

7064

LOP CHANGE RECORD REQUEST FORM

printed:  
11/30/1999

Mark Out What Needs Changing and Hand to LOP Data Entry  
(Name/Address changes go to Annual Programs Data Entry)

Insp:

AGENCY # : 10000 SOURCE OF FUNDS: F SUBSTANCE: 12034  
StID : 1777 LOC:  
SITE NAME: Pepsi-Cola Co. DATE REPORTED : 04/20/1994  
ADDRESS : 1150 Park Ave DATE CONFIRMED: 04/20/1994  
CITY/ZIP : Emeryville 94608 MULTIPLE RPs : Y

SITE STATUS

CASE TYPE: S CONTRACT STATUS: 3 PRIOR CODE:2B3 EMERGENCY RESP:  
RP SEARCH: S DATE COMPLETED: 05/04/1994  
PRELIMINARY ASMNT: DATE UNDERWAY: DATE COMPLETED:  
REM INVESTIGATION: DATE UNDERWAY: DATE COMPLETED:  
REMEDIAL ACTION: DATE UNDERWAY: DATE COMPLETED:  
POST REMED ACT MON: DATE UNDERWAY: DATE COMPLETED:

ENFORCEMENT ACTION TYPE: 1 DATE ENFORCEMENT ACTION TAKEN: 05/05/1994  
LUFT FIELD MANUAL CONSID: 2HS  
CASE CLOSED: DATE CASE CLOSED:  
DATE EXCAVATION STARTED : REMEDIAL ACTIONS TAKEN: ED

RESPONSIBLE PARTY INFORMATION

RP#1-CONTACT NAME: Chester Grywczynski  
COMPANY NAME: Pepsi Bottling Group, Inc.  
ADDRESS: 5000 Hopyard Rd.suite#270  
CITY/STATE: Pleasanton, California 94588

RP#2-CONTACT NAME: Mr. Joe Colbath  
COMPANY NAME: Kaiser Foundation Hospital  
ADDRESS: 1950 Franklin Street  
CITY/STATE: Oakland, California 94612-2998

INSPECTOR VERIFICATION:

NAME \_\_\_\_\_ SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

DATA ENTRY INPUT:

Name/Address Changes Only Case Progress Changes

ANPPGMS \_\_\_\_\_ LOP \_\_\_\_\_ DATE \_\_\_\_\_ || LOP \_\_\_\_\_ DATE \_\_\_\_\_

November 18, 1999

Susan L. Hugo  
Hazardous Materials Specialist  
Environmental Health Services  
Alameda County Health Care Services Agency  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

ENVIRONMENTAL  
PROTECTION  
99NOV 19 PM 2:14

Dear Ms. Hugo:

**Certified List of Record Fee Title Owners for  
Former New Century Beverage Co. (Pepsi-Cola) Site  
1150 Park Avenue, Emeryville, California 94608  
(STID # 1777)**

*non-updater*

In accordance with Section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, J Scott Toth representing New Century Beverage Company, Inc., certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:

1. The westerly 60 feet of the former New Century Beverage Co. property:

APN 49-1027-22-5 (easterly portion)

Pixar Animation Studios  
1001 West Cutting Blvd.  
Richmond, CA 94804  
Attention: Tom Carlisle, Facilities Director

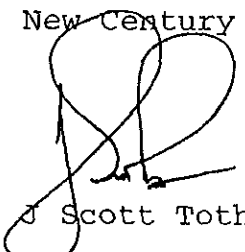
2. Remainder of the former New Century Beverage Co. property:

APN 49-1027-22-4 and APN 49-1027-20-1

Kaiser Foundation Hospitals  
1950 Franklin St.  
Oakland, CA 94612-2998  
Attention: Joe D. Colbath, Senior Real Estate Manager

Sincerely,

New Century Beverage Company, Inc.



J Scott Toth

cc: Raymond S. Plock

November 18, 1999

Susan L. Hugo  
Hazardous Materials Specialist  
Environmental Health Services  
Alameda County Health Care Services Agency  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

Dear Ms. Hugo:

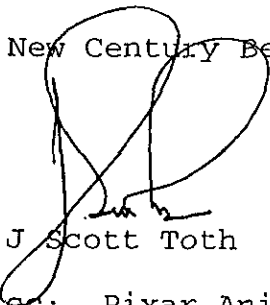
**Notice of Proposed Action Submitted to Local Agency for  
Former New Century Beverage Co. (Pepsi-Cola) Site  
1150 Park Avenue, Emeryville, California 94608  
(STID # 1777)**

In accordance with Section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, J Scott Toth representing New Century Beverage Company, Inc., certify that I have notified all current record fee title owners of the following proposed actions:

- Site closure proposal,
- Local agency intention to make a determination that no further action is required, and
- Local agency intention to issue a closure letter.

Sincerely,

New Century Beverage Company, Inc.

  
J. Scott Toth

cc: Pixar Animation Studios  
1001 West Cutting Blvd.  
Richmond, CA 94804  
Attention: Tom Carlisle, Facilities Director

Kaiser Foundation Hospitals  
1950 Franklin St.  
Oakland, CA 94612-2998  
Attention: Joe D. Colbath, Senior Real Estate Manager

Raymond S. Plock

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

1131 Harbor Bay Parkway, Suite 250

Alameda, CA 94502-6577

(510) 567-6700

(510) 337-9335 (FAX)

November 5, 1999

*RO#64  
open top*

Mr. Chester G. Grywczynski  
Pepsi Bottling Group, Inc.  
5000 Hopyard Road, Suite 270  
Pleasanton, California 94588

**RE: Former New Century Beverage (Pepsi-Cola) Company (STID # 1777)  
1150 Park Avenue, Emeryville, California 94608**

**LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS**

Dear Mr. Grywczynski:

This letter is to inform you of new legislative requirements pertaining to cleanup and closure of sites where an unauthorized release of hazardous substance, including petroleum, has occurred from an underground storage tank (UST). Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code requires the primary or active responsible party to notify all current record owners of fee title to the site of: 1) a site cleanup proposal, 2) a site closure proposal, 3) a local agency intention to make a determination that no further action is required, and 4) a local agency intention to issue a closure letter. Section 25297.15(b) requires the local agency to take all reasonable steps to accommodate responsible landowners' participation in the cleanup or site closure process and to consider their input and recommendations.

For purposes of implementing these sections, you have been identified as the primary or active responsible party. Please provide to this agency, within twenty (20) calendar days of receipt of this notice, a complete mailing list of all current record owners of fee title to the site. You may use the enclosed "list of landowners" form (sample letter 2) as a template to comply with this requirement. If the list of current record owners of fee title to the site changes, you must notify the local agency of the change within 20 calendar days from when you are notified of the change.

If you are the sole landowner, please indicate that on the landowner list form. The following notice requirements do not apply to responsible parties who are the sole landowner for the site.

LANDOWNER NOTIFICATION  
Re: 1150 Park Avenue, Emeryville, CA  
November 5, 1999  
Page 2 of 2

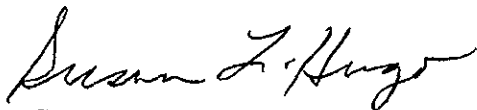
In accordance with Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code, you must certify to the local agency that all current record owners of fee title to the site have been informed of the proposed action before the local agency may do any of the following:

- 1) consider a cleanup proposal (corrective action plan)
- 2) consider a site closure proposal
- 3) make a determination that no further action is required
- 4) issue a closure letter

You may use the enclosed "notice of proposed action" form (sample letter 3) as a template to comply with this requirement. Before approving a cleanup proposal or site closure proposal, determining that no further action is required, or issuing a closure letter, the local agency will take all reasonable steps necessary to accommodate responsible landowner participation in the cleanup and site closure process and will consider all input and recommendations from any responsible landowner.

Please call me at (510) 567-6780 should you have any questions about the content of this letter.

Sincerely,



Susan L. Hugo  
Hazardous Materials Specialist

Attachments

cc: Chuck Headlee, RWQCB  
Raymond Plock, 28 Craig Avenue, Piedmont, California 94611-3702 (with attachments)  
SH / files

SAMPLE LETTER (2): LIST OF LANDOWNERS FORM

---

Name of local agency  
Street address  
City

SUBJECT: CERTIFIED LIST OF RECORD FEE TITLE OWNERS FOR (*Site Name and Address*)

(Note: Fill out item 1 if there are multiple site landowners. If you are the sole site landowner, skip item 1 and fill out item 2.)

1. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (name of primary responsible party), certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:
  
2. In accordance with section 25297.15(a) of Chapter 6.7 of the Health & Safety Code, I, (name of primary responsible party), certify that I am the sole landowner for the above site.

Sincerely,

Signature of primary responsible party

Name of primary responsible party

SAMPLE LETTER 3: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY

---

Name of local agency  
Street address  
City

SUBJECT: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY FOR  
*(Site Name and Address)*

In accordance with section 25297,15(a) of Chapter 6.7 of the Health & Safety Code, I, (*name of primary responsible party*), certify that I have notified all responsible landowners of the enclosed proposed action. Check space for applicable proposed action(s):

- cleanup proposal (corrective action plan)
- site closure proposal
- local agency intention to make a determination that no further action is required
- local agency intention to issue a closure letter

Sincerely,

Signature of primary responsible party

Name of primary responsible party

cc: Names and addresses of all record fee title owners



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION (LOP)  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

January 16, 1998

Mr. Jerry Tidwell  
Pepsi-Cola Corporation  
29000 Hesperian Blvd.  
Hayward, California 94545

**RE: Former New Century Beverage Company (STID #1777)  
1155 Park Avenue, Emeryville, CA 94608**

Dear Mr. Tidwell:

This agency has reviewed the Risk-Based Corrective Action (RBCA) Evaluation dated December 9, 1996, Addendum to RBCA Evaluation dated August 4, 1997 and Site-Wide Risk Management Plan dated August 4, 1997 prepared by Weiss Associates for the subject site. These reports were submitted to support case closure recommendation related to releases associated with the two underground storage tanks removed at the site. These documents discussed in detail the investigation and remediation activities conducted at the site and include the historical soil and groundwater data and human health risk evaluation of soil and groundwater contaminants. The Site-Wide Risk Management Plan (RMP) briefly described construction management plan, health and safety plan, mitigation measures to prevent future vertical conduits, controls to prevent migration of pollution and site development. As mentioned in the RMP, specific site management controls were not included because the proposed plan for future development of the site is not known at this time. It is also my understanding that there is a pending property transaction for this site.

This agency and the San Francisco Bay Regional Water Quality Control Board have evaluated the historical data collected for the referenced site. Both agencies agreed that the site is a low risk site and can be closed with an approved Long-Term Site Management Plan. Due to the complex nature of ownership and agreements between owners and tenants at this site, case closure related to the former underground storage tanks is acceptable provided the following conditions are met:

- 1) The Site Management Plan must be maintained for implementation at the site. Specific site management controls must be submitted prior to development and construction activities at the site.
- 2) Assurance that the site management plan will be maintained in the future, including a letter from responsible parties involved with the property outlining the process of deed notification.
- 3) A copy of the recorded deed notice should be submitted to this office and City of Emeryville Planning and Building Department.
- 4) Appropriate measures must be taken to handle any contaminated soil or groundwater which is excavated during redevelopment of the site.




Mr. Jerry Tidwell  
RE: 1150 Park Avenue, Emeryville, CA  
January 16, 1998  
Page 2 of 2

At this time, no groundwater monitoring is required. The fourteen groundwater monitoring wells (on-site and off-site) must be properly decommissioned prior to future constructions activities at the subject property. A copy of the well abandonment report should be submitted to this office.

Please submit your response to the four issues mentioned above in a timely fashion since case closure for UST sites will include preparation of case closure summary document, approval of closure summary by two in-house LOP staffs, approval of closure summary by RWQCB staff, closure of wells, documentation of well abandonment, and issuance of the final closure letter "Remedial Action Completion Certification" for the site.

If you have any questions regarding this letter, please contact me at (510) 567-6780.

Sincerely,



Susan L. Hugo  
Hazardous Materials Specialist

- c: Mee Ling Tung, Director, Environmental Health  
Dick Pantages, Chief, Environmental Protection Division / SH/ files  
Stephen Hill, San Francisco Bay RWQCB  
Stephen Morse, San Francisco Bay RWQCB  
Ravi Arulanantham, San Francisco Bay RWQCB  
George Warren, City of Emeryville Fire Department  
Carolyn Atwood, Weiss Associates, 5500 Shellmound Street, Emeryville, CA 94608  
Raymond Plock, 28 Craig Avenue, Piedmont, CA 94608  
Thomas Peacock, LOP Program Manager

**Alameda County Environmental Health Services  
Environmental Protection Division**  
1131 Harbor Bay Parkway, Rm 250, Alameda CA 94502-6577  
Ph: 510-567-6700 Fax: 510-337-9335

**WORK ORDER**

MFR# or STID# 1777

A. Site Name New Century Beverage Phone 533-6710  
 Site Address 1150 Park Ave. Emeryville 94608  
 (If no address, description of area) Number Street City Zip  
 Prior Business Name \_\_\_\_\_ Prior Owner's Name \_\_\_\_\_

B. Service Requestor Clifton Davenport, Davenport & Assoc. 533-6710  
 Contact Person Company Name Phone  
 Billing Address 2712 Rawson St Oakland 94612  
 Number Street City Zip

1:40-

**Category of Service**  
 D&A  
 Clifton Davenport, CEG, CHG  
 Principal  
 Davenport & Associates  
 2712 Rawson Street  
 Oakland, CA 94619  
 Brownfield Reconversions  
 Risk-Based Closures  
 Litigation Support Expert Witness

# of Whole Hours	<u>1</u>	x \$	<u>94.00</u>	\$	<u>94.00</u>
# of Copies	_____	x \$	_____	\$	_____
	_____	x \$	_____	\$	_____
<b>TOTAL CHARGE:</b>				\$	<u>94.00</u>

Tel: (510) 533-6710  
 Fax: (510) 533-0684

1 file, review reports along  
 with sites, printed map  
 from map in neighborhood.

Pat. Davenport **PAID**  
 Receipt # 796424 5-15-97  
OK#4916

**All services will be charged in accordance with Article II of Chapter 6, Title 3 of the Ordinance Code of Alameda County**

Authorized by Clifton Davenport Date 5-15-97  
 Printed Name Signature  
 Specialist James Powell Date 5-15-97  
 Printed Name Signature

TRANSMIT REPORT

1997.05-14 10:47  
 510 337 9335  
 ALAMEDA CO EHS HAZ-OPS

COM No.	REMOTE STATION	START TIME	DURATION	PAGES	RESULT	USER ID	REMARKS
804	5475043	05-14 10:45	00' 58"	00/01	D282		

7493402045

*Patrick*  
*didn't transmit*

ALAMEDA COUNTY  
 HEALTH CARE SERVICES

AGENCY  
 DAVID J. KEARS, Agency Director

Post-It™ brand fax transmittal memo 7671 # of pages ▶ 1

To <i>WIM PONTON</i>	From <i>SUSAN HUGO</i>
Co.	Co.
Dept.	Phone #
Fax # <i>(510) 547-5043</i>	Fax # <i>(510) 337-9335</i>

Alameda, CA 94502-0511  
 (510) 567-6700  
 (510) 337-9335 (FAX)

May 13, 1997

Mr. Jerry Tidwell  
 Pepsi-Cola Corporation  
 29000 Hesperian Blvd.  
 Hayward, California 94545

RE: **Former New Century Beverage Company**  
**1150 Park Avenue, Emeryville, California 94608** (STID# 1777)

Dear Mr. Tidwell:

The Alameda County Department of Environmental Health, Environmental Protection Division has the following comments and additional clarification in response to the letter dated May 6, 1997 from Weiss Associates:

1. This department prefers an addendum to the RBCA Evaluation to keep track of the changes done to the initial risk assessment.
2. The initial risk assessment has evaluated the ambient air pathway for groundwater. However, the risk assessment did not evaluate dermal contact with groundwater which is a probable exposure pathway for construction workers based on the presence of shallow groundwater at the site. In addition, all contaminants of concern present in the soil above five feet bgs. must be included in the evaluation of the surface soil pathway. Also, as mentioned in my letter dated April 29, 1997, the surface soil pathway should be recalculated using the soil ingestion rate of 480 mg/day for construction workers as recommended by USEPA.
3. According to the enclosed reference material, the 0.007 mg/kg of benzo (a) pyrene in diesel corresponds to 0.007 mg of benzo (a) pyrene in every kilogram of diesel.

If you have any questions regarding this letter or the subject site, please contact me at (510) 567-6780.

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



May 13, 1997

Mr. Jerry Tidwell  
Pepsi-Cola Corporation  
29000 Hesperian Blvd.  
Hayward, California 94545

ENVIRONMENTAL HEALTH SERVICES

1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
(510) 337-9335 (FAX)

**RE: Former New Century Beverage Company**  
**1150 Park Avenue, Emeryville, California 94608 (STID# 1777)**

Dear Mr. Tidwell:

The Alameda County Department of Environmental Health, Environmental Protection Division has the following comments and additional clarification in response to the letter dated May 6, 1997 from Weiss Associates:

1. This department prefers an addendum to the RBCA Evaluation to keep track of the changes done to the initial risk assessment.
2. The initial risk assessment has evaluated the ambient air pathway for groundwater. However, the risk assessment did not evaluate dermal contact with groundwater which is a probable exposure pathway for construction workers based on the presence of shallow groundwater at the site. In addition, all contaminants of concern present in the soil above five feet bgs. must be included in the evaluation of the surface soil pathway. Also, as mentioned in my letter dated April 29, 1997, the surface soil pathway should be recalculated using the soil ingestion rate of 480 mg/day for construction workers as recommended by USEPA.
3. According to the enclosed reference material, the 0.007 mg/kg of benzo (a) pyrene in diesel corresponds to 0.007 mg of benzo (a) pyrene in every kilogram of diesel.

If you have any questions regarding this letter or the subject site, please contact me at (510) 567-6780.

Sincerely,

Susan L. Hugo, Senior Hazardous Materials Specialist

enclosure

c: Mee Ling Tung, Director, Environmental Health  
Gordon Coleman, Acting Chief, Environmental Protection Division  
Ravi Arunalantham, San Francisco Bay RWQCB  
Kevin Graves, San Francisco Bay RWQCB  
James Ponton / Carolyn Atwood, Weiss Associates, 5500 Shellmound Street  
Emeryville, CA 94608

SH/ ML/files



**TRANSMITTAL**

**TO:** Ms. Susan Hugo **DATE:** May 6, 1997

**COMPANY:** Alameda County Health Care Services Agency **PROJECT #:** 14-0307-98  
 1131 Harbor Bay Parkway  
 Alameda, California 94502

**FROM:** Jim D. Ponton, (510) 450-6130 **PHONE:** (510) 567-6780  
**FAX:** (510) 337-9335

**ENCLOSED PLEASE FIND:** Response to RBCA comments for 1150 Park Avenue, Emeryville, CA

<b>VIA:</b>	<b>FAX:</b>	<b>AS:</b>	<b>FOR:</b>
<input checked="" type="checkbox"/> Fax	# of pages: <u>3</u>	<input type="checkbox"/> Per our phone call	<input type="checkbox"/> Your information
<input type="checkbox"/> 1 <sup>st</sup> Class Mail	(including this cover)	<input type="checkbox"/> You requested	<input type="checkbox"/> Return to you
<input type="checkbox"/> Overnight Delivery	<input checked="" type="checkbox"/> Hard Copy to follow	<input checked="" type="checkbox"/> Is required	<input checked="" type="checkbox"/> Your action
<input type="checkbox"/> UPS (Surface)		<input type="checkbox"/> We believe you may be interested	<input type="checkbox"/> Your review & comments
<input type="checkbox"/> Courier			

**COMMENTS:**

Dear Susan:

The attached letter summarizes our questions regarding the comments provided to us by the Alameda County Health Care Services Agency on the Risk-Based Corrective Action Evaluation for 1150 Park Avenue, Emeryville, CA.

Please call me with your questions or comments at (510) 450-6000.

