1 (this is when Mr. Chen bought site).
Redding: MW1 was destroyed. It was placed in the backfill. Gradient may be west. Gave us 1/14/94 "Progress Report" by SCI.
Jen: there's a verbal report of a former UST removed from inside the bldg.
Gil: Include UST from inside bldg as part of our inquiry. Add Kretschmar Inc. c/o Kim McGovern as RP because they a) were listed as tank owner at time of removal, and b) seem to have some relationship w/EBP.

1/31/94 Reviewed 1/14/94 "Progress Report" by SCI. They analyzed gw in 2 MWS (could not locate 3rd MW), and from water in excavation. Got ND in the 2 MWS, but 3700 ppb TPHd in pit water. I agree with their recommendation to install two more MWS in probable DG direction. Spoke w/Gil Jensen. Who exactly should I name as RPs?

2/4/94 Spoke w/Gil Jensen. Discussed contents of 13267 RB letter. Drafted the letter. Faxed to Gil for comments.

2/25/94 Received my copy of 13267 letter from RWQCB. There are a number of errors and omissions on the final letter that went out to the RPs, vs my draft letter sent to Rich Hiett. . . . wrote and mailed out "Notices of Official Action"

- 3/2 spoke w/Sum Arigala of RWQCB. Told him of the corrections to their 2/24 letter. He'll send revised letter to me for mailing.
- 3/3 Kim McGovern called. Why did we list Courtenay Corp. as a RP? She's at 512-888-9392 until 3/10. She thought that Gil had agreed to remove CC. I referred her to Gil.
- 3/7 Reviewed 3/2/94 Workplan by SCI for 2 more MWs. Phoned Scott Leck re 3 items: 1) no map, 2) how many samples per boring will be analyzed, and 3) survey the wells to msl. He'll reply via fax.
- 3/9 Reviewed fax from SCI, which answers these questions. Wrote letter to Tzu Ming Chen, accepting wp. Phoned Sum w/RWQCB. He mailed corrected version letter to me on 3/8. Change date and send Sum a copy. . . . got message fm Charley Robin, lawyer for John Morrell Co. in Cincinnati (513-784-8364), who thinks they should not be listed as an RP. . . left mess. for Gil.
- 3/10 Received "Corrected Version" of 13267 letter fm Sum Arigala at RWQCB. left mess for Gil. Should we bother sending it out, now since Morrell and Courtenay corp. are disputing responsibility?
- 3/11 Jenny Hudson phoned (513-852-3543). She works w/Charley Robbins, lawyer for Morrell. They are not considered the successor corp to EBP bec. they only purchased the trademark and inventory, not the stocks. Will an affidavit suffice to remove them from list of RPs?

Kim McGovern phoned (415-393-8340). She spoke w/Gil after our last conversation. Gil agreed that Courtenay Corp. should not have been listed, and that Gil would get together w/me and Tom to write an amended order. Did we yet? left 3rd message for Gil. He hasn't returned my calls, beginning on 3/9.

(These concerns are probably moot because I've already received a workplan by SCI, presumably under the direction of Tzu Ming Chen.) . . . phoned J. Hudson and referred her to Gil. Phoned Kim and said that I haven't yet heard from Gil.

- 3/11/94 cont'd . . . spoke w/Gil. He said that if everyone else (Tom and I) remembers us letting Courtenay off the hook, then we should amend the order. But first he must discuss the mechanics of such a thing w/Lester. In the meantime, I should write Kim a letter extending their deadline by 60 days. Wrote letter to Kim McGovern. Tom

doesn't remember.

- 3/15 Kim M. phoned. She got my 3/11 letter, but it did not help her. She only has 30 days from the date of 2/24 letter to appeal the order. She wants cc of the list. She has calls in to Lester F, Rich H., Gil J. May appeal the "order." She noticed the discrepancy in the 2/24 letter: John Marshall, John Marl, and my 3/9 letter to John Morrell.
- 3/21 Received Gil's faxed instructions on how to revise the 13267 letter. Did so. Faxed to Gil for comments.
- 3/28 Reviewed the 3 petitions titled "Before the SWRCB" submitted by Gibson et al. Sent fax to Gil.
- 3/31 Reviewed 3/28 letter fm John Morrell and Co. Spoke w/Gil. He says my amended 13267 letter is ok to send to RB for signature. He said I should sent a draft of it to Kim (stamp it draft), along w/a cover letter. He gave me the lingo for the cover letter. As for the 3 petitions, they are appeals to the RWQCB. . . we have nothing to do with them.
- 4/5/94 Message from Kim McGovern, asking what if the workplan has been implemented. . . Phoned SCI; Scott Leck said he hasn't heard from RP (Tzu Ming Chen and translator Jim Hom) since they met approx. one month ago, and that his phone calls have not been returned. . . Phoned Gil; he asked to be sent the draft 13267 letter. Said Kim should be nudging Mr. Chen. Said I should contact Redding and say that the work has stopped; why?; and please report your intentions to McGovern and to us. . . . So I left this message for Redding. . . then left a message for Kim, saying what had taken place today.
- 4/7/94 Received and reviewed 4/7 fax from Kim McGovern. She proposed changes to the draft 13267 letter. left mess. Gil.
- 4/8/94 spoke w/Gil. My draft went to RB on 3/31. Gil said her changes aren't that significant. Can't retrieve it from RB. left mess. Kim.
- 4/11/94 Gil sez he'll call Redding this pm.
- 4/14/94 Tom said he spoke w/Redding; Redding is backing off the case.
- 4/19/94 spoke w/Gil. Redding backed off case because RP didn't want to do things REdding's way. . . RP thought it cost too much to implement wp. Send a NOV. Redding wrote

