Nestlé USA
Legal Department

800 NORTH BRAND BLVD.
GLENDALE, CA 91203

TEL (818) 549-5833
FAX (818) 549-5840

noelia.martícolon@us.nestle.com

NOELIA MARTÍ-COLÓN
Senior Counsel

November 7, 2006

VIA OVERNIGHT AIRBORNE (DHL)

Eileen Belding
Department of Toxic Substances Control
700 Heinz Avenue, Suite 200
Berkeley, CA 94710

Re: Request for Information on PCBs at the former Carnation Dairies Site in Oakland, California

Dear Ms. Belding:

As you will recall, the above request was prompted by an observation in a September 12, 1989 AGE report entitled, "Unauthorized Release Report for PCB Contamination at the Carnation Dairy Facility, Oakland, Alameda County, California." That report stated that a groundwater sample from PR-12, identified as Arochlor 1254, indicated PCBs at concentrations of "0.06 mg/l ppm", followed by a free product sample collected from PR-12 found to contain 66 ppm. PR-12 is located in the vicinity of a freezer that had been on-site.

After a thorough search of Nestlé's files (on-site and off-site), as well as available consultants' files, we have found the reports and information listed below with relevant information on this subject. Please note that, as agreed with you, due to the volume of documents and for ease of reference, only excerpts of some of the documents are enclosed.

1. 2nd Quarterly Monitoring Report by AGE dated November 2, 1989. Table 2 of this report lists analytical results for 16 groundwater samples, all nondetect for PCBs. Monitoring wells identified as MW-11, MW-12, and MW-2 are located near PR-12, the location of the prior PCB "hit". This report presents the results of sampling that occurred on August 29, 1989, which is subsequent to the July 1989 PCB detection reported in the September 12, 1989 AGE report. The non-detect results would seem to call into question the conclusion that PCBs are present in groundwater at the site. *See Tab 1.*

2. Draft report from AGE to Howard Schmuckler, a former Carnation employee dated November 7, 1989. There is no cover page on the report, nor is there a title or other identifying information. The purpose of the draft report is to summarize the results of the investigation of the PCB contamination. The draft report states that there is no PCB contamination in the near surface soil (at p. 8.) Five product recovery probes were installed to identify the aerial extent of PCB contamination in August 1989. All soil samples were non-detect for PCBs except one at the 10 foot sample depth, with a result of 870 ppb PCB. The one hit was identified as PR-86, sampled on 8/31/89. Additionally, 5 water samples were taken on September 15, 1989. All sample results were non-detect. The draft report does not include the chain of custody forms and analytical results. The draft report states that there is no PCB contamination in the groundwater, but soil contamination at 10 feet is indicated at PR-86. PR-86 is upgradient of PR-12 (the location of the groundwater hit). AGE is unable to identify the exact source of the PCB contamination. *See Tab 2.*

3. AGE's Off-Site Investigation Report dated January 17, 1990. This report provides results on off-site groundwater sampling. No PCBs were detected off-site. The sampling locations were in the street north of the facility. *See Tab 3.*

4. AGE's February 28, 1990 Groundwater Treatment System Report. PCBs were non-dedect in this report. *See Tab 4.*

5. Certificates of PCB disposal and manifests of March and May, 1990. PCB drums, wood boxes, debris. *See Tab 5.*

6. Assorted Carnation correspondence, late 1990. The documents contain information on PCB material at Oakland pending disposal, and the need to sample to confirm PCB levels. *See Tab 6.*

7. Additional documentation of PCB disposal dated January 10, 1991. *See Tab 7.*

8. HLA Site Characterization Report dated September 17, 1991. PCBs were detected in soil in two borings, SB-6 and SB-8 (see p.19). Oily liquid was analyzed for PCBs and reported at 49,000 ug/kg. HLA concludes that PCBs exist south of the warehouse and vehicle service bays west of the freezer. *See Tab 8* for the Site Characterization Report and meeting minutes discussing proposed work to delineate PCB contamination.

9. HLA Engineering Evaluation and Cost Analysis of Remedial Alternatives, draft dated September 30, 1991. Discusses PCB testing. *See Tab 9.*

10. Assorted Nestlé internal memos, 1992. Discuss incineration of approximately 600 cubic yards of PCB contaminated soil to be excavated at Oakland as of May 1992. *See Tab 10.*

11. Park Environmental Remediation Work Plan dated February 10, 1993. *See Tab 11.*

12. Groundwater Monitoring Report prepared by Park Environmental dated January 4, 1994. Table VI presents groundwater chemical constituent results from March 1989 to November 1993. It would appear that the last analyticals run on PCBs in groundwater were in November 1989. Table VI indicates n/d for samples that were tested for PCBs. *See Tab 12.*

From the above information, it appears that as of the Park Environmental Report in 1994, no PCBs were detected in groundwater samples. Please let me know if you have any further questions concerning this matter or would like full copies of reports excerpted.

Very truly yours,

Noelia Martí-Colón
Senior Counsel

Enclosures

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Nestlé

TO: *(ZIP code required)*

NAME: Eileen Belding
COMPANY: Department of Toxic Substances Control
ADDRESS: 700 Heinz Avenue, Suite 200
CITY, STATE: Berkeley, CA 94710
PHONE #: (510) 540-3844

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