Sincerely,

Please call (510) 450-6000 if there are any problems with transmission.

97 MAY -8 PM 3:07

**FAX CONFIDENTIALITY NOTICE**

The information contained in this transmission is confidential and only intended for the addressee. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or action taken in reliance on the contents of this facsimile transmittal is strictly prohibited. If you have received this facsimile in error, please call us immediately to arrange for the return of these documents.

DOCUMENT 3



May 6, 1997

Ms. Susan Hugo  
Alameda County Health Care Services Agency  
Department of Environmental Health  
1131 Harbor Bay Parkway  
Alameda, California, 94502

RE: Former New Century Beverage Company  
1150 Park Avenue, Emeryville, CA  
WA Job # 14-0307-98

Dear Susan:

Thank you for your April 29, 1997 letter which recommends case closure regarding the release associated with two fuel underground storage tanks removed from the subject site, and which provides comments on the Risk-Based Corrective Action (RBCA) Evaluation for the subject site.

We have carefully read your comments and need additional clarification regarding several items. These include:

Question 1. Is the Alameda County Health Care Services Agency (ACHCSA) requesting a full re-submittal of the RBCA Evaluation, or would an addendum letter responding to comments be sufficient?

2. Comment 2: "The construction worker scenario evaluated impact of ground water via the following exposure pathway: volatilization to outdoor air, vapor intrusion to buildings and ingestion. Since shallow ground water at the site fluctuates between 4 and 11 ft below grade, dermal contact and inhalation exposure pathways must also be evaluated." Table 2 of the RBCA Evaluation addresses volatilization to outdoor air from both soil and ground water in the future construction scenario, apparently meeting ACHCSA's request for examination of the inhalation pathway.

Question 2: Regarding dermal exposure, is the ACHCSA requesting evaluation of construction worker dermal exposure to ground water or to site soils?

3. Comment 4: "TPH-diesel up to 22,000 ppm was detected in the dispenser soil sample collected at 1 foot bgs in 1994 during removal of UST #1. PAH analyses were not required at that time. However, the probable percent of benzo (a) pyrene can be calculated using 0.07 mg/kg benzo (a) pyrene in diesel. PAHs in soil should be evaluated using this result and determine if the RBSLs for PAHs in soil are exceeded."

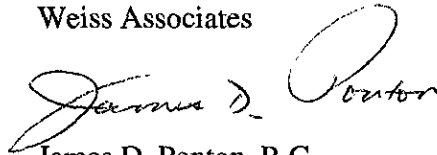
Ms. Susan Hugo  
May 6, 1997

2

Question 3: Regarding the back-calculation of benzo (a) pyrene, Weiss Associates assumes that benzo (a) pyrene is present in diesel at 0.07 weight percent (0.0007 weight fraction), where the diesel is represented by the 22,000 ppm in site soil. Please confirm our understanding of the back-calculation and provide us with a reference for this value so that we may include this reference in our response.

We would appreciate your prompt response to the questions listed above. If you have any additional comments or questions regarding the subject site, please contact me at (510) 450-6000.

Sincerely,  
Weiss Associates



James D. Ponton, R.G.  
Project Geologist

cc: Paul Morici, Pepsi-Cola Corporation  
Jerry Tidwell, Pepsi-Cola Corporation  
Burton Fohrman, White & Case  
Paul Milmed, White & Case  
Raymond Plock, Raymond Plock and Associates

JDP:dl  
I:\P1\510\07C\URRESP\9705HUGLT2.DOC



**Weiss Associates**

*Environmental and Geologic Services*

5500 Shellmound Street, Emeryville, CA 94608-2411

Fax: 510-547-5043 Phone: 510-450-6000

May 6, 1997

Ms. Susan Hugo  
Alameda County Health Care Services Agency  
Department of Environmental Health  
1131 Harbor Bay Parkway  
Alameda, California, 94502

RE: Former New Century Beverage Company  
1150 Park Avenue, Emeryville, CA  
WA Job # 14-0307-98

Dear Susan:

Thank you for your April 29, 1997 letter which recommends case closure regarding the release associated with two fuel underground storage tanks removed from the subject site, and which provides comments on the Risk-Based Corrective Action (RBCA) Evaluation for the subject site.

We have carefully read your comments and need additional clarification regarding several items. These include:

Question 1. Is the Alameda County Health Care Services Agency (ACHCSA) requesting a full re-submittal of the RBCA Evaluation, or would an addendum letter responding to comments be sufficient?

2. Comment 2: "The construction worker scenario evaluated impact of ground water via the following exposure pathway: volatilization to outdoor air, vapor intrusion to buildings and ingestion. Since shallow ground water at the site fluctuates between 4 and 11 ft below grade, dermal contact and inhalation exposure pathways must also be evaluated." Table 2 of the RBCA Evaluation addresses volatilization to outdoor air from both soil and ground water in the future construction scenario, apparently meeting ACHCSA's request for examination of the inhalation pathway.

Question 2: Regarding dermal exposure, is the ACHCSA requesting evaluation of construction worker dermal exposure to ground water or to site soils?

3. Comment 4: "TPH-diesel up to 22,000 ppm was detected in the dispenser soil sample collected at 1 foot bgs in 1994 during removal of UST #1. PAH analyses were not required at that time. However, the probable percent of benzo (a) pyrene can be calculated using 0.07 mg/kg benzo (a) pyrene in diesel. PAHs in soil should be evaluated using this result and determine if the RBSLs for PAHs in soil are exceeded."

*both soils (ground water, soil partitioning) dermal pathway for groundwater*

/



Ms. Susan Hugo  
May 6, 1997

2

Weiss Associates



Question 3: Regarding the back-calculation of benzo (a) pyrene, Weiss Associates assumes that benzo (a) pyrene is present in diesel at 0.07 weight percent (0.0007 weight fraction), where the diesel is represented by the 22,000 ppm in site soil. Please confirm our understanding of the back-calculation and provide us with a reference for this value so that we may include this reference in our response.

We would appreciate your prompt response to the questions listed above. If you have any additional comments or questions regarding the subject site, please contact me at (510) 450-6000.

Sincerely,  
Weiss Associates

James D. Ponton, R.G.  
Project Geologist

cc: Paul Morici, Pepsi-Cola Corporation  
Jerry Tidwell, Pepsi-Cola Corporation  
Burton Fohrman, White & Case  
Paul Milmed, White & Case  
Raymond Plock, Raymond Plock and Associates

JDP:dl

A:\P\11077\CON\8887\97051104.12.doc



Environmental and Geologic Services

5500 Shellmaund Street, Emeryville, CA 94608-2411

FAX: 510-547-5043 Phone: 510-450-6000

### TRANSMITTAL

**TO:** Ms. Susan Hugo **DATE:** May 6, 1997

**COMPANY:** Alameda County Health Care Services Agency **PROJECT #:** 14-0307-98  
 1131 Harbor Bay Parkway  
 Alameda, California 94502

**FROM:** Jim D. Ponton, (510) 450-6130 **PHONE:** (510) 567-6780  
**FAX:** (510) 337-9335

**ENCLOSED PLEASE FIND:** Response to RBCA comments for 1150 Park Avenue, Emeryville, CA

VIA:	FAX:	AS:	FOR:
<input checked="" type="checkbox"/> Fax	# of pages: <u>3</u>	<input type="checkbox"/> Per our phone call	<input type="checkbox"/> Your information
<input type="checkbox"/> 1 <sup>st</sup> Class Mail	(including this cover)	<input type="checkbox"/> You requested	<input type="checkbox"/> Return to you
<input type="checkbox"/> Overnight Delivery	<input checked="" type="checkbox"/> Hard Copy to follow	<input checked="" type="checkbox"/> Is required	<input checked="" type="checkbox"/> Your action
<input type="checkbox"/> UPS (Surface)		<input type="checkbox"/> We believe you may be interested	<input type="checkbox"/> Your review & comments
<input type="checkbox"/> Courier			

**COMMENTS:**

Dear Susan:

The attached letter summarizes our questions regarding the comments provided to us by the Alameda County Health Care Services Agency on the Risk-Based Corrective Action Evaluation for 1150 Park Avenue, Emeryville, CA.

Please call me with your questions or comments at (510) 450-6000.

Sincerely,

*Please call (510) 450-6000 if there are any problems with transmission.*

**FAX CONFIDENTIALITY NOTICE**

*The information contained in this transmission is confidential and only intended for the addressee. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or action taken in reliance on the contents of this facsimile transmittal is strictly prohibited. If you have received this facsimile in error, please call us immediately to arrange for the return of these documents.*

DOCUMENT 1

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



April 29, 1997

Mr. Jerry Tidwell  
Pepsi-Cola Corporation  
29000 Hesperian Blvd.  
Hayward, California 94545

ENVIRONMENTAL HEALTH SERVICES

1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
(510) 337-9335 (FAX)

**RE: Former New Century Beverage Company  
1150 Park Avenue, Emeryville, California 94608 (STID# 1777)**

Dear Mr. Tidwell:

The Alameda County Department of Environmental Health, Environmental Protection Division has completed review of the **Risk-Based Corrective Action (RBCA) Evaluation** prepared and submitted by Weiss Associates for the above referenced site. This evaluation recommends case closure regarding the release associated with the two fuel underground storage tanks removed from the subject site.

The Department has the following comments regarding the RBCA evaluation and the recommendation for site closure:

- 1) Groundwater monitoring data collected for three years (3/29/94 to 9/26/96) appears to indicate that the plume is stable. Monitoring well MW-13 located on the Del Monte site and leased by New Century Beverage Co. in November 1992 showed benzene concentration ranging from 310 ppb to 1,700 ppb. However, downgradient wells ( MW-8, MW-11 and MW-14) found no detectable concentration of benzene during the entire monitoring period with the exception of one low hit in well MW-14 (2.9 ppb) in 3/96. The plume does not appear to be expanding and may be characterize as a stable plume. Further migration is not likely to occur since aggressive source removal had been conducted at the subject site.

To address the concerns raised by Del Monte regarding continued migration of the plume to their property, a trend analysis should be conducted using the data collected for the three wells detecting benzene ( MW-5, MW-12 and MW-13). The trend analysis should include the following: concentration vs. time, concentration vs. distance and log concentration vs. time. In addition, a regression analysis (best fit line) should also be performed.

- 2) The construction worker scenario evaluated impact of groundwater via the following exposure pathway: volatilization to outdoor air, vapor intrusion to buildings and ingestion . Since the shallow groundwater at the site fluctuates between 4 and 11 feet below grade, dermal contact and inhalation exposure pathways must also be evaluated.

The soil ingestion rate used for construction worker was 100 mg/day (per the ASTM RBCA). Please recalculate the construction worker scenario using the soil ingestion rate of 480 mg/day recommended by USEPA.

Mr. Jerry Tidwell  
RE: 1150 Park Avenue, Emeryville, CA 94608  
April 29, 1997  
Page 2 of 3

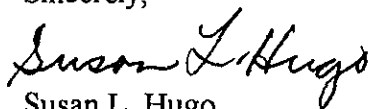
- 3) The subject site is not planned for residential development. Mr. Ron Gerber of the City of Emeryville Redevelopment Agency informed me on 4/22/97 that the site is zoned as "Planned Unit Development / Commercial". It was my understanding that Del Monte was required to evaluate risks associated with a residential scenario for their property west of Watt Street for the proposed development of a medical center / hospital. Evaluation using off site residential receptor / groundwater ingestion is acceptable for the site. Please change the residential exposure scenarios found on pages vi and 10 to "off site residential scenario".
- 4) TPH diesel up to 22,000 ppm was detected in the dispenser soil sample collected at 1 foot bgs in 1994 during the removal of UST #1. PAHs analyses were not required at that time. However, the probable percent of benzo (a) pyrene can be calculated using 0.07 mg/kg benzo(a) pyrene in diesel. PAHs in soil should be evaluated using this result and determine if the RBSLs for PAHs in soil are exceeded..
- 5) A modified Jury Model was used for the Tier 2 evaluation of indoor inhalation pathway (commercial / industrial scenario) which assumes constant decay of the contaminants. This model is different from the Johnson and Ettinger Model used in the ASTM RBCA which assumes a constant source (steady state) without decay. A reference for the decay rates used ( 1 year for soil and 2 years for groundwater ) should be provided. In addition, site specific decay rates should be calculated and used in the Tier 2 evaluation.
- 6) Please evaluate the analytic results of the sub slab sampling conducted prior to site demolition and determine if any RBSLs are exceeded.
- 7) Other chemicals of concern (COCs) identified at the site which are not related to the former USTs should be addressed separately prior to site closure. The maximum concentrations of COCs detected should be listed with the corresponding USEPA Preliminary Remedial Goals (PRGs).
- 8) An evaluation of natural attenuation occurring at the site should be performed. If possible, natural attenuation parameters should be collected at the site.
- 9) The clean up criteria established for soil on the Del Monte site west of Watt Street (100 ppm TPH gasoline, 200 ppm TPH diesel & 500 ppm TPH motor oil) does not necessarily apply for the subject site. The cleanup criteria established for any site should be site specific risk based clean up levels that are protective of public health, safety and the environment.
- 10) The RBCA Evaluation does not consider the cumulative risk and hazard index. The parameters used for the ASTM RBCA are very conservative ( per our staff and RWQCB's toxicologists) and therefore, it is not necessary to consider the cumulative effect.

Mr. Jerry Tidwell  
RE: 1150 Park Avenue, Emeryville, CA 94608  
April 29, 1997  
Page 3 of 3

- 11) The proposed cleanup goals ( see Table 9 ) for the subject site should be re-evaluated using site specific decay rates.
- 12) The subject site can be developed for commercial use provided an acceptable comprehensive risk management plan is submitted to this agency. The risk management plan should include at a minimum the following items:
  - soil and groundwater management plan during construction activities
  - appropriate health and safety plan should be prepared prior to and followed during any activities involving exposure to soil and groundwater contamination
  - site mitigating measures to prevent any potential vertical conduits between the shallow and deeper aquifers
  - institutional and /or engineering controls necessary to prevent- migration of pollution, impact to water quality & risks to human health and environment
  - site development map showing areas to be landscaped, location of buildings, etc.
- 13) The subject site can be considered for closure with a long term management plan provided the items listed above are adequately addressed and the site meets all the criteria as a "low risk soils and groundwater case" per the RWQCB's Interim Guidance on Required Clean Up at Low Risk Fuel Sites, dated January 5, 1996.

If you have any questions regarding this letter or the subject site, please contact me at (510) 567-6780.

Sincerely,



Susan L. Hugo  
Senior Hazardous Materials Specialist

- c: Mee Ling Tung, Director, Environmental Health  
Gordon Coleman, Acting Chief, Environmental Protection Division  
Thomas Peacock, LOP Manager  
Ravi Arunalantham, San Francisco Bay RWQCB  
Kevin Graves, San Francisco Bay RWQCB  
Sum Arigala, San Francisco Bay RWQCB  
James Ponton / Carolyn Atwood, Weiss Associates, 5500 Shellmound Street  
Emeryville, CA 94608

SH/ML/files

**WHITE & CASE**

UNITED STATES  
LOS ANGELES  
MIAMI  
NEW YORK  
WASHINGTON, D.C

EUROPE  
BRUSSELS  
BUDAPEST  
HELSINKI  
ISTANBUL  
LONDON  
MOSCOW  
PARIS  
PRAGUE  
STOCKHOLM  
WARSAW

AFRICA  
JOHANNESBURG

633 WEST FIFTH STREET  
LOS ANGELES, CALIFORNIA 90071-2007

TELEPHONE: (1 - 213) 620-7700  
FACSIMILE: (1 - 213) 687-0758

DIRECT DIAL: (213) 620-7770

ASIA  
ALMATY  
ANKARA  
BANGKOK  
BOMBAY  
HANOI  
HONG KONG  
JAKARTA  
SINGAPORE  
TASHKENT  
TOKYO

MIDDLE EAST  
JEDDAH  
RIYADH

LATIN AMERICA  
MEXICO CITY

March 10, 1997

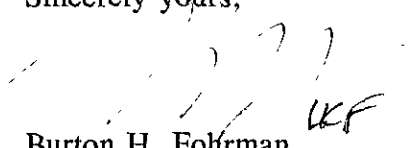
Indrajit Obeysekere  
Kaiser Foundation Health Plan, Inc.  
Regional Legal Department  
1950 Franklin Street, 17th Fl  
Oakland, CA 94612-2998

Joe D. Colbath  
Kaiser Permanente Medical Care Program  
1950 Franklin Street  
Oakland, CA 94612-2998

Dear Joe and Indrajit:

Enclosed for your consideration are proposed first amendments to the Demolition and Remediation License Agreement and the Remediation License and Easement Agreement for Hazardous Material Remediation.

Sincerely yours,

  
Burton H. Folrman

BHF:lcf

Enclosures

**WHITE & CASE**

Messrs. Obeysekere and Colbath

Page 2

cc: S. Hugo  
P. Morici  
R. Plock  
P. Milmed  
J. Shestakov  
E. Laurence  
S. Ronzone  
C. Etlin  
T. Tamoney, Jr.  
J. Tidwell  
C. Poggiogalle  
C. Atwood  
J. Ponton

RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:  
NEW CENTURY BEVERAGE COMPANY  
C/O WHITE & CASE  
633 WEST FIFTH STREET, SUITE 1900  
LOS ANGELES, CALIFORNIA 90071-2007  
ATTENTION: BURTON H. FOHRMAN, ESQ.

## FIRST AMENDMENT TO DEMOLITION AND REMEDiation LICENSE AGREEMENT

THIS FIRST AMENDMENT TO DEMOLITION AND  
REMEDiation LICENSE AGREEMENT (this "First Amendment") is  
made and entered into as of March \_\_, 1997, by and between  
New Century Beverage Company, a California corporation  
("Licensee"), and Kaiser Foundation Hospitals, a California  
non-profit public benefit corporation ("Kaiser")  
("Licensor").

### RECITALS

A. Licensor and Licensee entered into a  
Demolition and Remediation License Agreement dated January  
11, 1995 and recorded as Document Number 95-008227 on  
January 13, 1995 in the Office of the Recorder of Alameda  
County (the "Agreement").

B. When the Agreement was executed it was  
contemplated that Licensor would be the Owner of certain  
real property referred to as the "Del Monte site"; Licensor  
did not acquire title to the "Del Monte site" and, as a



consequence, Licensor and Licensee now wish to amend the Agreement to delete references to the Del Monte site.

NOW THEREFORE, in consideration of the mutual covenants and agreements described below, and for good and valuable consideration, receipt of which is hereby acknowledged, it is agreed:

1. Deletion of Recital C. Recital C of the Agreement is hereby deleted in its entirety.

2. Modification of Paragraphs 1 and 2. Paragraphs 1 and 2 of the Agreement are hereby modified by deleting therefrom the words: (i) "and the Del Monte site" and (ii) "and/or the Del Monte site".

3. Deletion of Exhibit B. Exhibit B of the Agreement is hereby deleted in its entirety.

4. Ratification. Except as specifically modified, the parties hereby ratify and reaffirm the terms of the Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to be executed by their duly authorized representatives as of the day and year first above written.

LICENSEE: NEW CENTURY BEVERAGE COMPANY,  
INC., a California corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

LICENSOR: KAISER FOUNDATION HOSPITAL,  
a California non-profit public  
benefit corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF CALIFORNIA )  
 ) SS.  
COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_, 1997 before me, \_\_\_\_\_,  
Notary Public, personally appeared \_\_\_\_\_,  
personally known to me (or proved to me on the basis of  
satisfactory evidence) to be the person(s) whose name(s)  
is/are subscribed to the within instrument and acknowledged  
to me that he/she/they executed the same in his/her/their  
authorized capacity(ies), and that by his/her/their  
signature(s) on the instrument the person(s), or the entity  
upon behalf of which the person(s) acted, executed the  
instrument.

WITNESS my hand and official seal.