Gil a letter, suggesting Gil contact Henry Poy (corporate lawyer for Mr. Chen). He'll do that. In the meantime, where's the amended 13267 letter? left mess. Rich. It's on his desk. Revised it again, incorporating Kim's changes. Kept it to give to Rich on 4/20, when he'll be in our office.

- 4/20/94 Gave letter to Sum Arigala (RH not here today)
- 4/21/94 spoke w/Gil. Wants me to send a letter to Henry Poy (835-2277), who is the current lawyer for Mr. Chen.
- 4/25/94 Drafted letter to Henry Poy. I have to wait for the amended 13267 letter before I send the letter to Poy. Phoned Sum Arigala. He should have the signed copy in his box. He'll mail original back to me. I'll send the cc's (instead of Sum sending the cc's). Received and reviewed 4/12 letter to Gil fm Redding. Sum phoned. He should get letter back fm Steve on 4/27.
- 4/26/94 picked up letter fm Sum's office
- 4/27/94 wrote and sent certified cover letters to 4 RPs.
- 5/12/94 Messages fm and to Philip Yee (465-0582). Mr. Chen wants him to set up a mtg.
- 5/13/94 spoke w/P. Yee. Mr. Chen got my 4/27 letter addressed to Henry Poy (I forgot to cc Mr. Chen on it). P. Yee is an insurance broker, but is just acting as translator and friend to Mr. Chen. Says Chen paid consultant, but SCI never did the work. I told him that's between SCI and Mr. Chen. They want to meet w/me. Phoned Gil, who does not want to meet bec. he thinks it won't accomplish anything. We've already met w/them. Gil said to tell them DA wants to make a formal action vs. them. (Scare 'em). Phoned P. Yee. Said Mr. Chen already paid 12K to SCI in Dec. 93, but that he never heard fm SCI. Told him I got a wp, and that that cost money. They said what should we do now? I said to implement the wp. They asked the same question over and over. I said the same thing over and over. Oof ba bam!
- 5/13/94 P. Yee left mess: Jim Bowers on vacation til 5/23. He'll call me on 5/31 (when I'm back from my vac). Phoned SCI. JB on vac. til 5/23. Spoke w/S. Leck. SCI was waiting for legal description of his parcel, so they can install wells in the City property (right of way). Needs to copy owner's grant deed, and letter fm p.o. w/permanent to act on his behalf, requesting

encroachment permit. Later on spoke w/Scott Leck. Said he spoke w/Jim Hom, who said there was no problem w/anybody being angry w/anybody.

5/18/94 mess. fm Philip Yee. Can't understand what he said.

5/19/94 mess. fm Scott Leck. He got ok fm Jim Hom to install wells. . .probably next week. I left mess. SL, saying it's ok to install them w/out me (I'll be on vacation).

5/26/94 mess. fm John Conte, lawyer w/Frost and Jacobs, for John Morrell (513-651-6125). C. Robbins is lawyer for JM Co., and asked J. Conte's firm to respond to this matter.

5/27/94 Spoke w/J. Conte. He wants to know 1) when were USTs installed? 2) results of gw sampling (new wells), and 3) why was John Morrell included as RP? Faxed him the title search, which lists JM as prior RP, and 9/28/93 letter fm Courtney Corp to AlCo. Explained that a wp was already submitted by SCI.

6/6/94 mess. to and fm S. Leck. They installed 2 MWS and results are pending (early next week).

6/7/94 Received letter from John Conte dated 6/2/94. Made copy and sent to Gil. He wants a copy of the "documentary record for the site," as well as future SCI reports.

Revised NORs to reflect 4/27/94 Amended Legal Request. Sent them out, since we added RPs. Deleted EBP c/o Kim M. and Kretschmar c/o Kim M. from RP list.

Phoned J. Conte. Does he want a copy of the entire file? yes.

6/8/94 mess fm Gil re 6/2 letter fm J. Conte. We should correct his impression that they are not required to submit technical report. "You are not required to submit tech report at this time bec all indications are that Mr. Chen is submitting the report. Howev, zd that not be the case, this representation is not correct, and they are named as stated in the RWQCB order."

6/21/94 spoke w/S. Leck. Dirty MW results. He'll send fax w/site map and results. Set up mtg for 6/29.

Wrote letter to J. Conte.

