

ENVIRONMENTAL ENGINEERING/TECHNICAL SERVICE
GLENDALE, CA 91203

Inter-Office Communication

RECEIVED

2:28 pm, Jan 04, 2008

Alameda County
Environmental Health

May 15, 1992

TO: Noelia Marti-Colon, Legal - 20**cc:** H. Bauman - 14
M. Wood - 20
B. Vega - 20**FROM:** James J. Person, Envir. Engineering - 14**RE:** Oakland Dairy Site
Stored Drums with PCB Labels

We requested General Electric representative to visit the underground tank site for preparing a cost estimate to transport and thermally incinerate approximately 600 cubic yards of PCB contaminated soil that is yet to be excavated.

During the recent visit, Mr. Brown observed seventy-eight drums having PCB labels which were labeled by previous consultant, AGE, containing pipes, pumps, assorted wood, etc. Previously, these drums had a representative group (14 drums) opened and each internal item wipe tested for PCB content. All tested non-detect of PCB's. The labeled drums remained on site, in lieu of disposition, for evidence in Nestlé's legal action against AGE.

Mr. Brown advised it would be more appropriate to remove the PCB labels from drums documented as not having PCB's and dispose of those documented as having PCB's. He is proposing to inspect and sample contents for PCB content on the remaining 64 labeled drums for \$15,000. There may be a time limit for storing such labeled drums. Attached is GE's 3/31/92 price quotation. Would you please review this issue, advising if sampling and disposition should now be implemented.

Inter-Office Communication

May 26, 1992

*Handed to note
TOM WYLIE only.*

TO: → Hans Baumann - 14
FROM: James J. Person - Eng. - 14
RE: Oakland Dairy Site
Stored Drums with PCB Labels

James J. Person

Attached is Legal's 5/21 recommendation to dispose of the 78 PCB labeled drums at the Oakland Dairy site. See my attached 5/15 memo on these drums' history.

I propose we have General Electric perform PCB testing on the drums' contents so those not containing PCB's can have their labels removed and sent to a non-hazardous landfill. This will require either a \$15,000 purchase order or contract be let to G.E.

Should I forward this PO/Contract request to Tom Wylie, since he previously handled those items, and then have him forward contract for Walter Carey's signature? Or is there some other direction required?

JP/km
Ref: MM.526

NESTLÉ USA, INC.
Legal Department Memorandum

Glendale Office
800 North Brand Blvd., Glendale, CA 91203
(818) 549-6000 FAX (818) 549-5840

TO: James J. Person - 14
FR: Noelia Marti-Colon - 20
RE: Oakland Dairy Site
Stored Drums with PCB Labels

DATE: May 21, 1992

PRIVILEGED LEGAL COMMUNICATION
ATTORNEY WORK PRODUCT

This will serve to respond to your memo of May 15, 1992 in which you request my advice on whether we should arrange for the sampling and disposal of the above drums. In my opinion, the proposed sampling should be conducted to properly characterize the waste as non PCB waste and proceed with its disposal.

As you know, generators of hazardous waste are required to characterize their waste to determine if the waste is hazardous. Although characterization of the waste can be based on the generator's experience with the waste, in this case we had a consultant characterize the waste as containing PCB's. Given this situation, our alternatives would be to either dispose of the waste as PCB waste or sample the waste to properly characterize it for disposal. I believe the latter approach should be pursued as it will better protect the Company's interest.

Given our current litigation with AGE, I have discussed this matter with Bridgette Vega and she agrees with my recommendation. Please feel free to call me should you have any questions or if I can be of any further assistance regarding this matter.

NMC:bs

cc: B. Vega
H. Baumann

Inter-Office Communication

June 5, 1992

6-5-92
6E PCBs to
6E to destroy

TO: Tom Wiley - Eng. - 14

cc: Hans Baumann - Eng. - 14
Noelia Marti-Colon - Legal - 21

FROM: James J. Person - Eng. - 14



RE: Oakland Dairy Site
Stored Drums with PCB Labels

Attached is my 5/15/92 memo providing information on 78 drums at the Oakland site.

It has been decided to accept General Electric's \$15,000 price quotation to sample all drums for presence of PCB's. Those confirmed not having PCB's are to have the PCB labels removed by General Electric.

Disposition of the drums and their contents will be determined after receiving the sampling results. Disposition will be separate cost.

(510) 436-772

Please issue a contract or purchase order to General Electric, care of Ray Brown. If a purchase order will be used, could the number be verbally given to Mr. Brown so we can expedite this needed activity. We would appreciate being advised when G.E. is engaged and when we can expect the sampling results.

TAC Evans
6/10/92 10:00 AM

JJP/km
Ref: 92-008