\_\_\_\_\_

STATE OF CALIFORNIA )  
 ) SS.  
COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_, 1997 before me, \_\_\_\_\_,  
Notary Public, personally appeared \_\_\_\_\_,  
personally known to me (or proved to me on the basis of  
satisfactory evidence) to be the person(s) whose name(s)  
is/are subscribed to the within instrument and acknowledged  
to me that he/she/they executed the same in his/her/their  
authorized capacity(ies), and that by his/her/their  
signature(s) on the instrument the person(s), or the entity  
upon behalf of which the person(s) acted, executed the  
instrument.

WITNESS my hand and official seal.

\_\_\_\_\_

RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:  
NEW CENTURY BEVERAGE COMPANY  
C/O WHITE & CASE  
633 WEST FIFTH STREET, SUITE 1900  
LOS ANGELES, CALIFORNIA 90071-2007  
ATTENTION: BURTON H. FOHRMAN, ESQ.

**FIRST AMENDMENT TO REMEDIATION  
LICENSE AND EASEMENT AGREEMENT  
FOR HAZARDOUS MATERIALS REMEDIATION**

THIS FIRST AMENDMENT TO REMEDIATION LICENSE AND EASEMENT AGREEMENT FOR HAZARDOUS MATERIALS REMEDIATION (this "First Amendment") is made and entered into as of March \_\_, 1997, by and between New Century Beverage Company, a California corporation ("Licensee"), and Kaiser Foundation Hospitals, a California non-profit public benefit corporation ("Licensor").

RECITALS

A. Licensor and Licensee entered in a Remediation License and Easement Agreement For Hazardous Materials Remediation dated January 11, 1995 and recorded as Document Number 95-008228 on January 13, 1995 in the Office of the County Recorder of Alameda County (the "Agreement").

B. When the Agreement was executed it was contemplated that Licensor would be the Owner of certain real property referred to as the "Del Monte site"; Licensor did not acquire title to the "Del Monte site" and, as a consequence, Licensor and Licensee now wish to modify and

amend the Agreement to delete references to the Del Monte site.

NOW THEREFORE, in consideration of the mutual covenants and agreements described below, and for good and valuable consideration, receipt of which is hereby acknowledged, it is agreed:

1. Deletion of Recital C. Recital C of the Agreement is hereby deleted in its entirety.

2. Modification of Paragraphs 1, 2, 6 and 13. Paragraphs 1, 2, 6 and 13 of the Agreement are hereby modified by deleting therefrom the words: (i) "and the Del Monte site", (ii) "and/or the Del Monte site" and (iii) "or the Del Monte site".

3. Deletion of Exhibit B. Exhibit B of the Agreement is hereby deleted in its entirety.

4. Ratification. Except as specifically modified, the parties hereby ratify and reaffirm the terms of the Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives as of the day and year first above written.

LICENSEE: NEW CENTURY BEVERAGE COMPANY,  
INC., a California corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

LICENSOR: KAISER FOUNDATION HOSPITAL,  
a California non-profit public  
benefit corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF CALIFORNIA            )  
  )  SS.  
COUNTY OF \_\_\_\_\_         )

On \_\_\_\_\_, 1997 before me, \_\_\_\_\_,  
Notary Public, personally appeared \_\_\_\_\_,  
personally known to me (or proved to me on the basis of  
satisfactory evidence) to be the person(s) whose name(s)  
is/are subscribed to the within instrument and acknowledged  
to me that he/she/they executed the same in his/her/their  
authorized capacity(ies), and that by his/her/their  
signature(s) on the instrument the person(s), or the entity  
upon behalf of which the person(s) acted, executed the  
instrument.

WITNESS my hand and official seal.

\_\_\_\_\_

STATE OF CALIFORNIA            )  
  )  SS.  
COUNTY OF \_\_\_\_\_         )

On \_\_\_\_\_, 1997 before me, \_\_\_\_\_,  
Notary Public, personally appeared \_\_\_\_\_,  
personally known to me (or proved to me on the basis of  
satisfactory evidence) to be the person(s) whose name(s)  
is/are subscribed to the within instrument and acknowledged  
to me that he/she/they executed the same in his/her/their  
authorized capacity(ies), and that by his/her/their  
signature(s) on the instrument the person(s), or the entity  
upon behalf of which the person(s) acted, executed the  
instrument.

WITNESS my hand and official seal.

\_\_\_\_\_

# WHITE & CASE

633 WEST FIFTH STREET  
LOS ANGELES, CALIFORNIA 90071-2007

TELEPHONE: (1 - 213) 620-7700  
FACSIMILE: (1 - 213) 687-0758

DIRECT DIAL: (213) 620-7770

UNITED STATES  
LOS ANGELES  
MIAMI  
NEW YORK  
WASHINGTON, D.C.

EUROPE  
BRUSSELS  
BUDAPEST  
HELSINKI  
ISTANBUL  
LONDON  
MOSCOW  
PARIS  
PRAGUE  
STOCKHOLM  
WARSAW

AFRICA  
JOHANNESBURG

ASIA  
ALMATY  
ANKARA  
BANGKOK  
BOMBAY  
HANOI  
HONG KONG  
JAKARTA  
SINGAPORE  
TASHKENT  
TOKYO

MIDDLE EAST  
JEDDAH  
RIYADH

LATIN AMERICA  
MEXICO CITY

March 4, 1997

## VIA FACSIMILE & MAIL

Janet E. Shestakov  
Del Monte Foods Inc.  
One Market  
P.O. Box 193575  
San Francisco, CA 94119-3575

Del Monte Corporation/Emeryville, CA Property

Dear Ms. Shestakov:

Thank you for your letter of February 20, 1997. This letter will also to some extent address the history of settlement negotiations between Del Monte and New Century and, in keeping with the position that you have taken in your letter of February 20, 1997, it is **not** intended as a privileged settlement communication.

First, let me indicate that New Century joins Del Monte in not wishing to take a legalistic approach and would prefer to find an efficient and amicable solution to deal with the issues regarding to the motor fuel and related constituents which originated from New Century's former property and that may have migrated, or may migrate, onto the Del Monte property.

In an effort to move forward in a positive manner I too will not attempt to refute your assertions point by point, instead, I set forth below each of the material items which I believe that we have discussed or which may need further discussion in order to arrive at a solution:

1. Removal of monitoring wells and personal property. In Mr. Ronzone's letter of December 19, 1996 (which was received by us just prior to Christmas), he made the following demand: "Del Monte demands that New Century Beverage immediately cease any

ENVIRONMENTAL  
PROTECTION  
MAR 14 4:28 PM '97

and all activities at the Property, and that it prepare a plan for the prompt removal of all of its personal property and equipment (including the monitoring wells) from the Property. New Century Beverage should submit its plan in writing to Del Monte no later than January 8, 1997." In response to Mr. Ronzone's request I advised him in my letter of January 2, 1997, that New Century would immediately prepare a plan for the removal of all its personal property and equipment including the monitoring wells and would immediately notify the Alameda County Health Care Services Agency of Del Monte's request for the removal of the monitoring wells.

On January 7, 1997, Weiss Associates forwarded to Mr. Ronzone a copy of a letter dated January 7, 1997 addressed to Alameda County Health Care Services Agency which contains, among other things, (a) a request for well abandonment and (b) well abandonment work plans. I supplied you with an additional copy on February 4, 1997. Del Monte never responded to that work plan. In your letter of February 3, 1997, you indicated that Del Monte had not received a work plan; please advise if you desire something different than the work plan which has already been approved by Alameda County Health Care Services Agency.

As you know, on January 24, 1997, New Century Beverage Company obtained permission for the removal of the groundwater monitoring wells and it has also obtained the necessary governmental permits to abandon such wells. New Century is prepared to have its engineers cause the monitoring wells to be removed in accordance with applicable law. I indicated to you in my letter of February 4 that I was confused because your letter of February 3, 1997 indicated that Del Monte thought it was premature to agree that the monitoring wells should be removed which was the exact opposite of the request made by Mr. Ronzone and promptly acted upon by New Century.

2. Quitclaim Deed and Document Amendment. On December 19, 1996, prior to the receipt of Mr. Ronzone's letter of the same date, I sent you, Steven Ronzone and Eric Laurence a fax in which I indicated that Ray Plock had recently been advised that Steve Ronzone was concerned about a recorded document in the New Century Beverage/Kaiser Foundation/Redevelopment Agency transaction. As I indicated in my fax, none of you had previously raised that matter (even though Mr. Plock had provided to Mr. Ronzone on May 20, 1996 a copy of the Demolition and Remediation Agreement), however, once Ray Plock advised me of Steve Ronzone's concern I suggested in my fax that New Century Beverage would execute and deliver to Del Monte a quitclaim deed. I subsequently prepared a quitclaim deed which was immediately executed by my client.

In my letter to Mr. Ronzone of January 2, 1997, I advised him that I had prepared and forwarded to New Century for execution a quitclaim deed, however, I did not have a legal description to attach to the quitclaim deed and I requested that we be supplied with a

legal description of the Del Monte property. In your letter of January 16, 1997, you advised that Del Monte was instructing First American Title Company to forward to us a legal description to attach to the quitclaim deed. In my letter to you of February 4, 1997, I advised you that I was still holding the executed quitclaim deed and that I was authorized to cause it to be recorded, however, I had not received from either Del Monte or First American Title Company a legal description to attach to the quitclaim deed. I still have not received such a legal description. Please have First American Title Company forward to me a legal description of the Del Monte property and, if possible, I would appreciate receiving a Plat Map outlining the property that is being legally described.

My client is willing to enter into an amendment of the Demolition and Remediation License Agreement and the Remediation License and Easement Agreement and cause them to be recorded, however, as you know this cannot be a unilateral act since the Grantor was Kaiser Foundation Hospitals. I am concurrently forwarding a copy of this letter to Messrs. Colbath and Obeysekere at Kaiser Foundation Hospitals. I have previously forwarded to them the earlier request for a modification of those documents which was received at a time when each of them was on vacation. It is my understanding that Pixar is engaged in discussions with Kaiser regarding the acquisition of a portion of the former New Century Beverage Company property and I assume that those discussions have included this issue. As soon as I have talked with Messrs. Obeysekere and Colbath, I shall respond to you on this particular issue.

3. Indemnification. There seems little point in discussing the history of the indemnification discussions, however, it is our understanding that Del Monte has provided Pixar with a very broad indemnification which, as we understand it, includes indemnification for all activities conducted on the Property by Del Monte and its predecessors and is not confined solely to the migration of motor fuel from the New Century property; in addition, it is our understanding that the indemnification being provided exceeds anything for which a property owner would be responsible under California law. As I have previously advised Del Monte, our client is, and has been, willing to provide indemnification for any matters for which it has liability under California and Federal law which is in effect at the time a claim is made. I reiterated that position in my letter to Mr. Ronzone of January 2, 1997.

We have reviewed the draft Indemnity Agreements that you provided with your January 16, 1997 letter and we have modified your draft to take into account the permission that has been received to abandon the monitoring wells; you will note New Century is only seeking a license to enter on the Property to remove the monitoring wells. Enclosed is a revised draft of the License and Indemnification Agreement.

4. Closure. When our mutual discussions began, Del Monte and New Century both agreed that the goal was to obtain closure. I enclose a copy of a letter from Ray Plock



dated May 20, 1996 addressed to Steve Ronzone which followed our original meeting of May 9, 1996 which I believe accurately described the "Closure" being sought as well as the process that we would follow. I believe that our client has moved as expeditiously as is possible and in compliance with the requirements of applicable governmental agencies in an effort to obtain closure. As you know, we have provided Del Monte with copies of environmental reports and data concerning New Century's activities and the RBCA Report which Del Monte reviewed and commented on in an effort to make available to Del Monte full and complete information regarding the efforts of New Century.

In regard to your discussion of the breach of legal duties, I would like to provide the following comments:

a. My client was unaware of the fact that the underground storage tanks may have been leaking until it was advised of investigation work that was performed by Kaiser Foundation Hospitals in conjunction with the proposed acquisition of the New Century property and the Del Monte property; I assume that Kaiser Foundation Hospitals also shared with you the results of its investigation of the Del Monte property.

b. When New Century entered into its agreements with Kaiser Foundation Hospitals, it was at a time during which New Century understood Kaiser was acquiring both properties; New Century understood that the Kaiser/Del Monte transaction was scheduled for a closing at about the same time as the New Century property and it was much later that we discovered that such closing did not take place.

c. New Century, in installing the monitoring wells, was complying with the requirements of the Alameda County Health Care Services Agency in an effort to determine whether motor fuel had migrated onto the Del Monte property.

d. I also draw to your attention the fact that Del Monte had CH2M Hill drill borings on the Del Monte property adjacent to the property line with New Century's property; these borings occurred in October and November, 1993 (prior to any investigation work by New Century Beverage) and groundwater samples from these borings revealed petroleum hydrocarbons in amounts which I understand were similar to those found on portions of the Del Monte property where Del Monte had leaking underground storage tanks. The borings were drilled on the Del Monte property and the test results were obtained at a time when New Century Beverage Company was a tenant of the Del Monte property and thus Del Monte was obligated to advise New Century Beverage of this discovery.

I look forward to your comments on the draft Indemnity Agreement and the receipt of the legal description for the quitclaim deed.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Burton H. Fohrman". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Burton H. Fohrman

BHF:lkf

Enclosures

cc: P. Morici  
P. Milmed  
S. Hugo ✓  
S. Ronzone  
E. Laurence  
I. Obeysekere  
J. Colbath  
T. Tamoney, Jr.  
J. Tidwell  
C. Poggiogalle  
R. Plock  
J. Ponton  
C. Atwood  
C. Etlin

## RAYMOND PLOCK & ASSOCIATES

Consultants  
28 Craig Avenue  
Piedmont, CA 94611-3702

Voice/Messages 510-655-7343  
Pager 510-539-4321  
Fax 510-655-7353

May 20, 1996

Mr. Steven P. Ronzone  
Del Monte Foods, Inc.  
One Market Plaza, Steuart Tower  
P. O. Box 193575  
San Francisco, CA 94119-3575

Dear Steve:

**Former New Century Beverage Co. Property  
1150 Park Avenue, Emeryville, California**

Thank you for meeting with Burt Fohrman, Jim Ponton, Jeff Root, Richard Weiss, and me on May 9, 1996, to discuss the remediation activities New Century has been conducting on its old plant site at 1150 Park Avenue, Emeryville, California, and on portions of the Del Monte property depicted on the attached diagram. As you know, New Century has installed on the parking lot which it has leased from Del Monte five monitoring wells pursuant to the Remedial Action Plan for the old plant site which is on file with the County of Alameda.

This letter will serve as an interim understanding between the parties regarding the mutual activities of Del Monte and New Century pertaining to the monitoring wells and the remediation activities New Century is conducting on Del Monte's property.

It is my understanding that Del Monte and New Century are agreeable to the following: (1) Del Monte will continue to allow New Century to sample and maintain the monitoring wells in accordance with the Remedial Action Plan, subject to working together to obtain their removal as described below; (2) New Century has provided to you and will continue to provide to you data on the test results of its monitoring wells regarding its efforts to remediate the gasoline that was released into the soil on the old plant site which is adjacent to the Del Monte property; (3) New Century and Del Monte shall jointly share information and coordinate their efforts in attempting to obtain the permission of the County of Alameda Public Health Department for "closure" and to allow removal of the monitoring wells as soon as possible and the fill of any excavated or drilled areas. You have indicated you are seeking similar "closure" permission on other areas of Del Monte's property pertaining to Hazardous Material remediation activities conducted by Del Monte and hope to have such approval within the next 3 to 6 months. New Century shall endeavor to work toward that same time goal. You have advised that such "closure" would be an acceptable resolution of

the activities to remediate the benzene that has migrated onto the Del Monte property from the former underground storage tank area on the old New Century plant site.

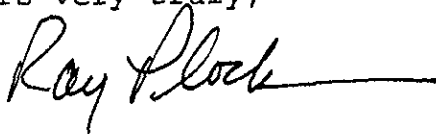
New Century and Del Monte further acknowledge and agree that there are a variety of issues and concerns regarding the completion of the work pertaining to the remediation of the benzene and the "closure" described in this letter and the parties understand that this letter is not intended as a settlement of such issues but only an outline of how the parties will proceed on an interim basis and nothing contained in this letter is either an admission of liability or a waiver of any rights either party may have.

If this letter accurately sets forth the interim understanding of Del Monte and New Century, then I would request that you sign it and I will secure the signature of New Century.

As promised at the May 9 meeting, I am enclosing a copy of the Demolition and Remediation Agreement between New Century and Kaiser Foundation Hospitals.

If you have any questions, please call me.

Yours very truly,



Raymond S. Plock

Agreed and Accepted:

DEL MONTE FOODS, INC.

By: \_\_\_\_\_

NEW CENTURY BEVERAGE COMPANY, INC.

By: \_\_\_\_\_

Enclosures

cc: Jerry Tidwell

## LICENSE AND INDEMNIFICATION AGREEMENT

THIS LICENSE AND INDEMNIFICATION AGREEMENT ("Agreement") is made and entered into as of March \_\_\_\_, 1997 by and between New Century Beverage Company, a California corporation ("Licensee") and Del Monte Corporation, a New York corporation ("Licensor").

### RECITALS

A. Licensor is the owner of certain real property located in the County of Alameda, State of California, more particularly described in Exhibit A attached hereto ("Property") and is in the process of preparing the Property for sale to Pixar Animation Studios, a California corporation ("Pixar"), which intends to develop the Property for its new headquarters.

B. Licensee formerly owned real property adjacent to the Property ("Adjacent Property"); in addition, Licensee leased a portion of the Property from Licensor for use as a parking lot pursuant to a lease which terminated May 31, 1996.

C. The Adjacent Property previously contained two underground storage tanks in the approximate area depicted on Exhibit B attached hereto.

D. Motor fuel and related constituents leaked from the area of the northerly underground storage tank and have presently migrated on to the Property as shown on Exhibit B.

E. Licensee had commenced and has now completed certain activities on the Property, including the maintenance of groundwater monitoring wells, for the purpose of investigating, monitoring and remediating the motor fuel and related constituents that originated from Licensee's operations on the Adjacent Property and that have migrated or may migrate onto the Property.

F. Licensor has previously requested that Licensee remove all of its ground water wells, personal property and equipment from the Property. Licensee has requested and received permission on January 24, 1997 from Alameda County Health Care Services Agency to allow the removal on the ground water monitoring wells; a copy of the approval is attached as Exhibit C to this Agreement.

G. This Agreement is entered into for the purpose of allowing Licensee to remove its ground water monitoring wells, personal property and equipment from the Property subject to the terms and conditions provided for in this Agreement.

IT IS AGREED:

1. Grant of Access. Subject to the terms and conditions set forth in this Agreement, Licensor hereby grants Licensee and its agents, consultants, contractors and subcontractors ("Related Entities") non-exclusive access on March \_\_\_ and \_\_\_, 1997, to the portions of the Property depicted on Exhibit A-1 for the limited purpose of allowing Licensee at its sole cost and expense to remove the ground water monitoring wells, Licensee's personal property and equipment (the "Removal Work"). No other entry upon or use of the Property by Licensee or its Related Entities shall be permitted.

2. Cost of Removal Work. All Removal Work shall be performed at the sole cost and expense of Licensee.

3. Permits. Licensee shall during the term of this Agreement obtain, at its sole cost and expense, and thereafter maintain all government authorizations and permits, of whatever nature, necessary for the Removal Work (collectively, "Permits"). Licensee will comply with all federal, state and local laws and regulations, applicable to the Removal Work to be performed. Licensor shall promptly provide, upon the request of Licensee, any signatures necessary for Permit applications or other documentation reasonably necessary for the Removal Work to proceed; provided, however Licensor shall not be required to pay any fees or costs connected with such Permits.