Site Summary for Malibu Grand Prix, StID # 3813

3/28/94 Our office met with Mr. Robert Quintella and William Durgin, Jr. representing the Oakland Coliseum complex. The site was discussed and the various options outlined.

5/18/94 Received the May 2, 1994 Soil Remediation Work Plan prepared by RESNA.

Our office met with Mr. Kevin Graves of the RWQCB and as a result our office issued a June 7, 1994 conditional work plan approval for the proposed limited overexcavation, on-site bioremediation and potential reuse of remediated soils.

- 6/24/94 J. Conte phoned. He received my letter. Can RPs petition the RB for a review of any action or decision of an agency in implementing the cleanup, abatement, or other action? He got this from the 1983 Underground Storage of Haz Sub Act. He also had questions about the oversight charges. Then he spoke w/Tom.
- 6/29/94 Met w/Scott Leck. He gave me a data sheet w/results from MW-4 and MW-5 (the 2 new wells). Very high hits in MW-4 (210,000 ppb TPHg, 9,800 ppb TEH, and 7,600 ppb benzene). Can't understand why. Maybe there's another gasoline UST nearby. Discussed using GPR, or doing borings in that area. Ran MapInfo. The 3 most nearby sites do not have wells. Maybe the site is under tidal influence. Chen has authorized SCI to prepare a wp for more wells; they are in the street. The p.o. must notify the City that SCI is authorized to work in their behalf. But it's unclear who the p.o. is. Chen has until 10/1/94 to find out what it would cost to cleanup, so he can make a decision on whether to take responsibility for cleanup (and therefore only pay half price for the property). The report and the wp will be to me soon. Strange: there are several old corings in the shed and also outside, with soil piled up alongside them. Maybe there was undocumented work? who knows?
- 7/7/94 Reviewed 6/30 letter fm J. Conte. Discussed w/TP. He'll send Conte a copy of 23CCR and/or state contract w/RP definitions.
- 7/12/94 TP wrote letter to J. Conte
- 7/13/94 Received "GW Contamination Assessment" report by SCI.
- 7/21/94 Reviewed the 7/12/94 "GW Contamination Assessment" report by SCI. MWs 4 & 5 installed on 5/26/94. Huge ^{gw} hits: DG MW-4 had 210,000 ppb TPH-g, 9,800 ppb TEH, and 7,600 ppb benzene on 6/3/94 (such fresh gasoline?). GW flowed S or S-SW on 6/3/94. Q: where are the MWs screened? see p.4 and boring logs. They recommend further soil and gw testing to determine extent of soil and gw contam.
- 7/22/94 spoke w/Scott Leck. Bottom of screen is 10'. MW4 screened 5-10'; MW5 screened 3-10'bgs. Chen is looking for a lawyer who speaks Chinese and understands environmental matters. WP will be submitted next week. He hasn't yet applied to CleanUp Fund.

- 9/12/94 Reviewed 8/22/94 Work Plan by SCI. Proposes 19 additional soil borings; 5 of which will be offsite to collect gw samples; 14 of which will be onsite to collect soil samples. Phoned Scott Leck: How will they obtain the offsite gw samples? He said either use hollow stem auger or use Precision Drilling, who uses a PVC pipe in hole and a 1" diameter bailer. They'd be grab gw samples either way. . . . Wrote approval letter and faxed it to SCI. They want to start field work within the next 2 wks.
- 9/20/94 mess. fm J. Conte, requesting copies of SCI reports. Copied them and sent, along w/cover letter.
- 9/21/94 Tom sent a fax to J. Conte. 5 pages. Copy in file.
- 10/6/94 Phoned SCI. Scott on vacation this wk. Spoke w/Bill rudolf. RP stopped work the day before it began. Felix Chen (son or son-in-law of Tzu Ming Chen) was the contact; he speaks English.
- 10/14/94 spoke w/S. Leck. Felix speaks both Mandarin and Cantonese (and English), and Tzu speaks only Mandarin. Their # is 444-7083 (Wo Lee Food Co.) left mess Mei Ling for translation help. Reviewed 10/10 letter fm J. Conte to TP.
- 10/17/94 Phoned Wo Lee Food Co. Spoke w/Janice Chow. Felix is out for 2-3 weeks. Why did RP cancel the work? She'll ask Tzu and call me back.
- 10/19/94 spoke w/Janice Chow. She spoke w/her supervisor (Tzu Ming Chen). Some confusion as to getting 3 bids. They didn't get 3 yet, so they stopped work (?) Made date for mtg 10/24 at 1:30 pm.
- 10/24/94 Mtg w/Tzu Ming Chen, Philip Yee, Mee Ling Tung, and JE. He said he had no copy of 7/12/94 SCI report. He got my 9/12/94 letter before he got the wp. SCI hasn't given him an estimate. Has he applied for the fund? No. SCI recommended that lawyer do it instead. I commented that a consultant may be better equipped bec. they're more familiar w/USTs than lawyers, therefore can do it quicker, and probably cost less \$. He stopped work bec. SCI never told him the cost. He's called other consultants for 2 more bids, and is now waiting their responses. He did finally get SCI's bid. SCI charged \$20,000 for first phase (MW4 and MW5). I gave him lots of info on the CleanUp fund, low interest loans, copy of the 1994 claim application, phone numbers at the State, etc. Asked him to have his consultant (when chosen) contact me.