4. Performance of Removal Work. Entry by Licensee or any Related Entity upon the Property, and performance thereon by Licensee or a Related Entity of the Removal Work, shall be in full compliance with all applicable laws and regulations. Licensee and its Related Entities shall conduct and perform the Removal Work in a good and workmanlike manner in accordance with work practices generally exercised by reputable environmental consulting and engineering firms. Promptly following the completion of the Removal Work, including the taking of any samples or removal of any other materials, wastes, hazardous substances (as defined below) or other substances (collectively, "Wastes") from the soil or groundwater, and in all events within ten (10) days thereafter, Licensee shall arrange for the removal from the Property, packaging, labelling, transfer and disposal of all Wastes originating from the Removal Work or otherwise caused or generated by the Licensee and any removal debris generated by the Licensee, in

compliance with all applicable laws. While on the Property, all such Wastes shall be properly and securely stored in compliance with all applicable laws. Licensee acknowledges and agrees that all such Wastes shall be the sole and exclusive property of Licensee. Licensee shall be solely responsible for the preparation and maintenance of any required waste manifests necessary for the transport and disposal of any Waste from the Property, and Licensee shall be listed therein as the generator of all such Wastes.

As used herein, "hazardous substances" includes petroleum, asbestos, and all substances defined as "hazardous substances," "hazardous materials," "hazardous wastes," "pollutants" or "contaminants" (or words of similar import) under any applicable law or regulation of the State of California, or under any applicable federal law or regulation.

5. Insurance. While this Agreement is in effect, Licensee or any Related Entity performing the Removal Work shall, at its expense, maintain and furnish to Licensor reasonably acceptable evidence of the maintenance of insurance coverage in all respects reasonably satisfactory to Licensor for each of the following types of insurance:

A. Commercial general liability insurance on an occurrence basis, with limits of \$1,000,000 or more combined single limits per occurrence, and in the location, and naming Licensor as an additional insured.

B. Automobile liability insurance, with limits of \$1,000,000 or more combined single limits per occurrence covering owned, non-owned, and hired vehicles.

C. Workers' compensation insurance which shall cover all persons employed by Licensee in conducting the Removal Work at the Property; and Employer's Liability Insurance.

6. Liens. Licensee shall not permit any mechanics' or other liens to be filed against the Property nor against any leasehold interest therein held by another, if any, by reason of labor or materials furnished to the Property at Licensee's instance or request. If any such lien is filed against the Property, Licensee shall cause the same to be paid, discharged, released and satisfied and/or bonded of record within five (5) business days of the filing of same.

7. Copies. Licensee shall provide Licensor with complete copies of (i) all Permits, (ii) all reports concerning and test results obtained on wastes taken from

Del Monte Foods  
One Market  
P.O. Box 193575  
San Francisco, CA 94119-3575  
Telephone: (415) 247-3260  
Fax: (415) 247-3263

**Janet E. Shestakov**  
Associate General Counsel

**February 20, 1997  
via facsimile &  
overnight mail**

**Burton H. Fohrman  
White & Case  
633 West Fifth Street  
Los Angeles, CA 90071-2007**

**Re: Del Monte Corporation/Emeryville California Property**

Dear Mr. Fohrman:

This will respond to your letter of February 4, 1997. We disagree with many of the statements contained in your letter but do not feel that any end would be served by refuting your assertions point by point. What we will do instead is summarize for you precisely what Del Monte is seeking so as to allay your professed "surprise and confusion." While this letter will, to some extent, address the history of settlement negotiations between Del Monte and New Century, it is not intended as a privileged settlement communication.

The fundamental problem we face is that New Century has committed three distinct breaches of legal duty, each of which has injured Del Monte. First and most basic, New Century caused a contamination of Del Monte's land and created conditions which pose the risk of ongoing migration of contaminants onto Del Monte's land in the future. Second, in response to discovery of this problem, New Century, in clear violation of Del Monte's property rights, committed a trespass onto Del Monte's land and engaged in substantially destructive drilling and soil testing without taking the step -- required by both law and common courtesy -- of notifying Del Monte and seeking its consent. Finally, New Century has slandered Del Monte's title by recording at least two instruments without Del Monte's consent or signature disparaging Del Monte's title to its land, falsely naming another as the owner of that land and purporting to create rights in New Century to Del Monte's land binding on Del Monte and its successors. These acts by New Century have not only impaired Del Monte's land and property rights, they have also created a serious risk of additional harm by compromising Del Monte's ability to sell its property in accordance with its business plans. You appear to take some comfort in the fact that the recorded instruments were "obviously wild." In that regard, we suggest that you take a serious look at the



Burton H. Fohrman  
February 20, 1997  
Page 2

case of *Seeley v. Seymour* (1987) 190 Cal.App.3d 844 which involved similar conduct and in which the "wild instrument so no harm" argument was rejected.

In response to these legal insults, Del Monte has attempted to mitigate its damages and to preserve the marketability of its land by providing prospective purchasers (most recently Pixar) with an environmental indemnification that gives them the assurance that the problems inflicted on Del Monte by New Century will not be visited on them. Quite naturally, we have looked to New Century to, in turn, provide Del Monte with a matching indemnification that covers the contractual obligations that Del Monte incurred in an effort to mitigate its damages.

Over the past several months we have been alternately encouraged and discouraged about New Century's willingness to agree to an indemnification that will not leave Del Monte holding the bag for any part of the obligations it has incurred as a price for preserving the alienability of its land. In light of this checkered negotiating history, Del Monte has been very careful to make clear to New Century that Del Monte reserves all rights as a property owner to exclude New Century and its equipment from Del Monte's land, to remediate New Century's contamination on its own, and to pursue New Century for the cost of doing this and for other compensatory and exemplary damages. It is for this reason that we have demanded that New Century prepare a written plan addressing the removal of all of its personal property and equipment from Del Monte's land. In legal effect and purpose, such a plan is nothing more than a written plan for New Century's cessation of its continuing trespass.

Del Monte does not want to take a legalistic approach, and would much prefer that New Century clean up its mess and hold Del Monte harmless from the present and any future harm caused by that mess. However, we fear that New Century has taken Del Monte's attempt to find an efficient and amicable solution as a sign of weakness and, frankly, has engaged in bad faith negotiations with Del Monte. We believe that your letter of February 4, 1997 and your general and non-specific request for permission to enter and remove the wells is a negotiating ploy and a part of New Century's process of bad faith bargaining.

We are particularly disappointed with New Century's approach in light of the cooperation and assistance that Del Monte has accorded to New Century in the past. As you are well aware, Del Monte has assisted New Century in resolving issues raised by the City of Emeryville, cooperated with New Century in leasing land which New Century needed and at the rate proposed by New Century, and has spent time and resources in interacting with the Alameda County Health Care Agency and your consultants in an effort to develop a "least cost" solution to the problems New Century has created. Our goals today are what they always have been: to fully protect our purchaser from contamination; to preserve the value and marketability of our property; to

Burton H. Fohrman  
February 20, 1997  
Page 3

cooperate fully with New Century in finding the most cost-effective means of addressing the problem; and, last but not least, to protect Del Monte from being left with any part of the harm created by New Century. We ask only that New Century recognize and take full responsibility for the contamination which it has caused and the economic consequences of that contamination.

To make Del Monte's position clear, concrete and immediate and to avoid any future confusion - whether professed or real -- Del Monte's position on the various issues currently confronting us is as follows:

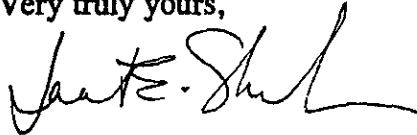
- Del Monte continues to await New Century's specific and detailed response to my letter of January 16, 1997 and the form of License and Indemnification Agreement enclosed with that letter.
- Absent New Century's execution of a license and indemnification agreement substantially similar to the one proposed on January 16, 1997, Del Monte opposes any response plan which will leave any residual contamination in the soil or any future risk of the migration of any additional contaminants onto the property of Del Monte or its grantee. Del Monte will inform both the Alameda County Health Care Agency and any other interested regulatory or administrative body of its position in this regard.
- Pending a detailed response to the January 16 letter and enclosure, Del Monte will not grant New Century a license to enter its property absent legitimate life safety concerns. We find it difficult to believe that New Century expects Del Monte to grant it a license to enter onto Del Monte's property while New Century is ignoring a proposed License and Indemnification Agreement that will specifically address New Century's right of entry along with other pertinent issues.
- Absent a written settlement, Del Monte reserve all rights and claims with regard to all of New Century's conduct as detailed above and in earlier correspondence.

As we have stated many times in the past, Del Monte is willing and anxious to work with you and your client in a constructive manner. We ask and expect only that, as part of that cooperation, New Century take and acknowledge full responsibility for solving the problems that

Burton H. Fohrman  
February 20, 1997  
Page 4

it has created. The point is not a rhetorical one: it is an invitation to New Century to execute the fair and balanced License and Indemnification Agreement or to explain why it will not do so. We are willing and anxious to play ball, but the ball is currently in your client's court.

Very truly yours,



Janet E. Shestakov  
Del Monte Foods, Law Department

cc: P. Morici  
P. Milmed  
S. Hugo  
S. Ronzone  
E. Laurence  
I. Obeysekere  
J. Colbath  
T. Tamoney, Jr.  
J. Tidwell  
C. Poggiogalle  
R. Plock  
J. Pontin  
C. Atwood  
C. Etlin

**WHITE & CASE**

UNITED STATES  
LOS ANGELES  
MIAMI  
NEW YORK  
WASHINGTON, D.C.

833 WEST FIFTH STREET  
LOS ANGELES, CALIFORNIA 90071-2007

TELEPHONE: (1-213) 620-7700  
FACSIMILE: (1-213) 887-0788

ASIA  
ALMATY  
ANKARA  
BANGKOK  
BOMBAY  
HANOI  
HONG KONG  
JAKARTA  
SINGAPORE  
TOKYO

EUROPE  
BRUSSELS  
BUDAPEST  
HELSINKI  
ISTANBUL  
LONDON  
MOSCOW  
PARIS  
PRAGUE  
STOCKHOLM  
WARSAW

MIDDLE EAST  
JEDDAH  
RIYADH

LATIN AMERICA  
MEXICO CITY

SENT VIA FACSIMILE

MULTIPLE MESSAGE COVER SHEET

DATE: February 4, 1997 NO. OF PAGES INCLUDING THIS COVER SHEET: 8

SENDER: Burton H. Fohrman SENDER'S NO.: (213) 620-7770

TO THE FOLLOWING:

NAME: <u>Janet E. Shestakov</u>	COMPANY: <u>Del Monte/415-247-3263</u>
NAME: <u>Steve Ronzone</u>	COMPANY: <u>Del Monte/415-247-3540</u>
NAME: <u>Eric Laurence</u>	COMPANY: <u>Cassidy et al/415-788-2039</u>
NAME: <u>Susan Hugo</u>	COMPANY: <u>County/510-337-9335</u>
NAME: <u>Jim Pontin</u>	COMPANY: <u>Weiss/510-547-5043</u>
NAME: <u>Carolyn Alwood</u>	COMPANY: <u>Weiss/510-547-5043</u>

CC: \_\_\_\_\_

**PLEASE NOTE:** The information contained in this facsimile message is privileged and confidential, and is intended only for the use of the individual named above and others who have been specifically authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, or if any problems occur with transmission, please contact Sender or call (213) 620-7710. Thank you.

THIS SPACE MAY BE USED FOR SUPPLEMENTAL MESSAGE

# WHITE & CASE

UNITED STATES  
LOS ANGELES  
MIAMI  
NEW YORK  
WASHINGTON, D. C.

633 WEST FIFTH STREET  
LOS ANGELES, CALIFORNIA 90071-2007  
TELEPHONE: (1 - 213) 620-7700  
FACSIMILE: (1 - 213) 667-0758

ASIA  
ALMATY  
ANKARA  
BANGKOK  
BOMBAY  
HANOI  
HONG KONG  
JAKARTA  
SINGAPORE  
TOKYO

EUROPE  
BRUSSELS  
BUDAPEST  
HELSINKI  
ISTANBUL  
LONDON  
MOSCOW  
PARIS  
PRAGUE  
STOCKHOLM  
WARSAW

DIRECT DIAL: (213) 620-7770

MIDDLE EAST  
JEDDAH  
RIYADH

LATIN AMERICA  
MEXICO CITY

February 4, 1997

## VIA FACSIMILE AND MAIL

Janet E. Shestakov  
Del Monte Foods Inc.  
One Market  
P.O. Box 193575  
San Francisco, CA 94119-3575

Dear Ms. Shestakov:

I must admit I was quite surprised and confused by your letter of February 3, 1997. For many months now, Mr. Ronzone, on behalf of Del Monte, has demanded that New Century remove its ground water monitoring wells from the Del Monte property and cease all activities on the Del Monte property. This demand was most recently and forcefully reiterated in Mr. Ronzone's letter of December 19, 1996 addressed to Mr. Paul Morici in which it was stated: "Del Monte demands that New Century Beverage immediately cease any and all activities at the property...".

In response to Mr. Ronzone's letter I wrote to him on January 2, 1997 indicating that I requested that my client prepare a plan for the removal of their personal property and equipment, including the monitoring wells, from the Del Monte property. On January 7, 1997, at my client's request Weiss Associates prepared and forwarded to Alameda County Health Care Services Agency a Well Abandonment Work Plan, a copy of which was forwarded to Mr. Ronzone to comply with the request contained in his letter of December 19, 1996, that prior to January 8, 1997, New Century... "prepare a plan for the prompt removal of all of its personal property and equipment (including the monitoring wells) from the property." We never had a response or comment in regard to that Work Plan and therefore my client proceeded in accordance with the Work Plan in a direct response to its attempt to satisfy Del Monte's removal demand. In the event that Mr. Ronzone did not provide you with a copy of the Work Plan, I am attaching a copy to this letter.

00001KT3.WP5

As you know, on January 24, 1997, the Alameda County Health Care Services Agency issued a letter allowing the removal of the groundwater wells. We thus believe that we have complied with the demands made by Del Monte, except for the physical removal of the wells.

We are aware of the fact that you provided comments to New Century's Risk Based Corrective Action Evaluation; it is my understanding that those comments were provided at a meeting held with Susan Hugo on December 10, 1996 from which we were specifically excluded at the request of Mr. Ronzone. The December 10th meeting was held two weeks before Mr. Ronzone wrote his letter demanding the removal of the wells. Your letter of February 3, 1997, is the first communication in which Del Monte indicates that the wells should remain in place until the Alameda County Health Care Agency responds to your RBCA comments; the request that the ground water monitoring wells remain in place specifically contradicts the many demands that have been made by Del Monte and the threats of resort to legal action if the wells were not immediately removed.

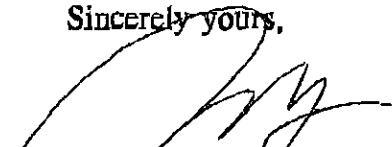
In my letter to Mr. Ronzone on January 2, 1997, I advised that I had prepared and forwarded to New Century for execution a Quitclaim Deed. The Quitclaim Deed follows an offer I had made prior to receipt of Mr. Ronzone's letter. In my letter I advised Mr. Ronzone that we did not have a legal description to attach to a Quitclaim Deed and that I would appreciate him having First American Title Company forward to us a legal description of the Del Monte property or the portion of the Del Monte property which was mentioned in the recorded documents. I am holding the executed Quitclaim Deed and I was authorized to cause it to be recorded, however, I have not received from either Del Monte or First American Title Company a legal description which might be attached to the Quitclaim Deed.

There appears to be no reason to provide a response to the Draft revised License and Indemnification Agreement that you submitted to New Century since the purpose of that document was to allow the continued maintenance of the monitoring wells and entry on the property for what was anticipated might be an extended period of time. Now that New Century has permission to close the wells we need Del Monte to authorize one limited entry for the purpose of allowing the removal of the wells. The work has been scheduled for February 7, 1997, and if Del Monte will provide permission to enter on the property, the wells can and will be removed on that date.

In regard to the other recorded documents to which you refer in your letter, we have had some preliminary discussions with Kaiser Foundation Hospitals regarding possible amendment to those documents, however, I believe that it is fair to say that Kaiser's counsel shares the opinion that I have previously given in which I advised that it was my belief that the Quitclaim Deed should suffice, however, I am forwarding to Kaiser a copy of your letter

of February 3, 1997, and I intend to engage in further discussions with Kaiser regarding the documents.

Sincerely yours,



Burton H. Fohrman

BHF:lcf

Enclosures

cc: P. Morici  
P. Milmed  
S. Hugo  
S. Ronzone  
E. Laurence  
I. Obeysekere  
J. Colbath  
T. Tamoney, Jr.  
J. Tidwell  
C. Poggiogalle  
R. Plock  
J. Pontin  
C. Atwood  
C. Ertin



**Weiss Associates**

*Environmental and Geologic Services*

5500 Shellmound Street, Emeryville, CA 94608-2411

Fax: 510-547-5043 Phone: 510-450-6000

January 7, 1997

Ms. Susan Hugo  
Senior Hazardous Materials Specialist  
Alameda County Health Care Services Agency  
Department of Environmental Health  
1131 Harbor Bay Parkway  
Alameda, California 94502

**RE: Abandonment of Ground Water  
Monitoring Wells  
1250 Park Avenue, Emeryville, CA  
WA #14-0307-19**

Dear Susan:

Weiss Associates (WA) is writing this letter on behalf of New Century Beverage (NCB), requesting approval for proper abandonment of five ground water monitoring wells located on the Del Monte portion of the NCB Emeryville site. The Del Monte owned portion is located at 1250 Park Avenue, Emeryville, California (Figure 1). The monitoring wells we wish to abandon include MW-8, MW-9, MW-11, MW-13, and MW-14 (Figure 2).

In a December 19, 1996 letter written by Del Monte's Director of Property Management, Mr. Steven P. Ronzone to Mr. Paul Morici at NCB, Del Monte stated that NCB would no longer be allowed "to enter onto or to conduct any activities whatsoever at the 1250 Park Avenue, Emeryville, California," property. Del Monte further requested that NCB prepare and submit a plan by January 8, 1997 for the prompt abandonment of the monitoring wells from that property. This letter is intended to serve as both a request for approval of abandonment and as a workplan for the abandonment of monitoring wells MW-8, 9, 11, 13, and 14.

#### SITE HISTORY:

Monitoring wells MW-8, -9, -11, -13, and -14 were installed at 1250 Park Avenue by NCB between April 1994 and June 1995. These wells were completed in the shallow water bearing zone to monitor ground water quality downgradient of a former gasoline underground storage tank (UST) located on the adjoining 1150 Park Avenue, Emeryville, California (Figure 2). At the time of the monitoring well installations, NCB leased the 1250 Park Avenue property from Del Monte and used this property primarily for vehicle storage. Since the installation of MW-8, -9, -11, -13, and -14, NCB has sold their 1150 Park Avenue parcel to Kaiser Foundation Hospital (KFH), has removed the former gasoline UST, has performed a source removal action and has collected quarterly ground water samples from the monitoring wells as described in the January 1995 Remedial Action Plan for the site. The ground water analytic results have been reported on a quarterly basis to the Alameda



County Health Care Services Agency (ACHCSA), KFH, KFH's environmental consultant, Del Monte, CH2M Hill, and NCB. Most recently, WA submitted a Risk Based Corrective Action (RBCA) evaluation and site closure request to the ACHCSA in early December 1996.

Historically, no benzene, toluene, ethylbenzene, and xylene (BTEX), and no total volatile hydrocarbons as gasoline (TVH-G) have been detected in monitoring wells MW-8, -9, -11, and -14 since their installation. Additionally, only trace concentrations (< 0.120 ppm) of total extractable hydrocarbons as diesel (TEH-D) have been detected in monitoring wells MW-8, -11, and -14. Monitoring well MW-13, located directly downgradient (south to southwest) of the former NCB gasoline UST, however, has shown relatively stable concentrations of BTEX, TVH-G, and TEH-D since monitoring began in February 1995.

#### REQUEST FOR WELL ABANDONMENT

WA petitions the ACHCSA for immediate approval to abandon monitoring wells MW-8, -9, -11, -13, and -14 because:

1. Monitoring well MW-13 is the only well of the five located on the Del Monte property reported to contain significant BTEX, TVH-G, and TEH-D. Additionally, the concentrations of BTEX, TVH-G, and TEH-D reported in MW-13 closely parallel the trends in concentration of these same hydrocarbons in MW-12. WA feels that with the removal of the former UST and contemporaneous over-excavation of the source in 1994, combined with the collection of two years of quarterly ground water quality data, that MW-12, located directly downgradient of the former UST and on KFH property, adequately monitors the existing, stable, ground water plume originating in the vicinity of the former UST and that MW-13 can be destroyed.

2. Del Monte has requested prompt removal of the five monitoring wells from 1250 Park Avenue and has denied NCB future access to the property for ground water monitoring purposes.

#### WELL ABANDONMENT WORKPLAN

After WA receives approval to abandon monitoring wells MW-8, -9, -11, -13 and -14 from the ACHCSA, we will obtain the well abandonment permits from Alameda County Flood Control Zone 7. The well abandonment will comply with all Zone 7 well destruction requirements and will include:

1. completing California State DWR-188 forms documenting the well abandonment, and
2. preparing a short letter report documenting the well destruction and submitting the report to your office within 30 days of the well abandonment.

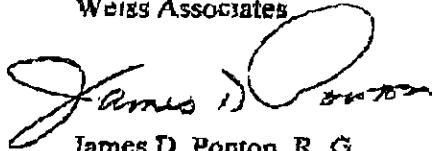
Ms. Susan Hugo  
January 7, 1997

3

Because Del Monte has requested NCB devise a plan for the removal of the monitoring wells from their property by January 8, 1997, we would appreciate it if you could provide us with a timely response to our request for well abandonment. We appreciate your understanding and prompt action on this matter.

Please call me at (510) 450-6130 if you have any questions or comments regarding the information contained in this letter.

Sincerely,  
Weiss Associates



James D. Ponton, R. G.  
Project Geologist

cc: Paul Morici, Pepsi-Cola Corporation  
Raymond Plock, Raymond Plock & Associates  
Burton Fohrman, White & Case  
Jerry Tidwell, Pepsi-Cola Corporation  
Steve Ronzone, Del Monte Foods Inc., One Market, PO Box 193375, San Francisco, CA 94119

DP:jdp

1/10/97 10:00 AM

Del Monte Foods  
One Market  
P.O. Box 193575  
San Francisco, CA 94119-3575  
Telephone: (415) 247-3260  
Fax: (415) 247-3263

**Janet E. Shestakov**  
Associate General Counsel

**February 3, 1997  
via Facsimile &  
Overnight Mail**

**Burt Fohrman  
White & Case  
633 West Fifth St., Suite 1900  
Los Angeles, CA 90071-2007**

**Re: Del Monte Corporation / Emeryville, CA Property**

Dear Mr. Fohrman:

This letter responds to New Century Beverage's January 29, 1997 request to enter the above referenced property. As you know, Del Monte received New Century's Risk-Based Corrective Action Evaluation (RBCA) report. Based on a review of New Century's RBCA report by Del Monte's technical consultants, we are concerned about its adequacy. At the request of the Alameda County Health Care Services Agency, Del Monte communicated its concerns regarding the RBCA report to the agency and is awaiting the agency's response. Until that occurs, Del Monte believes it is premature to agree that the monitoring wells in question should be removed.

We note that New Century continues its pattern of taking actions affecting Del Monte's property without its approval. Del Monte requested that New Century submit a written plan for personal property and equipment removal. Del Monte has received no such plan. Nor has Del Monte received the quitclaim deed or modification to the erroneous documents New Century recorded, as Del Monte requested.

Finally, contrary to indications made in your January 2, 1997 letter and January 17, 1997 facsimile message (sent via your secretary), Del Monte has received no response to the revised License and Indemnification Agreement that Del Monte resubmitted to New Century on January 16, 1997.

Very truly yours,



Janet E. Shestakov

cc: S. Ronzone  
E. Laurence  
P. Morici  
P. Milmed  
S. Hugo  
M. Wall

ENVIRONMENTAL  
PROTECTION  
97 FEB -4 AM 9:16

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



January 24, 1997

Mr. Jerry Tidwell  
Pepsi-Cola Corporation  
29000 Hesperian Blvd.  
Hayward, California 94545

ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION (LOP)  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577  
(510) 567-6700  
FAX (510) 337-9335

**RE: Former New Century Beverage Company**  
**1150 Park Avenue, Emeryville, California 94608 (STID# 1777)**

Dear Mr. Tidwell:

I have reviewed the letter dated January 7, 1997, prepared and submitted by Weiss Associates for the above referenced site. The letter proposed the abandonment of five groundwater monitoring wells ( MW-8, MW-9, MW-11, MW-13 and MW-14) located on the Del Monte Property at 1250 Park Avenue, Emeryville, California. It is my understanding that Del Monte has requested the prompt removal of the five monitoring wells and has denied New Century Beverage Co. future access to the property for continued groundwater monitoring in those wells.

The proposal to properly abandon the five monitoring wells is acceptable to this agency provided the following issues are addressed:

- 1) Replacement wells must be installed if additional groundwater data is required before the site can be recommended for case closure. As you are aware, the Risk-Based Corrective Action Evaluation prepared and submitted by Weiss Associates for the subject site is currently being reviewed at this time. Further downgradient monitoring wells maybe required depending on the results of the RBCA evaluation review process.
- 2) Please notify this office 72 hours in advance of any field activity at the site.

If you have any questions regarding this letter or the subject site, please contact me at (510) 567-6780.

Sincerely,

Susan L. Hugo  
Senior Hazardous Materials Specialist

c: Mee Ling Tung, Director, Environmental Health  
Gordon Coleman, Acting Chief, Environmental Protection Division / files / SH  
Kevin Graves, San Francisco Bay RWQCB  
Sum Arigala, San Francisco Bay RWQCB  
James Ponton, Weiss Associates, 5500 Shellmound Street, Emeryville, CA 94608

**CH2MHILL**

ENVIRONMENTAL  
PROTECTION  
97 JAN -2 PM 2: 14

CH2M HILL  
1111 Broadway  
P.O. Box 12681  
Oakland, CA  
94604-2681  
Tel 510.251.2426  
Fax 510.893.8205

January 2, 1997

117761.RP.03

Ms. Susan Hugo  
Alameda County Health Agency  
1131 Harbor Bay Parkway  
2nd Floor  
Alameda, CA 94502

Dear Susan:

Subject: Comments on Risk Based Corrective Action Evaluation for Former New Century Beverage Company Facility

As we discussed during our meeting on December 10th, CH2M HILL, on Del Monte's behalf, has reviewed the *Risk Based Corrective Action Evaluation for Former New Century Beverage Company Facility*, dated December 9, 1996, prepared by Weiss Associates for New Century Beverage Company. Del Monte requested CH2M HILL to review the risk based corrective action (RBCA) evaluation because contaminants released from the former New Century Beverage Company (Pepsi) facility have migrated onto Del Monte's property. The focus of our review comments is the implication of these releases to the adjacent Del Monte property.

The results of the RBCA Evaluation and the resulting cleanup that will be conducted by Pepsi have a direct and practical impact on Del Monte. Without cleanup of soil and groundwater on Del Monte's property, ongoing management of residual levels of contaminants will be required by Del Monte or future property owners. Construction in the area will require health and safety precautions for site workers, such as air monitoring and, if needed, respiratory protection. Workers will need to have appropriate health and safety training. Groundwater removed during construction dewatering will require treatment before discharge. Special pile designs may be required to remove the threat of contaminating deeper aquifers. All of these activities translate to increased costs and other risks to Del Monte.

On behalf of Del Monte, we submit the following comments on the RBCA Evaluation for the former Pepsi facility:

**1. Objection to Statement Regarding Migration to Del Monte Property**

As a preliminary matter, we note that the RBCA Evaluation incorrectly states, "... because monitoring data to date show that the plume is stable, it is extremely unlikely that offsite migration will occur." (Page 12) Clearly, offsite migration has already occurred onto Del

Monte's property. In fact, the highest concentrations of benzene in groundwater are currently detected beneath Del Monte's property.

## **2. Evidence of Migration to Del Monte Property Soils**

Data reported in the RBCA Evaluation indicate that elevated levels of petroleum hydrocarbons are present in subsurface soil at or near the Del Monte Foods property line. A sample from B-5 at a depth of 5 feet below grade contained 2,200 mg/kg of TPH-motor oil. Figure 2 shows the location of B-5 on the Del Monte side of the property line. This indicates that chemicals of concern (COCs) have migrated to soil as well as groundwater beneath Del Monte's property. The levels of TPH-motor oil at B-5 exceed the cleanup criteria established for soil on the Del Monte site: 100 mg/kg for TPH-gasoline, 200 mg/kg for TPH-diesel, and 500 mg/kg for TPH-motor oil. Del Monte would be required to remove the affected soil if it had caused this particular problem; therefore, the same standards should apply to Pepsi.

## **3. Omission of Residential Exposure Scenarios**

Del Monte was required to evaluate risks associated with a residential scenario when the human health risk assessment was conducted for its Emeryville property. We note, however, that Pepsi's RBCA Evaluation does not include a scenario that considers potential residential development of its former property. The absence of an evaluation of a residential scenario is all the more troubling here because the Emeryville Redevelopment Agency indicated to Del Monte that the City favors residential development of the former Pepsi property.

## **4. Incomplete Construction Scenario**

In connection with the development of Del Monte's property for any future use, construction activities will include excavating soil for building foundations and utility corridors. With the groundwater table fluctuating between 4 and 11 feet below grade, construction excavations will likely bring workers into direct contact with contaminated groundwater. The construction scenario in the RBCA Evaluation does not consider inhalation of COCs directly from the groundwater or dermal contact with COCs in groundwater. In order for the evaluation to be complete and meaningful, the RBCA Evaluation should include these pathways; this may alter the outcome of the RBCA Evaluation.

## **5. No Evaluation of Additive Effects**

The RBCA Evaluation does not consider the cumulative risk and hazard index. With multiple exposure pathways and multiple compounds considered, the total hazard index and cancer risk could exceed one and  $10^{-5}$ , respectively.

## 6. Missing PAH Data

PAHs were detected in groundwater downgradient of former UST #1, however, soils in the vicinity of UST #1 were not analyzed for PAHs. UST #1 was reported to have been used to store diesel fuel after UST #2 was removed in 1987. In addition, high levels of TPH-diesel (up to 22,000 mg/kg) were detected in soil samples from the dispenser area near former UST #1. We believe it is appropriate to test for PAHs in soil samples collected in the vicinity of the former fuel dispenser. Without testing, we do not know if concentrations of PAHs in soil in the vicinity of former UST #1 exceed the RBSLs. Without this information, a decision on whether or not cleanup is needed is premature.

## 7. Questionable Soil Ingestion Rate

The RBCA Evaluation states that for the construction scenario, Standard ASTM default values were used for everything except exposure duration and exposure frequency (page 11, paragraph 3). This indicates that a soil ingestion rate of 50 mg/day was used (page 25, Table X2.4 of Standard ASTM RBCA). The soil ingestion rate recommended by USEPA for people with significant soil contact (such as construction workers) is 480 mg/day (March 25, 1991, Risk Assessment Guidance for Superfund, Volume 1 Human Health Evaluation Manual, Supplemental Guidance "Standard Default Exposure Factors", Interim Final, OSWER Directive 9285.6-03). The construction scenario should be recalculated to reflect this more plausible ingestion rate.

## 8. Undocumented Assumptions

The outcome of a RBCA Evaluation is affected by the assumptions made. Several assumptions made in the RBCA Evaluation for the former Pepsi property are not adequately explained or documented. Without supporting information, it is not clear to us that the assumptions are reasonable.

- a) On page 13, bottom paragraph of the report, a half life of 365 days for benzene in the vadose zone is stated to be "generally accepted as a very conservative value". A reference should be provided for this value. Site-specific evidence that this is an appropriate value should also be provided.
- b) Page 14, bottom paragraph, states that a half life of 730 days for benzene in the water table was used. Again, a reference should be provided for this value. The monitoring data for MW-13 do not necessarily support a half life of 730 days (2 years), especially when attenuation due to groundwater transport is considered. In other words, the half life for benzene in groundwater may be longer than 2 years; this would result in a lower risk based screening level.
- c) In the Appendix E Calculations - Commercial Receptor - Soil to Indoor Air SSTL, the value listed for contaminant half life days (Thalf) is 91. Similarly, the Appendix E Calculations - Commercial Receptor - Ground Water to Indoor Air SSTL lists a Thalf of

Ms. Susan Hugo  
Page 4  
January 2, 1997  
117761.RP.03

365 days. These values appear to be inconsistent with the values stated in the text and discussed above. This discrepancy should be explained.

- d) The Appendix E calculation tables provide values used in the vapor transport modeling. The finite time differentials (dt) and number of intervals of integration (intervals) used for soil to indoor air and for groundwater to indoor air differ. In our experience with volatilization models, the chemical flux is sensitive to these modeling assumptions. The report should include justification of the values used, an explanation of why different values were used, and a discussion of the sensitivity of the outcome to the assumed values.

Thank you for considering our comments on the RBCA Evaluation for the former Pepsi property and its implications for the Del Monte property. Please feel free to contact me at (510) 251-2888 ext. 2189 or Steve Ronzone (415) 247-3520 if you would like to discuss these comments further. We would appreciate hearing from you when you have completed your review of the RBCA Evaluation.

Sincerely,

CH2M HILL



Madeline Wall/SFO  
Environmental Engineer

- c: Steve Ronzone/Del Monte Foods  
Janet Shestakov/Del Monte Foods  
Eric Laurence/Cassidy & Verges





**CH2MHILL**

**Fax #:** 510/337-9335

**To:** Susan Hugo

**Company:** Alameda County Health

**Total Pages:** 5

**From:** Madeline Wall

**Fax #:** 810-893-8205

**Date:** 1/3/97

**Message:**

The information in this fax is confidential and proprietary and is intended only for the individual or entity named on the cover sheet. If you are not the intended recipient, disclosure, copying, distribution or use of this information is prohibited. If you do not receive all of the pages or have received this fax in error, please notify us immediately at 510-251-2426.

**CH2MHILL**

CH2M HILL  
1111 Broadway  
P.O. Box 12681  
Oakland, CA  
94604-2681  
Tel 510.251.2426  
Fax 510.893.8205

January 2, 1997

117761.RP.03

Ms. Susan Hugo  
Alameda County Health Agency  
1131 Harbor Bay Parkway  
2nd Floor  
Alameda, CA 94502

Dear Susan:

**Subject: Comments on Risk Based Corrective Action Evaluation for Former New Century Beverage Company Facility**

As we discussed during our meeting on December 10th, CH2M HILL, on Del Monte's behalf, has reviewed the *Risk Based Corrective Action Evaluation for Former New Century Beverage Company Facility*, dated December 9, 1996, prepared by Weiss Associates for New Century Beverage Company. Del Monte requested CH2M HILL to review the risk based corrective action (RBCA) evaluation because contaminants released from the former New Century Beverage Company (Pepsi) facility have migrated onto Del Monte's property. The focus of our review comments is the implication of these releases to the adjacent Del Monte property.

The results of the RBCA Evaluation and the resulting cleanup that will be conducted by Pepsi have a direct and practical impact on Del Monte. Without cleanup of soil and groundwater on Del Monte's property, ongoing management of residual levels of contaminants will be required by Del Monte or future property owners. Construction in the area will require health and safety precautions for site workers, such as air monitoring and, if needed, respiratory protection. Workers will need to have appropriate health and safety training. Groundwater removed during construction dewatering will require treatment before discharge. Special pile designs may be required to remove the threat of contaminating deeper aquifers. All of these activities translate to increased costs and other risks to Del Monte.

On behalf of Del Monte, we submit the following comments on the RBCA Evaluation for the former Pepsi facility:

**1. Objection to Statement Regarding Migration to Del Monte Property**

As a preliminary matter, we note that the RBCA Evaluation incorrectly states, "... because monitoring data to date show that the plume is stable, it is extremely unlikely that offsite migration will occur." (Page 12) Clearly, offsite migration has already occurred onto Del

Ms. Susan Hugo  
Page 2  
January 2, 1997  
117761.RP.03

Monte's property. In fact, the highest concentrations of benzene in groundwater are currently detected beneath Del Monte's property.

## 2. Evidence of Migration to Del Monte Property Soils

Data reported in the RBCA Evaluation indicate that elevated levels of petroleum hydrocarbons are present in subsurface soil at or near the Del Monte Foods property line. A sample from B-5 at a depth of 5 feet below grade contained 2,200 mg/kg of TPH-motor oil. Figure 2 shows the location of B-5 on the Del Monte side of the property line. This indicates that chemicals of concern (COCs) have migrated to soil as well as groundwater beneath Del Monte's property. The levels of TPH-motor oil at B-5 exceed the cleanup criteria established for soil on the Del Monte site: 100 mg/kg for TPH-gasoline, 200 mg/kg for TPH-diesel, and 500 mg/kg for TPH-motor oil. Del Monte would be required to remove the affected soil if it had caused this particular problem; therefore, the same standards should apply to Pepsi.

## 3. Omission of Residential Exposure Scenarios

Del Monte was required to evaluate risks associated with a residential scenario when the human health risk assessment was conducted for its Emeryville property. We note, however, that Pepsi's RBCA Evaluation does not include a scenario that considers potential residential development of its former property. The absence of an evaluation of a residential scenario is all the more troubling here because the Emeryville Redevelopment Agency indicated to Del Monte that the City favors residential development of the former Pepsi property.

## 4. Incomplete Construction Scenario

In connection with the development of Del Monte's property for any future use, construction activities will include excavating soil for building foundations and utility corridors. With the groundwater table fluctuating between 4 and 11 feet below grade, construction excavations will likely bring workers into direct contact with contaminated groundwater. The construction scenario in the RBCA Evaluation does not consider inhalation of COCs directly from the groundwater or dermal contact with COCs in groundwater. In order for the evaluation to be complete and meaningful, the RBCA Evaluation should include these pathways; this may alter the outcome of the RBCA Evaluation.

## 5. No Evaluation of Additive Effects

The RBCA Evaluation does not consider the cumulative risk and hazard index. With multiple exposure pathways and multiple compounds considered, the total hazard index and cancer risk could exceed one and  $10^{-5}$ , respectively.

Ms. Susan Hugo  
Page 3  
January 2, 1997  
117761.RP.03

## 6. Missing PAH Data

PAHs were detected in groundwater downgradient of former UST #1, however, soils in the vicinity of UST #1 were not analyzed for PAHs. UST #1 was reported to have been used to store diesel fuel after UST #2 was removed in 1987. In addition, high levels of TPH-diesel (up to 22,000 mg/kg) were detected in soil samples from the dispenser area near former UST #1. We believe it is appropriate to test for PAHs in soil samples collected in the vicinity of the former fuel dispenser. Without testing, we do not know if concentrations of PAHs in soil in the vicinity of former UST #1 exceed the RBSLs. Without this information, a decision on whether or not cleanup is needed is premature.

## 7. Questionable Soil Ingestion Rate

The RBCA Evaluation states that for the construction scenario, Standard ASTM default values were used for everything except exposure duration and exposure frequency (page 11, paragraph 3). This indicates that a soil ingestion rate of 50 mg/day was used (page 25, Table X2.4 of Standard ASTM RBCA). The soil ingestion rate recommended by USEPA for people with significant soil contact (such as construction workers) is 480 mg/day (March 25, 1991, Risk Assessment Guidance for Superfund, Volume 1 Human Health Evaluation Manual, Supplemental Guidance "Standard Default Exposure Factors", Interim Final, OSWER Directive 9285.6-03). The construction scenario should be recalculated to reflect this more plausible ingestion rate.

## 8. Undocumented Assumptions

The outcome of a RBCA Evaluation is affected by the assumptions made. Several assumptions made in the RBCA Evaluation for the former Pepsi property are not adequately explained or documented. Without supporting information, it is not clear to us that the assumptions are reasonable.