10/26/94 Rbt Kitay of ASE phoned (820-9391). An Asian woman asked them for a bid (no name). Doesn't know who she is or what her # is. He would've done a different wp w/less SBs. Get to bid in couple days.

12/6/94 Mee Ling Tung told me that Tzu Ming Chen came in to see her about 1 wk ago. Scott Seery also was part of informal mtg. Tzu had 3 or 4 bids, and showed them to Mee Ling to get her opinion. She told him he must decide, but that the State Fund probably wants him to go w/the lowest bidder. Scott said that he was familiar w/the contractors/consultants. Tzu said he may go to SCI and ask them to reduce their bid.

Reviewed 12/1/94 letter from John Conte to TP re State bill for oversight costs.

12/9/94 spoke w/Misty K. RP is concerned that ACC's bid is way low bec. ACC will issue a change order for more \$\$ once work begins. Misty wants RP to know that the reason their bid is much lower is bec. they plan to use a pneumatic sampler (good in clays, also noncompacted sands--max depth 30'), which will lower costs bec. 1) no cuttings, 2) easier to mobilize.

lm Mee Ling: can she translate this to RP?

12/13/94 Mee Ling phoned RP. Rp hasn't decided on consultant, but will contact C. Stevens of the Fund. Lowest bid is \$9,000 fm ACC. HIGHEST is \$25,000 SCI.

1/20/95 spoke w/Mee Ling. She'll phone RP.

1/30/95 Mtg w/RP Tzu Ming Chen, and Mee Ling. RP went to Sacto and saw engineer C. Stevens, who told him at first that he wasn't eligible bec. he bought prop after USTs were removed. Then rescinded that, after speaking w/his boss or C. Gordon (?). This all happened before Xmas. (So why didn't RP contact us? Why has he been stalling?) He showed us 3 bids: ACC, Cambria and SCI. ACC is lowest at \$9,959. He hasn't yet applied to Fund. I encouraged him again; told him that consultants can help him. He's upset that he spent \$40,000 already on lawyers. (I didn't mention getting a lawyer.) I'll **check Sanborn fire insurance maps re USTs in that corner area.** Also check MapInfo for LOP sites, and UST dep ref list. Maybe move SB near MW2 closer to shed.

1/30/95 Short site visit to ID other sites.

Checked Dep Ref list. Asked inspector Roel M. to investigate the following for USTs, etc.: Leo Grande Bros. Produce at 202 Madison St.; Monahan Paper at 175-2nd St.; and East Bay Tire bet. 2nd and 3rd, and Jackson and Alice.

Phoned Oakland Main Library: the History Dept. has Sanborn Maps. Closed Mon. 238-3222.

1/31/95 Visit to Oakland Main Library. Looked at Sanborn maps for 1903-1911, but could find no indication of USTs. A business called Aermotor was on the S corner of our intersection (Madison and 2nd).

2/3/95 Friday. It's been 4 days since our mtg w/RP. Phoned Mee Ling; asked her to phone RP on Mon 2/6 if she doesn't hear fm him by then.

2/7/95 left mess Mee Ling

2/9/95 Spoke w/Roel: he found a UST at 202 Madison St.; he'll send ltr to property owner to either have it permitted or removed. The business owner (Leo's Produce) had no knowledge of the UST. So it's probably an old UST, not used for a long time. So it's probably NOT the source of the high BTEX to TPHg ratio. How high is the ratio? 7,600 ppb benzene: 210,000 ppb TPHg = 3.6% benzene. LUFT Manual says there's .12 to 3.5% benzene in gasoline. Remember, benzene is the first constituent of BTEX to degrade. (.3hr NOT charged to RP)

left mess Mee Ling: did she contact RP? hasn't heard fm him

2/21/95 left mess Mee ling: out on vacation til 2/27. left mess Roel re copy of ltr to RP for 202 Madison St. phoned Wo Lee Food Co: spoke w/Janice: they signed contract w/ACC. phoned ACC: 522-8188 spoke w/Dave Dement: yes, they got the contract last week. Will proceed w/workplan shortly. He's already applied w/Zone 7 and City of Oakland. He wonders if this work that SCI proposed is appropriate. Which tanks leaked? He wants the original results. Is this a soil problem or gw problem? I can't find the soil results for MW4 and MW5. See 6/29/94 notes: SCI noted old corings in the shed w/soil piled up alongside them. Maybe undocumented work? Tell Dave Dement. Dave mentioned he visited site and saw old 10" PVC casing w/perforations in it. Another indication of prior site work? Looks like MW1 was installed and later removed. Maybe MW1 was a 10" well. Check boring log.

- 2/23/95 Mtg w/Dave Dement of ACC: file review bec ACC doesn't want to do any unnecessary work. ACC will help RP prepare app for CleanUp Fund. They'll start work in about 2 wks, using HP (which can give higher concs than actual gw formation--but we can just use these values as "worst case"). Was there undocumented work? He'll ask his contacts/GTE. **I want to count the vent lines onsite. If >4, then maybe there is another UST. Maybe they found it under the shed, and didn't want to report it.**
- 2/24/95 spoke w/D. Dement: Chris Palmer told him that GTE went out of business, but Stuart Solomon (former "Principal" at GTE) formed a new company called PIERS (Phase I Env. Realty Services), which only does Phase I file reviews. So they're not digging in the dirt anymore! Their # is 408-559-1248. S. Solomon is now a REA, but wasn't Registered as anything while w/GTE (as I suspected). Phoned S. Solomon 3X, but they say he's out
- 2/27/95 phoned Stuart Solomon, but they say he's out
- 3/21/95 Onsite for soil sampling
- 5/2/95 spoke w/D. Dement: report should be ready Friday. He made a mistake; did gw samples and ran for TPHg, BTEX, and TPHd. But wp did not include gw. Yes, it did. He ended up doing 16 borings, not 19. **It looks like he did 14 onsite gw samples too many.** He thinks the reason he collected gw samples is because he got hot soil samples onsite. Offsite water samples were all ND except 53 ppb TPHg in furthest well. I say it's insignificant. Onsite water samples ranged from 5,000 to 100,000 ppb TPHd, 46,000 to 200,000 ppb TPHg. **Unfortunately, he thinks he'll have to charge the RP for the "extra" gw analysis (\$2,000).** Ironically, that was the RPs biggest fear in choosing the lowest bidder.
- 5/31/95 Felix from Wo Lee Food phoned. He has the report, and wants to know when Ill be in the office, so he can deliver it. Phoned Wo Lee: spoke w/Tina: her boss prefers to bring it in person, even though I said the easiest thing is to mail it. Told her Id be in all afternoon.
- 6/6/95 Received report.

6/15/95 Reviewed **undated** "Subsurface Env. Invest." by ACC. There is no cover letter. The results confirm the huge concs in MW4. **There is a big problem here. ACC recommends backfilling the open pits to exclude them as a source of recharge to the shallow gw.** This makes sense. They also say that the concs of TPHg (up to 330,000 ppb) may indicate FP. Well also need remediation. **I didnt understand first sentence pg 4. Phoned Dave Dement: date of report? Did they get pd for the additional work? What does he think about remediation? Pg 4 sentence?**

6/19/95 spoke w/DD: we could put in large diameter well into pit to remediate gw. He hopes Id write RP saying the additional gw info was useful and may have been requested anyway. It eliminates data gaps. Gives us gw isoconc maps. It was an extra \$2000. Benzene plume is moving faster than gasoline. We could pump gw into Baker tank and see how hot it is. Could get one time EBMUD permit to discharge (after carbon treatment, if necessary). They did this for the Burke (SLIC) site.

6/20/95 **Wrote ltr to RP**

Spoke w/DD: SP is still onsite. Discussed case and letter w/SOS. Gradient? 6/3/94 event: the 7/12/94 SCI report says 0.8% which is **0.008 ft/ft**. 1/94 event: only 2 wells existed, therefore no gradient calcs. 5/90 event: no TOC, DTW, or GWE data in GETs great report.
GET

$8\% = \frac{8}{100} = .08$
 $\frac{8}{100} = .08$

6/23/95 mess fm S. Southern of ACC: State told him Wo Lee Food is not eligible for Fund bec they were not tank owner or operator. Are there other Rps?

6/26/95 spoke w/D. Dement: same thing as S.Southern. Explained that the tank owner/operator is now defunct. We need monthly GWE measurements, and a DG well. Discussed situation w/Tom. The other Rps seem to be bigger companies, which means theyd probably fall in Category C or maybe D. And the other Rps seem to have big lawyers. Does Wo Lee Food Co. Belong to Tzu Ming Chen? We can write NOVs if theres no response. Also final NOV. We may get as good a response with less time by doing this, rather than another PERP. RWQCB enforcement ltr is a last ditch attempt, after our NOVs have gone nowhere. Lm Cheryl Gordon: if there is no tank owner in this universe, then cant someone else be eligible for the Fund?

6/27/95 Spoke w/C. Gordon: they'd probably reject his application, but this could be appealed. spoke w/S. Southern: noted how the other Rps are out of state, seem to be bigger companies (which means they'd probably fall in Category C or maybe D). And the other Rps seem to have big lawyers. He had a site where out of state residency automatically placed a RP in Category D. **Wo Lee Foods business made \$9.7 mil over the past 3 years. Yes, Tzu Ming Chen owns Wo Lee Foods.** Told him they could apply, and then appeal if they get rejected.

Wrote ltr to RP.

7/24/95 spoke w/DD: he wants extension on CAP. Will put in writing. Met w/Tzu Ming Chen on Sat.