- a) On page 13, bottom paragraph of the report, a half life of 365 days for benzene in the vadose zone is stated to be "generally accepted as a very conservative value". A reference should be provided for this value. Site-specific evidence that this is an appropriate value should also be provided.
- b) Page 14, bottom paragraph, states that a half life of 730 days for benzene in the water table was used. Again, a reference should be provided for this value. The monitoring data for MW-13 do not necessarily support a half life of 730 days (2 years), especially when attenuation due to groundwater transport is considered. In other words, the half life for benzene in groundwater may be longer than 2 years; this would result in a lower risk based screening level.
- c) In the Appendix E Calculations - Commercial Receptor - Soil to Indoor Air SSTL, the value listed for contaminant half life days (Thalf) is 91. Similarly, the Appendix E Calculations - Commercial Receptor - Ground Water to Indoor Air SSTL lists a Thalf of

Ms. Susan Hugo  
Page 4  
January 2, 1997  
117761.RP.03

365 days. These values appear to be inconsistent with the values stated in the text and discussed above. This discrepancy should be explained.

- d) The Appendix E calculation tables provide values used in the vapor transport modeling. The finite time differentials (dt) and number of intervals of integration (intervals) used for soil to indoor air and for groundwater to indoor air differ. In our experience with volatilization models, the chemical flux is sensitive to these modeling assumptions. The report should include justification of the values used, an explanation of why different values were used, and a discussion of the sensitivity of the outcome to the assumed values.

Thank you for considering our comments on the RBCA Evaluation for the former Pepsi property and its implications for the Del Monte property. Please feel free to contact me at (510) 251-2888 ext. 2189 or Steve Ronzone (415) 247-3520 if you would like to discuss these comments further. We would appreciate hearing from you when you have completed your review of the RBCA Evaluation.

Sincerely,

CH2M HILL



Madeline Wall/SFO  
Environmental Engineer

c: Steve Ronzone/Del Monte Foods  
Janet Shestakov/Del Monte Foods  
Eric Laurence/Cassidy & Verges

ENVIRONMENTAL  
PROTECTION

96 DEC 20 PM 4: 15

Del Monte Foods  
One Market  
P.O. Box 193575, San Francisco, CA 94119-3575  
Telephone: (415) 247-3000

**via Overnight Mail**

December 19, 1996

Paul Morici  
New Century Beverage Company, Inc.  
c/o Pepsi Cola Bottling Company  
One Pepsi Way  
Somers, NY 10589

Re: Del Monte Corporation Property at 1250 Park Avenue, Emeryville, CA.

Dear Mr. Morici:

I am writing to provide you with formal notice that New Century Beverage is not authorized to enter onto or to conduct any activities whatsoever at the property owned by Del Monte Corporation and located at 1250 Park Avenue in Emeryville, California ("Property"). New Century Beverage has entered and conducted activities, including installing and operating groundwater monitoring wells, at the Property without Del Monte's permission. Del Monte became aware of New Century Beverage's entry on the Property only because I encountered -- and questioned -- New Century Beverage's drilling rigs one day when I was at the Property. Del Monte subsequently attempted to negotiate an access and indemnification agreement with New Century Beverage. It is now clear to Del Monte that New Century Beverage is reneging its previously acknowledged obligation to provide an appropriate indemnification for Del Monte (and for a timely resolution and closure of the remediation activities) and, therefore, no such agreement is imminent.

Del Monte demands that New Century Beverage immediately cease any and all activities at the Property, and that it prepare a plan for the prompt removal of all of its personal property and equipment (including the monitoring wells) from the Property. New Century Beverage should submit its plan in writing to Del Monte no later than January 8, 1997.

As a related matter, Del Monte is very concerned about two agreements entered into and recorded by New Century Beverage and Kaiser Foundation Hospitals ("Kaiser") that reference and appear to affect Del Monte's Property. As with New Century Beverage's entry onto Del Monte's Property, Del Monte discovered these agreements through circumstantial events and not through any notification or disclosure by New Century Beverage. Specifically, the documents are (i) the Demolition and Remediation License Agreement, dated January 11, 1995 and (ii) the Remediation License and Easement Agreement for Hazardous Materials Remediation, also dated January 11, 1995

Paul Morici  
December 19, 1996  
Page 2

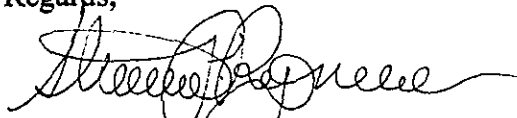
("Agreements"). Among other things, both of these Agreements falsely state that Kaiser owns the Del Monte Property and attempt to authorize New Century Beverage to perform certain remediation activities at the Property. Clearly, Kaiser does not own the Del Monte Property and this attempted authorization is invalid.

Del Monte demands that for each of these Agreements New Century Beverage promptly enter into a modification expressly stating that Del Monte's Property is not a part of and was never intended to be encumbered by the applicable agreement. Furthermore, Del Monte insists that these modifications are recorded. In addition, Del Monte also demands that New Century Beverage execute a quit claim deed, relinquishing any rights it has represented or indicated it may possess with respect to the Property. We want to receive from New Century Beverage a copy of the execution version of these modifications and the executed quit claim deed no later than January 8, 1997; we want to receive evidence that the modifications have been recorded no later than January 15, 1997.

If New Century Beverage does not comply with this letter, Del Monte is prepared to pursue its legal remedies, including but not limited to a trespass claim and quiet title action against New Century Beverage. Furthermore, Del Monte will hold New Century Beverage responsible if Del Monte's sale of the Property is delayed or in any other way affected by the Agreements or any other activity or action taken by New Century Beverage.

We regret having to take these actions, however, New Century Beverage's failure to accept responsibility for conditions it alone has created at the Property leaves Del Monte no choice. While you are complying with our demands, we remain available for discussion and a more positive resolution of these issues.

Regards,



Steven P. Ronzone  
Director, Property Management

cc: Burton Fohrman, White & Case  
Eric Laurence, Cassidy & Verges  
Susan Hugo, Alameda County Health Care Services Agency  
Jymmi Vecchioni, First American Title Company  
Joe D. Colbath, Kaiser Permanente Medical Care Program



ST 10 177

October 16, 1996

Ms. Susan Hugo  
Senior Hazardous Materials Specialist  
Alameda County Health Care Services Agency  
Department of Environmental Health  
1131 Harbor Bay Parkway  
Alameda, California 94502

RE: New Century Beverage, Emeryville CA  
Abandoned Well  
WA Job #14-0307-21

Dear Ms. Hugo:

Thank you for your time on October 7, 1996 to discuss the status of the New Century Beverage site in Emeryville. During that meeting, we discussed your earlier request for additional data regarding construction and possible sampling of the abandoned well that was discovered near existing monitoring wells MW-3 and MW-4 during demolition of the structures on the property. As you recall from previous discussions, the well is approximately 14" diameter and 300 to 350' deep, and was apparently installed as a supply well prior to or concurrent with the construction of the former production building at the New Century Beverage site in or around 1958. The open well was uncovered during building demolition and slab removal. Weiss Associates has submitted an application to Zone 7 for approval to formally abandon the well.

In an effort to obtain data regarding well construction Weiss Associates researched the records of the City of Emeryville in a telephone call to Margaret Elliot on 9/25/96. She responded that the City maintains no records on well installations. We then contacted Alameda County on 9/26/96, who also had no files or records regarding this well. Our contact indicated that permits were not required for wells installed prior to 1971. We then contacted Alec Vasquez of the Department of Water Resources on 10/1/96, and furnished the necessary information for them to conduct a search for any record of this well. No data was present in the DWR records regarding this well. Contact with long-time New Century Beverage employees resulted in recollections that the well was installed by New Century Beverage's predecessor company at the site, at or about the time the building was constructed in 1958. It was intended as a supply well for high-quality beverage production; our contacts indicated however that the well did not produce either the quantity or quality of water necessary for the needs of the plant and was never used. No written records were uncovered regarding well installation or construction details or water quality.



10/19/96 01:00:00

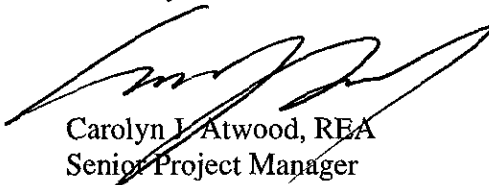
Weiss Associates therefore recommends that the ACHCSA not require sampling of this well prior to its destruction, for the following reasons:

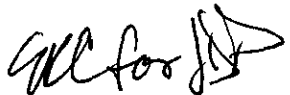
- No information is available regarding the zone of completion, the screened interval, or the depth of casing of the well. Therefore, interpretation of analytical results would be impossible in the event sampling were conducted;
- No DNAPLs have been identified as contaminants of concern in relation to the open underground tank case at the site. Contaminants of concern are limited to diesel and gasoline hydrocarbons;
- Sampling the well would be both difficult and costly from the perspective of well development and purging, because of the diameter and depth of the well (the volume of the well column could be 2,400-2,800 gallons); and
- Adequate monitoring data in the immediate vicinity of this well is already available in the sampling results from MW-3 and MW-4, and WA does not feel that any new information will be gained regarding the underground tank case by sampling this well.

Based on the above rationale, Weiss Associates, on behalf of New Century Beverage, does not plan on sampling the well prior to its destruction unless specifically requested in writing to do so by your office by October 22, 1996. The latter date is when we expect Zone 7's determination on well abandonment.

Again, thank you for your consideration in this matter. Should you have any questions, please do not hesitate to call either me or Jim Ponton, WA's project manager for this site, at 510-450-6000. Thank you.

Sincerely,

  
Carolyn J. Atwood, REA  
Senior Project Manager

  
James D. Ponton, RG  
Project Geologist

cc: Jerry Tidwell, New Century Beverage  
Ray Plock, RP and Associates  
Paul Morici, Pepsi Cola



**Weiss Associates**

Weiss Associates  
Environmental and Geologic Services



5500 Shellmound Street, Emeryville, CA 94608-2411

FAX: 510-547-5043 Phone: 510-450-6000

**TRANSMITTAL**

*RETRAY FYI 10/17/96*

DATE:

September 13, 1996

PROJECT #: 14-0307-21

TO:

PHONE: (510) 567-6780

COMPANY:

Alameda County Health Care Services Agency  
1131 Harbor Bay Parkway  
Alameda, California 94502

FAX: (510) 337-9335

FROM:

Jim D. Ponton, (510) 450-6130

ENCLOSED PLEASE FIND: 1150 Park Avenue Site Map showing approximate location of 14-inch diameter water well

VIA:

- Fax
- 1<sup>st</sup> Class Mail
- Overnight Delivery
- UPS (Surface)
- Courier

FAX:

# of pages: 2  
(including this cover)

Hard Copy to follow

AS:

- Per our phone call
- You requested
- Is required
- We believe you may be interested

FOR:

- Your information
- Return to you
- Your action
- Your review & comments

Please call (510) 450-6000 if there are any problems with transmission.

**COMMENTS:**

Dear Susan:

Thanks for returning my call. As we discussed earlier this morning, all of the buildings, footings, slab, and driveway have been demolished and removed from 1150 Park Avenue. Upon pulling up the concrete slab in the vicinity of the former production lines, a 14-inch steel cased well was discovered (see attached site figure).

Weiss Associates visited the site to examine the well. Depth to water in the well is about 8 ft beneath the ground surface. The well is approximately 300 to 350 ft deep.

I understand that you plan on speaking with the Regional Water Quality Control Board about the well. We are eager to properly abandon the well and look forward to hearing from you.

Sincerely,

FAX CONFIDENTIALITY NOTICE

The information contained in this transmission is confidential and only intended for the addressee. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or action taken in reliance on the contents of this facsimile transmittal is strictly prohibited. If you have received this facsimile in error, please call us immediately to arrange for the return of these documents.

00000001

WEISS ASSOCIATES

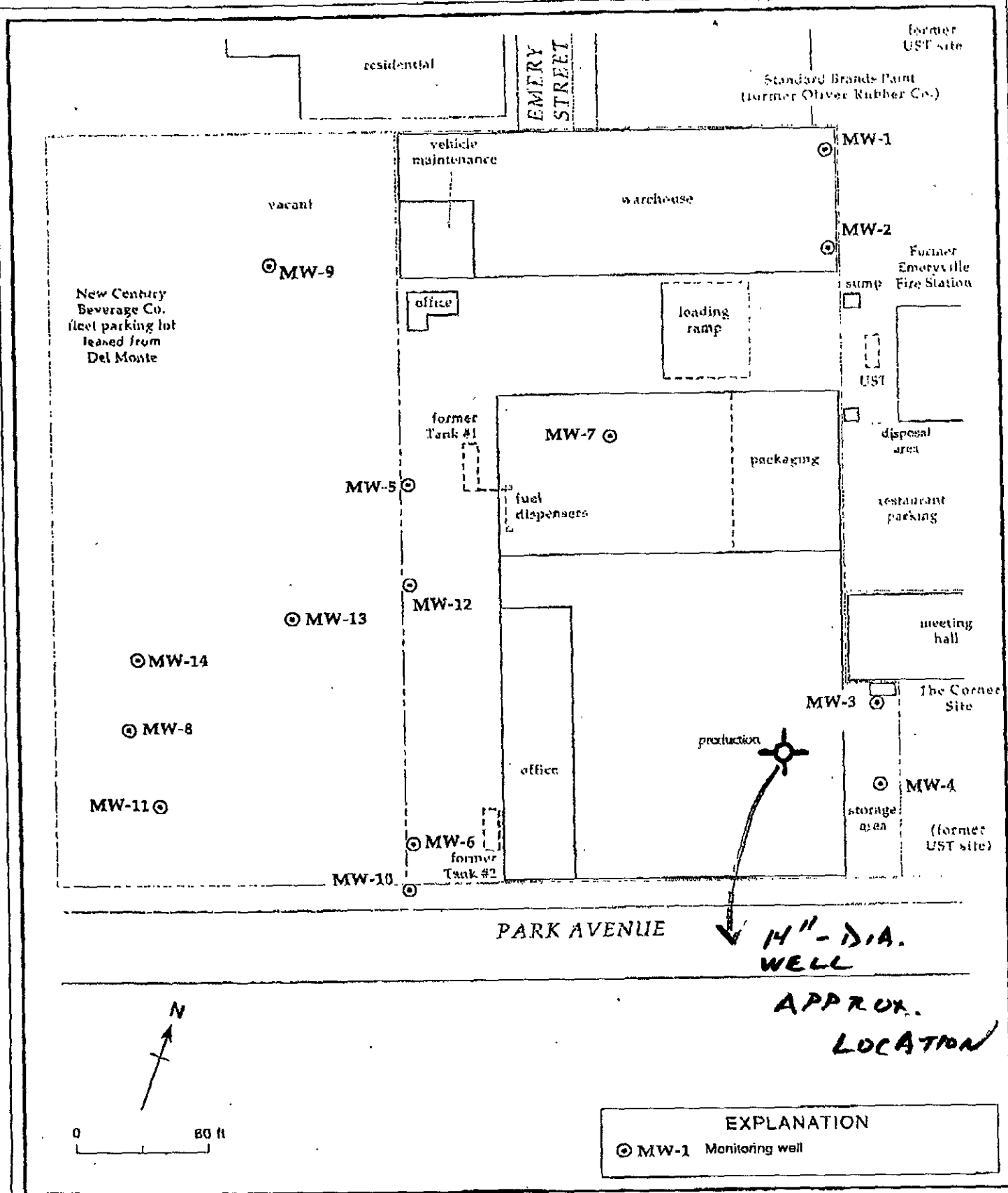


Figure 1. Monitoring Well Locations - New Century Beverage Company, 1150 Park Avenue, Emeryville, California

white -env.health  
 yellow -facility  
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH  
 Hazardous Materials Inspection Form

1131 Harbor Bay Pkwy.  
 Suite 250  
 Alameda, CA 94502-6577  
 (510) 567-6700

II, III

Site ID # 1777 Site Name Former Pepsi Cola Today's Date 9/19/96

II.A BUSINESS PLANS (Title 19)

- 1. Immediate Reporting 2703
- 2. Bus. Plan Slids 25503(b)
- 3. RR Cars > 30 days 25503.7
- 4. Inventory Information 25504(a)
- 5. Inventory Complete 2730
- 6. Emergency Response 25504(b)
- 7. Training 25504(c)
- 8. Deficiency 25505(a)
- 9. Modification 25505(b)

II.B ACUTELY HAZ. MAT'L'S

- 10. Registration Form Filed 25533(a)
- 11. Form Complete 25533(b)
- 12. RMPP Contents 25534(c)
- 13. Implement Sch. Req'd? (Y/N)
- 14. Off-Site Conseq. Assess. 25524(c)
- 15. Probable Risk Assessment 25534(d)
- 16. Persons Responsible 25534(g)
- 17. Certification 25534(f)
- 18. Exemption Request? (Y/N) 25536(b)
- 19. Trade Secret Requested? 25538

III. UNDERGROUND TANKS (Title 23)

- |  |   |
|--|---|
| General  | <input type="checkbox"/> 1. Permit Application 25284 (H&S)      |
|  | <input type="checkbox"/> 2. Pipeline Leak Detection 25292 (H&S) |
|  | <input type="checkbox"/> 3. Records Maintenance 2712            |
|  | <input type="checkbox"/> 4. Release Report 2651                 |
|  | <input type="checkbox"/> 5. Closure Plans 2670                  |
| Monitoring for Existing Tanks                    | <input type="checkbox"/> 6. Method                              |
|  | 1) Monthly Test   |
|  | 2) Daily Vadose   |
|  | Semi-annual groundwater   |
|  | One time soils  |
|  | 3) Daily Vadose   |
|  | One time soils  |
|  | Annual tank test  |
|  | 4) Monthly Gndwater   |
|  | One time soils  |
|  | 5) Daily Inventory  |
|  | Annual tank testing   |
|  | Cont pipe leak det  |
|  | Vadose/gndwater mon.  |
|  | 6) Daily Inventory  |
| Annual tank testing                              |   |
| Cont pipe leak det                               |   |
| 7) Weekly Tank Gauge                             |   |
| Annual tank testing                              |   |
| 8) Annual Tank Testing                           |   |
| Daily Inventory                                  |   |
| 9) Other   |   |
| New Tanks  | <input type="checkbox"/> 7. Precs Tank Test 2643                |
|  | Date: _____   |
|  | <input type="checkbox"/> 8. Inventory Rec. 2644                 |
|  | <input type="checkbox"/> 9. Soil Testing . 2646                 |
| <input type="checkbox"/> 10. Ground Water. 2647  |   |
| <input type="checkbox"/> 11 Monitor Plan 2632    |   |
| <input type="checkbox"/> 12. Access. Secure 2634 |   |
| <input type="checkbox"/> 13. Plans Submit 2711   |   |
| Date: _____                                      |   |
| <input type="checkbox"/> 14. As Built 2635       |   |
| Date: _____                                      |   |

Site Address 1150 PARK AVENUE  
 City EMERYVILLE Zip 94608 Phone \_\_\_\_\_

MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks

\* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

ON SITE for inspection of a supply (irrigation) well uncovered during demolition of the bldg. The well is approximately 14 inches in diameter & made 150 ft to 300 ft deep. The well is covered with metal mesh Jim Younton & Paul Davis at the site. I need to do

1) research available records of construction diagram (see internal) for the supply well. Check with Zone 7, & Public Works.

2) sample the well; analyze for TPHg, TPHd, BTEX, Chlorinated Solvents & semi-volatiles (SVAs); collect water samples from the top for floaters & from the bottom for sinkers.

3) Abandon the well; permit from zone 7

4) notify this department when taking field work in advance. Inspector

Contact: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_

Inspector: \_\_\_\_\_  
 Signature: Susan L. Hays

white -env.health  
 yellow -facility  
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF  
 ENVIRONMENTAL HEALTH  
 Hazardous Materials Inspection Form

1131 Harbor Bay Pkwy.  
 Suite 250  
 Alameda, CA 94502-6577  
 (510) 567-6700

II, III

Site ID # 1777 Site Name Former Pepsi Cola Today's Date 9/19/96

II.A BUSINESS PLANS (Title 19)

- 1. Immediate Reporting 2703
- 2. Bus. Plan Stds. 25503(b)
- 3. RR Cars > 30 days 25503.7
- 4. Inventory Information 25504(a)
- 5. Inventory Complete 2730
- 6. Emergency Response 25504(b)
- 7. Training 25504(c)
- 8. Deficiency 25505(a)
- 9. Modification 25505(b)

II.B ACUTELY HAZ MATS

- 10. Registration Form Filed 25533(a)
- 11. Form Complete 25533(b)
- 12. RMPP Contents 25534(c)
- 13. Implement Sch. Req'd? (Y/N)
- 14. Offsite Conseq. Assess. 25524(c)
- 15. Probable Risk Assessment 25534(d)
- 16. Persons Responsible 25534(g)
- 17. Certification 25534(f)
- 18. Exemption Request? (Y/N) 25536(b)
- 19. Trade Secret Requested? 25538

III. UNDERGROUND TANKS (Title 23)

- General
- 1. Permit Application 25284 (H&S)
  - 2. Pipeline Leak Detection 25292 (H&S)
  - 3. Records Maintenance 2712
  - 4. Release Report 2651
  - 5. Closure Plans 2670
- Monitoring for Existing Tanks
- 6. Method
    - 1) Monthly Test
    - 2) Daily Vadose
      - Semi-annual groundwater
      - One time soils
    - 3) Daily Vadose
      - One time soils
      - Annual tank test
    - 4) Monthly Groundwater
      - One time soils
    - 5) Daily Inventory
      - Annual tank testing
      - Cont pipe leak det
      - Vadose/gndwater mon.
    - 6) Daily Inventory
      - Annual tank testing
      - Cont pipe leak det
    - 7) Weekly Tank Gauge
      - Annual tank test
    - 8) Annual Tank Testing
      - Daily inventory
    - 9) Other \_\_\_\_\_
  - 7. Precs Tank Test 2643
    - Date: \_\_\_\_\_
  - 8. Inventory Rec. 2644
  - 9. Soil Testing 2646
  - 10. Ground Water 2647
  - 11. Monitor Plan 2632
  - 12. Access. Secure 2634
  - 13. Plans Submit 2711
    - Date: \_\_\_\_\_
  - 14. As Built 2635
    - Date: \_\_\_\_\_

Site Address 1150 PARK AVENUE  
 City EMERYVILLE Zip 94608 Phone \_\_\_\_\_

MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks

\* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

ON SITE for inspection of a supply (irrigation) well uncovered during demolition of the bldg. The well is approximately 14 inches in diameter & maybe 150 ft to 300 ft deep. The well is currently covered with a concrete cap. The well is owned by Paul Miller at the site. I met to do

1) research available records of construction diagrams (aerial photos) of the supply well. Check with Zone 7, & Public Works.

2) sample the well; analyze for TPHg, TPHd, BTEX, Chlorinated Solvents & semi-volatiles (SVHAs); collect water samples from the top 3m. Monitor & probe the bottom for sinkers.

3) Abandon the well; permit from Zone 7

4) notify the Department when 7, III is in absence of any field work.

Contact: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Inspector: \_\_\_\_\_  
 Signature: Paul Miller



August 5, 1996

Ms. Susan Hugo  
Senior Hazardous Materials Specialist  
Alameda County Health Care Services Agency  
Department of Environmental Health  
1131 Harbor Bay Parkway  
Alameda, California 94502

ST 10 1777

RE: **Extension for Second Quarter 1996 Status**  
Report - 1150 Park Avenue, Emeryville, CA  
WA #14-0307-19

Dear Susan:

This letter serves as a follow-up to the telephone conversation you and I had earlier today regarding the 1150 Park Avenue, Emeryville, California, Second Quarter Status Report. During our conversation, I requested a 2 week extension for the submittal of the Second Quarter 1996 Status Report. Due to demolition activities at the Site, the second quarter 1996 ground water sampling event was delayed. I plan on submitting the Second Quarter 1996 Status Report to your office no later than August 26, 1996.

Please call me at (510) 450-6130 if you have any questions or comments regarding the Site.

Sincerely,  
Weiss Associates

James D. Ponton, R. G.  
Project Geologist

JDP:sjh

\\S1\NCL\261076\108\RES\51048\HUGO1 TR.DOC

July 3, 1996

Ms. Susan L. Hugo  
Senior Hazardous Materials Specialist  
Alameda County Health Agency  
Division of Hazardous Materials  
Department of Environmental Health  
1131 Harbor Bay Parkway  
Alameda, CA 94502

RE: 1150 Park Avenue, Emeryville, CA  
Recap of June 20, 1995 Meeting  
WA Job #14-0307-20

Dear Ms. Hugo:

Thank you for meeting with us on Thursday June 20th and discussing the environmental status of the former New Century Beverage Company facility, located at 1150 Park Avenue, Emeryville, California (the Site). As you have requested, this letter summarizes the topics discussed during our meeting and provides an outline of future actions needed to be taken in order to petition site closure.

Our June 20th meeting was requested by Weiss Associates. Attending the meeting were yourself, Raymond Plock of Raymond Plock and Associates, Bern Baumgartner of CH2M Hill, Steve Ronzone of Del Monte, and Jeff Root and Jim Ponton of Weiss Associates (WA).

The primary agenda items covered in the meeting included:

1. Review of soil and ground water data collected to date at Site;
2. Review of the remedial actions taken at Site;
3. Review of the environmental and regulatory history of the Site, and
4. Petition for an accelerated Site closure.

It is our understanding the Site is a candidate for closure, and that your office will review our case closure petition after:

1. One additional quarter of ground water chemical data is collected and analyzed from existing onsite monitoring wells;
2. In-situ soil samples in the vicinity of the former underground diesel tank are collected and analyzed for PNAs;
3. The January 27, 1995 Remedial Action Plan for the Site is amended, and
4. A site-wide Tier 2 Risk Based Corrective Action (RBCA) is completed, and

Details of the site closure petition requirements are presented below.

### **Ground Water Chemical Data**

Fourteen monitoring wells are located at the Site. Five of the 14 monitoring wells are located on the adjoining 2.1 acre Del Monte property, immediately west of the former New Century property. All 14 monitoring wells are completed in the first water-bearing zone which is encountered at depths ranging from about 5 ft to 10 ft beneath the ground surface. Several of the monitoring wells have been monitored quarterly since their installation in March 1994. Generally, ground water samples collected from the onsite monitoring wells have been analyzed for total volatile hydrocarbons as gasoline (TVH-G), total extractable hydrocarbons as diesel (TEH-D), and aromatic volatile organic compounds including benzene, toluene, ethylbenzene, and xylenes (BTEX). In addition to the chemical analyses listed above, select monitoring wells have been sampled and analyzed for methyl tertiary butyl ether (MTBE).

It is our understanding that one additional ground water sampling event of select site monitoring wells is required before a petition for case closure will be reviewed by your office. Additionally, we understand that analysis for polynuclear aromatic compounds in ground water collected from monitoring wells MW-5, MW-6, and MW-13 is also required.

The final ground water sampling event described above is scheduled for June 25, 1996. Tabulated ground water analytic results for this final round of ground water sampling will be presented with historical ground water quality data in our petition for site closure.

### **Soil Sampling in Vicinity of Former Diesel UST for PNAs**

Since 1994, 17 soil borings have been drilled to approximately 10 ft depth in the vicinity of the former diesel UST located near the main entrance of the Site at Park Avenue. In late 1995, soil with total petroleum hydrocarbon (TPH) concentrations exceeding 100 ppm were excavated and disposed of at a Class II facility. Although, approximately 615 cubic yards of soil were over-excavated from the vicinity of the former diesel UST, several areas of diesel-impacted saturated soils with TPH concentrations exceeding 100 ppm remain in the vicinity of the former UST.



Two monitoring wells, MW-6 and MW-10 are completed downgradient of the former diesel UST. Ground water samples collected from MW-6 since March 1994 have reportedly contained an average of 1.6 parts per million (ppm) total extractable hydrocarbons and no BTEX. Ground water analyzed from monitoring well MW-10, downgradient of MW-6, has been historically non-detect for petroleum hydrocarbons and BTEX.

It is our understanding that additional in-situ soil samples in the vicinity of the former diesel UST will require analysis for PNAs. If no PNAs are detected in the soil samples analyzed, no additional excavation of soil in the vicinity of the former diesel UST will be required.

Our current plan is to mobilize a geo-probe sampling rig in the near future and collect additional in-situ soil samples from the vicinity of the former diesel UST. We will report the results of this sampling to your office after the data is reviewed and tabulated. At that time we can determine whether additional excavation near the former diesel UST is warranted.

### **Amendment of the Remedial Action Plan**

The Remedial Action Plan (RAP) for the New Century Beverage Company facility was approved by the Alameda County Health Care Services Agency on August 7, 1995. The RAP called for excavation in the vicinity of two former UST source areas of hydrocarbon-contaminated soil greater than 100 ppm total petroleum hydrocarbons (TPH) and BTEX above the Preliminary Remediation Goal (PRG) for soil. Additionally, the RAP specified quarterly ground water monitoring of select Site wells and quarterly measurement of ground water flow direction.

It is our understanding that we will amend the RAP by drafting a short letter addendum, if soil and ground water samples collected from the Site are non-detect for PNAs and pending the results and completion of the RBCA analysis for the Site.

### **Preparation of a Tier 1-2 Risk Based Corrective Action (RBCA):**

Our approach is likely to be a completion of a Tier 1/Tier 2 RBCA analysis to develop site-specific target (or action) levels in onsite soil and ground water, compare these levels to site specific characterization data, and recommend further action or site closure, as warranted. If necessary, we will submit a supporting corrective action plan (CAP) that identifies the RBCA Tier 2 site-specific target levels (SSTL's) as action levels for the CAP. Furthermore, the CAP will assess whether the ground water monitoring completed to date is adequate as verification of monitoring under 23 CCR 2725(e).

Ms. Susan L. Hugo  
July 3, 1996

4

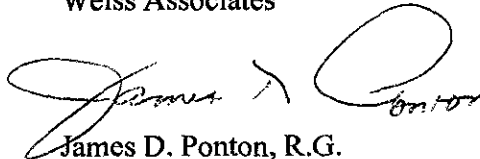
Weiss Associates 

## Schedule

We are anxious to complete the work outlined in this letter and gain Site closure in two months. We will keep you apprised of our progress.

Please contact either of us at (510) 450-6000 if you have any questions.

Sincerely,  
Weiss Associates



James D. Ponton, R.G.  
Project Geologist



J. Jeffrey Root  
Senior Project Manager

cc: Jerry Tidwell, New Century Beverage, Emeryville, CA  
Paul Morici, New Century Beverage, Somers, NY  
Raymond Plock, Raymond Plock and Associates, Emeryville, CA  
Burton H. Fohrman, Esq., Los Angeles, CA  
Steven P. Ronzone, Del Monte Foods, One Market St., San Francisco, CA 94119  
Bern Baumgartner, CH2M Hill, 1111 Broadway, Suite 1200, PO Box 12681, Oakland, CA 94604-2681

JDP:sjh

J:\PE\PS\0307\EXC\AVAT\TR\696.DOC



Environmental and Geologic Services

5500 Shellmound Street, Emeryville, CA 94608-2411

FAX: 510-547-5043 Phone: 510-450-6000

TRANSMITTAL

DATE: 11-28-95

PROJECT #: 14-0307-80

TO: Susan Hugo

PHONE: (510) 567-6780

COMPANY: ACHCSA

FAX: 337-9335  
(510)

FROM: Paul Nuti

SUBJECT: Drilling Workplan

VIA:

- Fax
- 1<sup>st</sup> Class Mail
- Overnight Delivery
- UPS (Surface)
- Courier

FAX:

# of pages: 23  
(including this cover)

- Hard Copy to follow

AS:

- Per our phone call
- You requested
- Is required
- We believe you may be interested

FOR:

- Your information
- Return to you
- Your action
- Your review & comments

Please call (510) 450-6000 if there are any problems with transmission.

COMMENTS:

Please call if you have any questions

FAX CONFIDENTIALITY NOTICE

The information contained in this transmission is confidential and only intended for the addressee. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or action taken in reliance on the contents of this facsimile transmittal is strictly prohibited. If you have received this facsimile in error, please call us immediately to arrange for the return of these documents.

ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700

November 1, 1995  
STID# 1777

Mr. Paul Nuti  
Weiss Associates  
5500 Shellmound Street  
Emeryville, California 94608

RE: New Century Beverage Company Facility - 1150 Park Avenue,  
Emeryville, CA 94608

Dear Mr. Nuti:

Per your request, this letter documents our telephone conversation today, regarding the remedial soil excavation at the referenced site. This office has completed review of the facsimile (10/31/95) analytical results of the soil samples collected from the former gasoline / diesel underground storage tank (tank #1). The confirmation soil samples revealed low levels of contamination up to 16 ppm TPH gasoline, 49 ppm TPH diesel, 0.065 ppm benzene, 0.23 ppm ethyl benzene, 0.058 ppm toluene, 0.24 ppm xylene remain in the area of tank #1.

This office is approving the backfilling of the tank #1 excavation with clean fill.

Please contact me at (510) 567-6780 if you have any questions concerning this letter.

Sincerely,

*Susan L. Hugo*

Susan L. Hugo  
Senior Hazardous Materials Specialist

*JM*  
cc: Jun Makishima, Interim Director, Environmental Health  
Gordon Coleman, Acting Chief, Environmental Protection Div/file  
Kevin Graves, San Francisco Bay RWQCB  
Jerry Tidwell, New Century Beverage Company  
1150 Park Avenue, Emeryville, California 94608

1995, 11-01 10:02  
 510 337 9335  
 ALAMEDA CO EHS HAZ-OPS

COM No.	REMOTE STATION	START TIME	DURATION	PAGES	RESULT	USER ID	REMARKS
511	WA (510)547-5043	11-01 10:01	00'32	01/01	OK		

7499402045

**ALAMEDA COUNTY  
 HEALTH CARE SERVICES  
 AGENCY**

DAVID J. KEARS, Agency Director



RAFAT A. SHAHID, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH

November 1, 1995  
 STID# 1777

Mr. Paul Nuti  
 Weiss Associates  
 5500 Shellmound Street  
 Emeryville, California 94608

Post-It™ brand fax transmittal memo 7871		# of pages	1
To	PAUL NUTI	From	SUSAN HUGO
Co.	WEISS ASSO.	Co.	ACDEH
Dept.		Phone #	
Fax #	547-5043	Fax #	337-9335

RE: New Century Beverage Company Facility - 1150 Park Avenue,  
 Emeryville, CA 94608

Dear Mr. Nuti:

Per your request, this letter documents our telephone conversation today, regarding the remedial soil excavation at the referenced site. This office has completed review of the facsimile (10/31/95) analytical results of the soil samples collected from the former gasoline / diesel underground storage tank (tank #1). The confirmation soil samples revealed low levels of contamination up to 16 ppm TPH gasoline, 49 ppm TPH diesel, 0.065 ppm benzene, 0.23 ppm ethyl benzene, 0.058 ppm toluene, 0.24 ppm xylene remain in the area of tank #1.

This office is approving the backfilling of the tank #1 excavation with clean fill.

Please contact me at (510) 567-6780 if you have any questions concerning this letter.

Sincerely,

*Susan L. Hugo*  
 Susan L. Hugo

Senior Hazardous Materials Specialist

white -env.health  
 yellow -facility  
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

80 Swan Way, #200  
 Oakland, CA 94621  
 (415) 271-4320

Hazardous Materials Inspection Form

II, III

Site ID # 177 Site Name New Century Beverage Today's Date 10/26/95

II.A BUSINESS PLANS (Title 19)

- 1. Immediate Reporting 2703
- 2. Bus. Plan Sids 25503(b)
- 3. RR Cars > 30 days 25503.7
- 4. Inventory Information 25504(a)
- 5. Inventory Complete 2730
- 6. Emergency Response 25504(b)
- 7. Training 25504(c)
- 8. Deficiency 25505(a)
- 9. Modification 25505(b)

Site Address 1150 PARK Ave.

City Emeryville Zip 94608 Phone \_\_\_\_\_

MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks

\* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

II.B ACUTELY HAZ. MATLS

- 10. Registration Form Filed 25533(a)
- 11. Form Complete 25533(b)
- 12. RMPP Contents 25534(c)
- 13. Implement Sch. Req'd? (Y/N) \_\_\_\_\_
- 14. OnSite Conseq. Assess. 25524(c)
- 15. Probable Risk Assessment 25534(d)
- 16. Persons Responsible 25534(g)
- 17. Certification 25534(f)
- 18. Exemption Request? (Y/N) 25536(b)
- 19. Trade Secret Requested? 25538

III. UNDERGROUND TANKS (Title 23)

- |                               |  |
|-------------------------------|--|
| General                       | <input type="checkbox"/> 1. Permit Application 25284 (H&S)                                 |
|                               | <input type="checkbox"/> 2. Pipeline Leak Detection 25292 (H&S)                            |
|                               | <input type="checkbox"/> 3. Records Maintenance 2712                                       |
|                               | <input type="checkbox"/> 4. Release Report 2651  |
|                               | <input type="checkbox"/> 5. Closure Plans 2670   |
| Monitoring for Existing Tanks | <input type="checkbox"/> 6. Method   |
|                               | 1) Monthly Test  |
|                               | 2) Daily Vadose<br>Semi-annual groundwater<br>One time soils                               |
|                               | 3) Daily Vadose<br>One time soils<br>Annual tank test                                      |
|                               | 4) Monthly Groundwater<br>One time soils   |
|                               | 5) Daily Inventory<br>Annual tank testing<br>Cont pipe leak det<br>Vadose/groundwater mon. |
|                               | 6) Daily Inventory<br>Annual tank testing<br>Cont pipe leak det                            |
|                               | 7) Weekly Tank Gauge<br>Annual tank testing  |
|                               | 8) Annual Tank Testing<br>Daily Inventory  |
|                               | 9) Other _____   |
| New Tanks                     | <input type="checkbox"/> 7. Precip Tank Test 2643  |
|                               | Date: _____  |
|                               | <input type="checkbox"/> 8. Inventory Rec. 2644  |
|                               | <input type="checkbox"/> 9. Soil Testing . 2646  |
|                               | <input type="checkbox"/> 10. Ground Water. 2647  |
|                               | <input type="checkbox"/> 11 Monitor Plan 2632  |
|                               | <input type="checkbox"/> 12. Access. Secure 2634   |
|                               | <input type="checkbox"/> 13. Plans Submit 2711   |
|                               | Date: _____  |
|                               | <input type="checkbox"/> 14. As Built 2635   |
| Date: _____                   |  |

Comments:

On site: met Jeff Root & Paul Nutin of Waste Ass.  
 Excavating contaminated soil around the 2 UGT's area. To groundwater.  
 The 1994 UST removal; confirmation soil sample collected appeared clean for TPHs + BTXE. Still awaiting the final analysis.  
 The tank removal conducted in 1987 showed significant signs of contamination. Strong staining & odors seen on the groundwater. Yards in the pit. Verification samples collected.  
 Backfilling with recycled soil will need prior approval from this office.

Rev 8/88

II, III

Contact: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Inspector: \_\_\_\_\_

Signature: Jason L. Huges

white - env. health  
 yellow - facility  
 pink - files

# ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

80 Swan Way, #200  
 Oakland, CA 94621  
 (415) 271-4320

## Hazardous Materials Inspection Form

II, III

Site ID # 1777 Site Name New Century Beverage Today's Date 7/26/95

Site Address 1150 PARK Ave.

City Emeryville Zip 94608 Phone \_\_\_\_\_

MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

**Inspection Categories:**

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks

\* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

**Comments:**

On site: met Jeff Kool & Paul Nutter of Waste Ass.  
 Max coating contaminated soil around the 2 UGS area. To re-evaluate the 1991 UST removal; information not complete collected, no used ideas for 11/14 + BTXE. Still awaiting the final analysis.  
 The tank removal conducted in 1987 showed no significant signs of contamination. This tank may be dead, when on the permit data field in the permit application records collected.  
 For refilling with stabilized soil will need prior approval from this office.