11/15/95 spoke w/DD: Wo Lee hasn't paid ACC, says the check is in the mail. ACC did 2 QM events. No plans for DG well. Has a good, consistent gradient: S-SE to S on 9/9 and 10/27, at .004 and .003 ft/ft. Hasn't sent us the reports. Wants to get the \$\$ first.

12/27/95 Reviewed 12/19 letter from ACC. **They recommend discontinuing well monitoring (for gradient), and request that a DG well NOT be installed, bec gw migration is minimal (0.003 ft/ft), and the extent of the gw plume has been delineated.** They did GWEs in Sept, Oct, and Nov., and got a consistent South gradient at approx 0.003 ft/ft.

Phoned ACC; spoke w/DD: They did 3 months instead of 6 because he wanted to see if it was consistent. **They are under contract to do a CAP, based on my letter.** He put it on backburner by mistake, but can have the CAP to me by Jan 10th. Maybe use existing pit to pump out gw, discharge to storm drain or sewer. But the pit is far away from the hot spots. Maybe start bailing the wells near the bldg that are very hot. He DID get paid, finally, from Wo Lee. Would rather save expense of pump test, put in extraction well and pump until you get a consistent rate. Clayey sands. **RP has been turned down by CleanUp Fund.** Who have they been in touch w/at the CleanUp Fund? She or he told RP that they should not even bother appealing their rejection. Bec they bought the site without USTs, and should have known the site was dirty.

2/27/96 Reviewed 2/26 fax from ACC. Update on CAP; should be done by 3/8/96. They want to incorporate changes in reg definitions of low risk gw sites, as per the LLNL report.

8/12/96 spoke w/Dave Dement: he sent the CAP to RP about a month ago, and sent them an extra copy for them to forward to me. But I have not received it yet. He heard they wanted to sell their property. They proposed they do selective excavation and try to dewater the pit numerous times, all without tearing down bldgs (sheds). Also maybe put in a sump or french drain to bail or pump, maybe do periodic discharges. **I should write them a letter!!!** He estimated excavating 200 yd³. Janice Chow phoned him to say she had some questions. Their realtor or lawyer wrote him a letter asking ACC to share all info w/prospective buyer. Chuck Miller showed him a letter from realtor or lawyer(?). What about the need for a DG well? His CAP did not address it. Chuck doesn't think it's appropriate to cc the potential buyer. But they have a mtg w/broker for that party on 8/20. So if I cc Dave, they will show the broker my latest letter. He's heard about installing ORC via Geoprobe, into the top 3-4'. It leaves a cylinder of material that releases oxygen. Better than ORC in Mws, bec it can biofoul the screens. Fastech in San Rafael does it.

WROTE LETTER TO RP, requesting the CAP, DG offsite well, annual monitoring.

9/10/96 spoke w/D. Dement: RP got letter fm City complaining re soil SP and open excavation, and the weeds. So Wo Lee wants to know if they can reuse the SP. Wo Lee is planning to arrange to get someone to bring in clean fill and backfill. Dave doesn't have a copy of the letter. He sampled the Mws last week.

WROTE LETTER TO RP RE SOIL STOCKPILED.

11/27/96 Reviewed 7/10/96 "Corrective Action Plan," by ACC, under cover letter from Wo Lee Food, signed by Janice Chow (secretary). Received here on 8/19/96. How much did the CAP cost? **They recommend to excavate soils between the open pit and the shed (Fig 7), and pump gw (at least 10,000 gal).** Questions: 1) what do the #s refer to on pg 18? 2) How much room is there bet the open pit and shed? I thought the open pit went right up to the shed. 3) pg 20 says "reduced soil permeability." Does that mean low permeability? Soils onsite are sands and silty sands. 4) what type of soil screening test kits does he refer to on pg 21?

Reviewed 8/20/96 Addendum to the CAP. They recommend the open pit be backfilled if the soil removal is not performed by Oct 96. They also provide proposed location of offsite MW, the need for which will be

11/27/96

con't evaluated after more sampling is done.

Reviewed 9/23/96 "Groundwater Mon Rpt" by ACC. GW sampled on 9/4/96 flowed South at 0.003 ft/ft. MW4 has attenuated down to 5,100 ppb benzene and 45,000 ppb TPHg, since the last sampling (6/94). TPHd is now ND (in all Mws).

phoned Dave Dement: left message. I said I felt better about not putting in an additional DG well, in light of the decrease in concs (over 2 yrs). Are they under contract to do anything else? More QM? They should do soil SP sampling at a minimum, in order to backfill.

12/16/96 lm DD: status of SP and pit?

12/30/96 spoke w/DD: in light of the recent gw results, hes less concerned about putting in a DG well. What about the excavation and gw pumpout? RP says he really needs the steel shed. So thats why CAP just involves removing the soil between shed and pit. What about putting ORC into the open pit? He thinks someone came in and cut down vegetation growing in the SP. But he thinks that was all. When he sampled the Mws, vegetation was not yet cut down. He thought they had an order fm Public Works to clean it up. CAP cost about \$1,400. **Hes thinking of doing ORC now.** Do it in a grid, not just in the pit. Probably cost \$15,000 to 20,000. Could monitor O2 values in the Mws. He has a software program which tells you the best way to use the ORC, given site parameters. Simple modeling, based on well known diffusion models.

Answers to my ?s fm 11/27 review of the CAP:

- 1) The #s on page 18 and 19 of the CAP are from the 1764 document where they issued their report of findings. I asked him for a copy of his document. 5/31/96 SB 1764 Advisory Cmte Recommendations Report re CAS LUST program. Page 30
- 2) just a few feet between shed and pit. May require shoring. Thats more \$\$.
- 3) Sat zone is clayey sand, w/not much effective porosity, or else wed have seen offsite plume long time ago. Simple diffusion case, maybe w/preferential pathway. I looked at ACCs bore logs from their Geoprobe invest. They only logged one boring deeper than the gw level. It was "sand, medium grain, well sorted, trace fines, medium dense, moist." He said SP sand can have up to 12% fines, making it fairly impermeable.
- 4) did not discuss

12/30/96 Dave will talk to Fund re SB562, and talk to RP re ORC vs excavating. He will send me the SB1764 report, and I will send him SCI's bore logs.

Reviewed bore logs from the first 3 Mws installed (5/5/90 by Geo-Environmental Tech). Soil below gw was "sand, very clayey in 2 borings," and "sand, slightly clayey" in 1 boring. . . .Reviewed bore logs from MW4 and MW5 done by SCI. Soil below gw level is "olive gray sand (SP): med dense, wet, fine grained" and "olive gray silty sand (SM): loose, wet, fine grained." Faxed these to DD.

Began ltr to RP, but will wait for DD to meet w/them and call Fund.

3/17/97 phoned DD: He will write a ltr to Wo Lee today, and cc me. He hasnt discussed ORC w/RP. He would want to inject it along DG prop perimeter, as well as in Mws. It wd cost about \$200 per well. What about the presence of sheen in MW4 and 5 (9/96)? Should we be socking off the sheen instead? Will ORC work on a sheen? Yes. They even propose ORC at FP sites. When he wrote the CAP, they were assuming it was a FP site (in ACCs borings). But ORC wd be cheaper than excavating and disposal. Last time he spoke w/Fund, they told him again that Wo Lee is out of luck.

Mess fm DD: they ARE under contract to do QM. He will have it done on 3/20; results on 3/27; rpt to me around 4/1. Will also check DO, if RP will pay for it. Must rent a meter.

WROTE LETTER, requiring remediation, backfilling the ex, and disposing of SP soil.

3/20/97 mess fm DD: he just got ok to sample SP. Will do it today, while they are doing gw samplg. He guarantees it will be a representative sample; will auger down 5' into center of the SP, 1 discrete per 20 yd3. **They want to have a mtg w/me after they have the QM results and SP results.**

4/18/97 Reviewed 4/4/97 "Stockpiled Soil Samplg" rpt by ACC. They finally sampled the SP! Got ND TPHg, ND BTEX, and 26 and 39 ppm TPHd (in the late diesel range). ACC recommends backfilling w/the SP. Its 45 yd3.

4/18/97
con't

Reviewed 4/7/97 "Biannual GW Mon Rpt" by ACC. **GW sampled on 3/21/97 flowed S to S-SE at 0.007 to 0.003 ft/ft.** ACC says the open pit is oxygenating the gw. ACC now recommends keeping the pit open pending implementation of any remedial action. Why did they change their tune?

RP is still remiss as follows (as per my 3/17 ltr):
1) they did not contact me in writing by 4/2 and tell me if theyd be implementing the CAP as is, or using ORC.
2) If they decide on ORC, they did not submit revised CAP by 4/17
3) they did not backfill the pit by 4/17

Phoned DD: they may think we should have a mtg. They speak Cantonese (not Tuysan--peasant Cantonese fm Chinatown). He told Janice to contact me and set up a mtg, and let him know when. He is not available 4/22, 4/25, next wk is ok.

Phoned Mee Ling to check her schedule. Lm w/Bonnie.

Sent fax to RP saying the following:

I have received the 4/4/97 "Stockpiled Soil Sampling" report by ACC and the 4/7/97 "Biannual Groundwater Monitoring Report" by ACC. I would like to set up a meeting with you and ACC to discuss the results. We have a translator who speaks Cantonese (Ms. Mee Ling Tung). The following dates are possible: April 24 (after 10 am), April 30, or May 1st (after 1:30 pm). **Please let me know when you can meet. Please call me at 567-6761 or fax me at 337-9335. Thank you!**

4/23/97 DD phoned: he cannot make the mtg 4/30 at 2 pm. Can it be changed? Lm for him it will be difficult to reschedule. Spoke w/him: Yes, he can make it.

4/30/97 phoned MLT, RP, DD to confirm mtg. 2:00 mtg w/Mee Ling Tung (to translate), Misty Kaltreider (instead of Dave), Tzu Ming Chen, his son Felix Chen, and JE. Misty brought 4/30/97 Addendum to CAP. They want to do DO measurements in Mws asap, and evaluate the inst of one offsite MW (near MW4) in terms of utilities. Then she will submit a ltr wp to use ORC and to drill DG MW. Meanwhile, I will see if there are any soil issues; bec they want to pave over the former UST area. Misty also recommended backfilling the SP into pit. They will inject ORC w/a machine. I

4/30/97
con't

don't see why they need to keep the pit open. Although Dave thinks the open pit may be adding O₂ to gw, the concs of benz in MW4 have not decreased so much. Misty advised RP to tell contractor to look at the site first; put in drain rock to cover water table. RP said USDA inspector is complaining about the outdoor conditions. I recall they were storing food in that shed (w/rat traps and dirt floor). RP said he could get a bid to backfill SP and pave area.

Reviewed file re outstanding soil issues. **1990 SAMPLES:** (GTE): Soil samples taken at 7'bgs during tank removal. They got up to 61 ppm benzene (and 82 ppm TPHd) in 1-south. But they overexed 1-north (bec it had 2500 ppm TPHd)(and also 4.5 ppm benz). They were using 1000 ppm TPHd as action level. Not looking at benzene. So they overexed 1-north to ND TPHd and 0.013 ppm benz. RBSL for soil to outdoor air, comm 10-5 is 1.3 ppm. **So the 61 ppm benzene hit is the only hit over that RBSL.** **1990 SAMPLES:** (GTE): When they installed the first 3 Mws, they only analyzed TPHd (not BTEX). **I propose they hand auger another sample at that same depth (7'bgs) and location to verify (attenuation, hopefully).** Other soil samples? **1994 SAMPLES:** (SCI): The 7/12/94 SCI rpt apparently did not include soil sample results for MW4 and MW5 (although boring logs show samples were collected). Im Bill Rudolph re this. **1995 SAMPLES:** (ACC) Up to 5.3 ppm benzene in SB10 at 3.5'bgs. If we are still comparing to RBSL of 1.3 ppm, then we also have other hits >RBSL: 1.9, 1.5, 2.2 ppm benzene in SB13, SB15, and SB16. See fig 3.

Must remind Dave to take DO measurements properly. Faxed him the gw analytical protocol (from recent class on natural attenuation). Phoned Dave: lm; spoke w/him: he uses a flow cell for DO. You don't agitate the water, and get a continuous flow of water. If we have 5 ppm DO in bkgrnd wells, and 1 in dirty wells, we will use the ORC. He doesn't want to put ORC in MW4 and MW5, bec he doesn't want to lose them as sampling points. So he'd rather inject the ORC. He thought it was interesting that RP said "ACC should play a more active role." But whenever DD has suggested anything to RP, they always say, "what does AlCo want us to do?" He thinks a DG MW is necessary to verify presence or absence of offsite migration. They say ORC moves 10' in 90 days by diffusion. Flat gradient. He will call 2 contractors (VCI and GGTR) and ask them to give this RP a bid next week. He will ask them to call Janice first, then visit. He will send Wo Lee a proposal to do all these things: DO, call USA. Then he will get wp to me.

5/6/97 mess to and fm Jeriann Alexander of SCI: re MW4 and MW5. Any soil samples analyzed? Soil samples were collected from near gw surface. Cannot explain high OVM readings. Saturated sand; high gasoline odors, but they were instructed to analyze for diesel in soil borings. ~~They only submitted samples from borings 1-3. They were directed to do this work by an attorney. They apparently did not analyze any soil samples.~~ Out til 2pm 5/7.

7/11/97 mess fm Dave Dement: 638-8400 Wo Lee is trying to sell the property. Bill Wong 268-8889 is potential buyer, who contacted Dave and reviewed ACC reports, and still wants to buy. What does AlCo require at this time? Dave thinks just finalize corrective action scope of work, get AlCo approval and proceed. Or just revisit the approved, amended CAP?

Reviewed the file. This is what should be done: analyze DO in Mws, determine whether to use ORC (based on DO), call USA to determine offsite MW location, hand auger another sample at 7' bgs at the location of former sample 1-south (61 ppm benzene and 82 ppm TPHd) done in 1990 during tank removal, and backfill the open pit as per the conditions in my 3/17/97 letter. Was the SP sampled? Will they be sampling in 3rd Q, as per my 3/17/97 ltr? Will this potential buyer sign a contract that specifies who is RP for remediation?

7/15/97 phone tag w/DD. Left him a detailed message

7/16/97 phoned DD: how about putting ORC in the open pit before backfilling? Streamborn has done that before. He has had success w/that before; Pacific Bldg Supply site in Napa. He will also ask VCI for a bid on backfilling. Soil SP was sampled and is clean. **He will get a proposal to Wo Lee hopefully by next week.**

9-2-97 *Dance set up 444-2083*