**II.A BUSINESS PLANS (Title 19)**

- 1. Immediate Reporting 2703
- 2. Bus. Plan Stds. 25503(b)
- 3. RR Cars > 30 days 25503.7
- 4. Inventory Information 25504(a)
- 5. Inventory Complete 2730
- 6. Emergency Response 25504(b)
- 7. Training 25504(c)
- 8. Deficiency 25505(a)
- 9. Modification 25505(b)

**II.B ACUTELY HAZ. MATLS**

- 10. Registration Form Filed 25533(a)
- 11. Form Complete 25533(b)
- 12. RMPP Contents 25534(c)
- 13. Implement Sch. Req'd? (Y/N)
- 14. OffSite Conseq. Assess. 25524(c)
- 15. Probable Risk Assessment 25534(d)
- 16. Persons Responsible 25534(g)
- 17. Certification 25534(f)
- 18. Exemption Request? (Y/N) 25536(b)
- 19. Trade Secret Requested? 25538

**III. UNDERGROUND TANKS (Title 23)**

- General**
- 1. Permit Application 25284 (H&S)
- 2. Pipeline Leak Detection 25292 (H&S)
- 3. Records Maintenance 2712
- 4. Release Report 2651
- 5. Closure Plans 2670
- 6. Method
- 1) Monthly Test
- 2) Daily Vadose
- Semi-annual groundwater
- One time soils
- 3) Daily Vadose
- One time soils
- Annual tank test
- 4) Monthly Groundwater
- One time soils
- 5) Daily Inventory
- Annual tank testing
- Cont pipe leak det
- Vadose/groundwater mon.
- 6) Daily Inventory
- Annual tank testing
- Cont pipe leak det
- 7) Weekly Tank Gauge
- Annual tank testing
- 8) Annual Tank Testing
- Daily Inventory
- 9) Other \_\_\_\_\_
- 7. Precs Tank Test 2643
- Date: \_\_\_\_\_
- 8. Inventory Rec. 2644
- 9. Soil Testing 2646
- 10. Ground Water. 2647
- Monitoring for Existing Tanks**
- 11. Monitor Plan 2632
- 12. Access. Secure 2634
- 13. Plans Submit 2711
- Date: \_\_\_\_\_
- New Tanks**
- 14. As Built 2635
- Date: \_\_\_\_\_

Rev 8/88

Contact: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Inspector: \_\_\_\_\_

Signature: Susan L. Hugel

II, III



STID 1777

September 6, 1995

Ms. Susan Hugo  
Senior Hazardous Materials Specialist  
Alameda County Health Care Services Agency  
Department of Environmental Health  
Division of Hazardous Materials  
1131 Harbor Bay Parkway  
Alameda, California 94502

RE: 1150 Park Avenue Work Plan  
WA Job # 14-0307-09

Dear Susan:

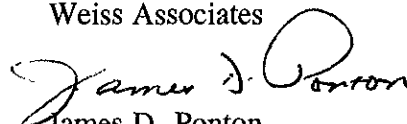
This letter is in follow-up to our telephone conversation on September 5, 1995. Our telephone conversation was in reference to your August 7th letter approving the Remedial Action Plan for the New Century Beverage Company site in Emeryville, California. In that letter, you requested that Pepsi-Cola submit an accuracy and acknowledgment of responsibility statement and a ground water monitoring work plan for the Emeryville site to your office by September 8, 1995.

Due to unforeseen circumstances, Jerry Tidwell, Plant Manager for the Emeryville site, will be out of the office until Monday September 11, 1995. Jerry's signature is required on the accuracy and acknowledgment of responsibility statement and ground water monitoring work plan.

In our telephone conversation I requested a one week extension of the deadline for submission of the work plan. You agreed to the extension and set a new deadline of September 15, 1995.

I appreciate your cooperation and thank you for your help.

Sincerely,  
Weiss Associates

  
James D. Ponton  
Project Geologist



ALAMEDA COUNTY  
HEALTH CARE SERVICES  
AGENCY



.DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, DIRECTOR

August 7, 1995  
STID# 1777

Mr. Jerry Tidwell  
New Century Beverage Company  
1150 Park Avenue  
Emeryville, California 94608

DEPARTMENT OF ENVIRONMENTAL HEALTH  
State Water Resources Control Board  
Division of Clean Water Programs  
UST Local Oversight Program  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700

**RE: Remedial Action Plan for the New Century Beverage Company  
Facility - 1150 Park Avenue, Emeryville, CA 94608**

Dear Mr. Tidwell:

This office has completed review of the Remedial Action Plan (RAP) dated January 27, 1995, prepared and submitted by Weiss Associates for the referenced site and the additional ground water data including the results from the new monitoring well MW-13.

The following four alternative remedial actions were evaluated for the subject site: 1) no action; 2) soil excavation and ground water monitoring; 3) ground water extraction and treatment in addition to Alternative #2 ; and 4) soil vapor extraction (SVE) and ground water monitoring.

This office concurs with the proposed remedial approach ( Alternative #2 ) to address the fuel hydrocarbon contamination related to the two former underground storage tanks. Soil excavation of the source areas and ground water monitoring is the most feasible option for the site. Contaminated soil greater than 100 ppm TPH and BTEX above the Preliminary Remediation Goal for residential soil will be excavated and confirmation soil samples will be collected. Following the soil excavation, the ground water will be monitored every quarter for one year for target compounds and groundwater flow direction must be established for the site. After one year of monitoring, the ground water data will be evaluated and a determination will be made if a ground water management plan will be required for the site in lieu of implementing active treatment of the ground water.

A work plan for the ground water monitoring program to be implemented at the site must be submitted within **30 days from the date of this letter** and approve by this office.

Additionally, I'm also aware of the plan to install one additional ground water monitoring well north of well MW-8 to verify that the hydrocarbon plume from the former gasoline/diesel tank has been fully defined. Please submit a time schedule of all the remedial actions to be conducted at the site and notify this office at least 72 hours in advance of any site work.

Mr. Jerry Tidwell  
RE: 1150 Park Avenue, Emeryville, CA 94608  
August 7, 1995  
Page 2 of 2

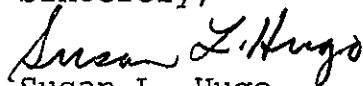
Until cleanup is complete, you will need to submit quarterly reports to this office and the following items must be incorporated in your future reports or workplans:

- a cover letter from the responsible party or tank owner stating the accuracy of the report and whether he/she concurs with the conclusions and recommendations in the report or workplan
- site map delineating contamination contours for soil and groundwater based on recent data should be included and the status of the investigation and cleanup must be identified
- proposed continuing or next phase of investigation / cleanup activities must be included to inform this department of the responsible party or tank owner's intention
- any changes in the groundwater flow direction and gradient based on the measured data since the last sampling event must be explained
- historical records of groundwater level in each well must be tabulated to indicate the fluctuation in water levels
- tabulate analytical results from all previous sampling events; provide laboratory reports (including quality control/quality assurance) and chain of custody documentation

All reports and proposals must be submitted under seal of a California Registered Geologist or Registered Civil Engineer with a statement of qualifications for each lead professionals involved with the project.

Please contact me at (510) 567-6780 if you have any questions concerning this letter.

Sincerely,



Susan L. Hugo  
Senior Hazardous Materials Specialist

cc: Rafat A. Shahid, Director, Environmental Health  
Thomas Peacock, Acting Chief, Environmental Protection Div/file  
Kevin Graves, San Francisco Bay RWQCB  
J. Jeffrey Root/John Duey, Weiss Associates,  
5500 Shellmound Street, Emeryville, CA 94608-2411



STD 1777

ENVIRONMENTAL  
DIVISION  
JUN -9 PM 2:10

June 8, 1995

Ms. Susan Hugo  
Alameda County Health Care Services Agency  
Department of Environmental Health  
1131 Harbor Bay Parkway, 2nd Floor  
Alameda, California 94502

Re: New Century Beverage Co. Facility  
1150 Park Ave, Emeryville, CA  
WA Project No. 14-0307-10

Dear Ms. Hugo:

This letter is to confirm our discussion at your office on May 17, 1995, regarding the January 27, 1995 Remedial Action Plan (RAP) Weiss Associates (WA) prepared for the subject property in Emeryville, California. In our meeting, we reviewed the RAP, including findings of past investigations conducted to determine the extent of hazardous materials beneath the site, and discussed the rationale as presented in the RAP for choosing our recommended remedial action for hazardous materials beneath the site. We also discussed the analytical results of ground water samples collected from new monitoring well MW-13 installed in February 1995.

Our investigations identified four separate occurrences of fuel hydrocarbons beneath the site. Two are in the vicinity of former underground fuel tanks used at the New Century Facility; the other two are associated with properties upgradient of the New Century site that have stored fuel in underground tanks in the past. The RAP was prepared to address the two occurrences associated with New Century's former tanks. As we discussed, the occurrences originating upgradient of the New Century site are the responsibility of others. The New Century property was transferred to Kaiser Foundation Health Plan, Inc. on January 11, 1995. The sale contract, to which the City of Emeryville and the Emeryville Redevelopment Agency are also parties, provides that any hazardous materials migrating onto the New Century site from adjacent or other sites owned by the City or the Agency are the responsibility of the City and the Agency. A separate agreement between New Century and Kaiser, also dated January 11, 1995, provides that if Kaiser acquires the site located to the southeast of and adjacent to the New Century site, and neither the owner of that site, nor the Redevelopment Agency, nor any other agency, has remediated contaminants originating from that site, then Kaiser will undertake such remediation.

Our RAP includes remedial soil excavation of the source areas. After excavating soil with hydrocarbon concentrations above the cleanup levels presented in the RAP, we will monitor ground water for one year. At that point, we will determine whether instituting a ground water management plan such as the State Water Resource Control Board's proposed Non-Attainment Zone policy is feasible. We agreed that the site conditions seem to favor this type of ground water management plan as opposed to implementing active treatment of the ground water zone.

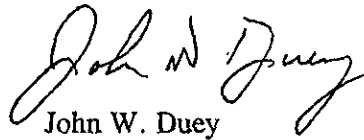
Ms. Susan Hugo  
June 8, 1995

2

Weiss Associates 

Attached is a figure showing analytical results of the most recent ground water sampling episode including new well MW-13. As you requested, during the next quarterly ground water sampling in June 1995, ground water samples will be analyzed for methyl-tert-butyl ether in addition to fuel hydrocarbons. As we also discussed, in June we plan to install one additional ground water monitoring well north of well MW-8 to provide further assurance that the downgradient extent of fuel hydrocarbons from the former underground gasoline/diesel tank has been fully defined. We will conduct the soil excavation in July and August 1995. Please call if you have any questions or comments regarding at the site.

Sincerely,  
Weiss Associates



John W. Duey  
Project Geologist



J. Jeffrey Root  
Senior Project Manager

Attachment

cc: Jerry Tidwell, New Century  
Paul Morici, Pepsi-Cola Corp.  
Indrajit Obeysekere, Esq., Kaiser  
Mark Zelman, Esq., Kaiser  
Ray Plock, Raymond Plock & Assoc.  
Burton Fohrman, Esq., White & Case  
Paul Milmed, Esq., White & Case

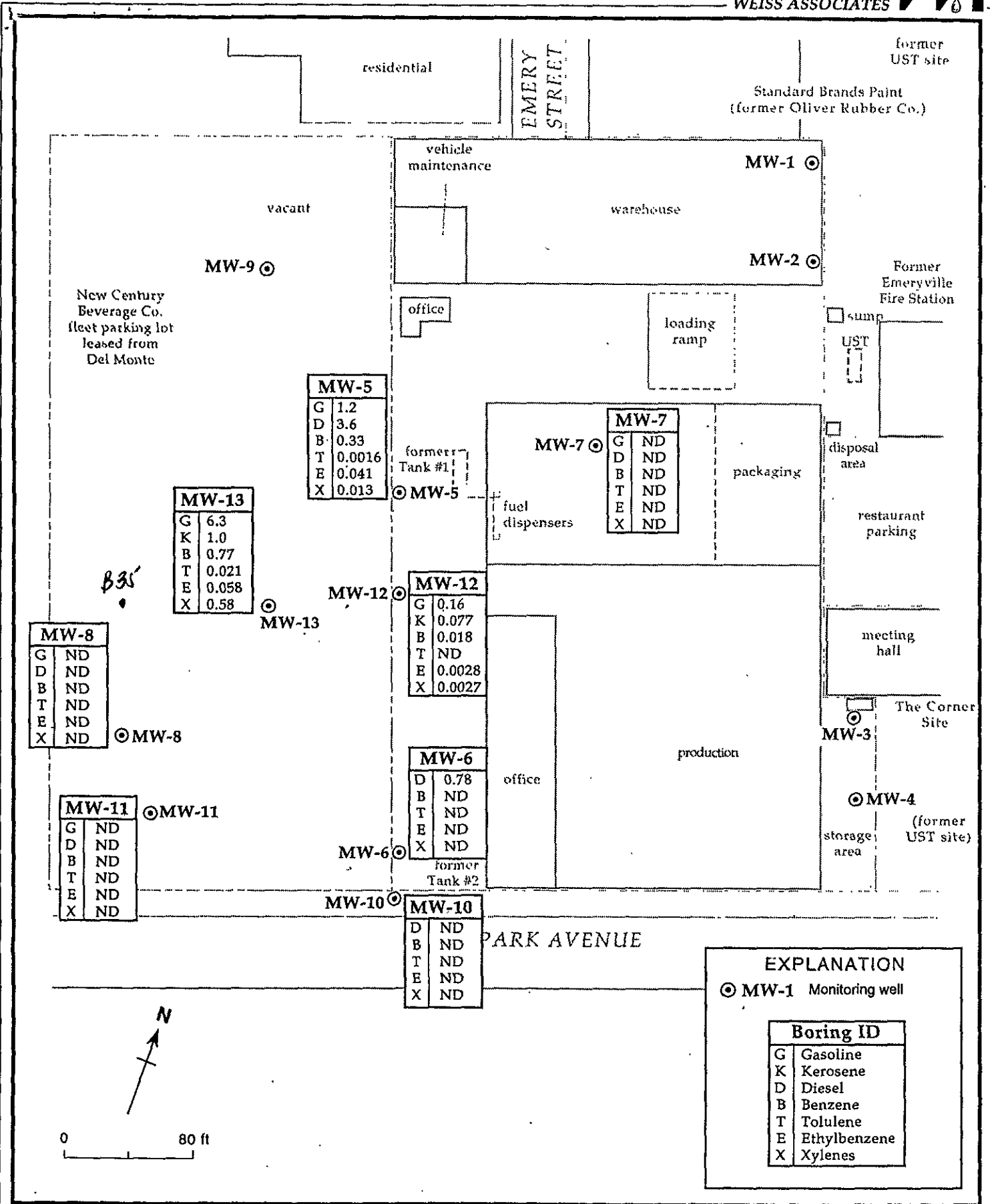


Figure 1. Hydrocarbon Concentrations in Ground Water - February 28, 1995 - New Century Beverage Company, 1150 Park Avenue, Emeryville, California

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

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

**BILLING FOR SERVICES**

StID# .....

A. Site Name See Below Phone .....

Site Address (If no address, description of area) .....  
Number Street City Zip

Prior Business Name ..... Prior Owner's Name .....

B. Service Requestor FRANK Goldman - Enviropro, Inc. (818) 998-7197  
Contact Person Company Name Phone

Billing Address 9765 Eton Ave., Chatsworth, California 91311  
Number Street City Zip

<b>Category of Service</b>		#Hours	x \$	Rate	\$
<input checked="" type="checkbox"/> Site Search		<u>2.0</u>		<u>90.00/Hr</u>	<u>\$ 180.00</u>
<input type="checkbox"/> File Search		.....	x \$	...../Copy	\$ .....
<input type="checkbox"/> Other		.....	x \$	.....	\$ .....
TOTAL CHARGE:					<u>\$ 180.00</u>

REMARKS: Site Search for:

1) New Century Beverage - 1150 Park Ave.  
Emeryville CA 94608

2) City of Emeryville Fire Department -  
4331 San Pablo Ave Emeryville CA 94608

**You will receive an invoice in accordance with Article 11 of Chapter 6, Title 3 of the Ordinance Code of Alameda County**

Service Requestor FRANK GOLDMAN Franklin Goldman Date 10/17/94  
printed name signature

HazMat Specialist SUSAN HUGO Susan L. Hugo Date 10/17/94  
printed name signature



## F a x C o v e r S h e e t

Date: 9/29/94 Time: 11 <sup>20</sup> AM	Enviropro, Inc. Project No. 10542
This fax is sent from Enviropro, Inc. Phone: 818-998-7197 Fax: 818-998-7258	Person sending fax: <u>Frank Goldman</u> Number of Pages (incl cover): <u>1</u> If incomplete, please call _____
THIS FAX IS DIRECTED TO: <u>Susan Hugo</u>	
Phone: (510) 567-6780 Fax: (510) <del>337</del> -9335	
Subject: <u>Appointment to review project files in behalf of Standard Brands</u>	
Comments/Instructions: <u>I sent a FAX on 9/23/94 to Juliet Blake requesting to review the following files:</u>	
<u>- PepsiCo, 1150 Park Ave. &amp; - Emeryville Five Station 4338 San Pablo Ave</u>	
<u>I requested that a copy service copy these files. My client wants me to review these files in person. In light of this, do I make my file review appointment with you or Ms Blake? Please give me a date when I can review these files. I would prefer a Monday or a Friday.</u>	
cc:	Urgent: Yes No <u>Thank you, Frank Goldman</u>
Please notify person receiving the fax that it has arrived.	
The information contained in this facsimile message is confidential, intended only for the use of the individual or entity named above. If the reader is not the intended recipient, or authorized to deliver it to the intended recipient, you are hereby notified that any use, release, copying or distribution of this communication is strictly prohibited. If you have received this fax in error, please notify us immediately by telephone, and return the original to us at the address below via U.S. Postal Service. Thank you.	

ALCO  
HAZMAT  
4 SEP 27 AM 11:19

September 23, 1994

Ms. Juliet Blake  
Hazardous Materials Specialist  
Underground Storage Tank Unit  
Alameda County Health Agency  
Division of Hazardous Materials  
Department of Environmental Health  
1131 Harbor Bay Parkway, 2nd Floor  
Alameda, California 94502

*Susan Hugo Please  
Pull file for 10/18/94*

*THANKS*

**Project No. 10542**

Dear Ms. Blake:

I would like to set an appointment to review and copy the most recent report submittals and correspondence for the following two sites in Emeryville and will arrange to have a copy service photocopy the documents as soon as you can arrange a time:

Pepsico  
1150 Park Ave.  
**SH 1777**

Emeryville Fire Station  
4331 San Pablo Ave.  
**Assigned to Brian Oliva**

Both of these projects have recently undergone subsurface investigations and it is my understanding that these reports for these projects are complete. Susan Hugo informed me that the PSA II report for Pepsico by Weiss Associates has been submitted to the County. I am interested in copying this report and all other documentation and correspondence submitted since then.

I would also like to copy all technical reports regarding the recent tank pull onsite for the Emeryville Fire Station, as well as all other documentation and correspondence submitted since then. This file may be new and should be checked with Brian Oliva for completeness.

Thank you for your cooperation. If you have any questions, please call me at 818-998-7197.

Sincerely,

**ENVIOPRO, INC.**

*Franklin J. Goldman*

Frank Goldman, R.G.  
Senior Hydrogeologist

juliet.let



white -env.health  
 yellow -facility  
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH  
 Hazardous Materials Inspection Form

80 Swan Way, #200  
 Oakland, CA 94621  
 (415) 271-4320

II, III

Site ID # \_\_\_\_\_ Site Name Pepsi Cola Today's Date 7/26/94

Site Address 1150 Park St.  
 City Emeryville Zip 94608 Phone \_\_\_\_\_

MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks

\* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

*On site meeting with John Huey, Jeff Korb, Raymond Block - overexcavated tank pit - some piping associated with the tank still in the trench. Contamination around the piping still present - still has nine monitoring wells, - sprinkler system accidentally broke & water was detected to be present in the tank. Contamination may have migrated in the sand backfill of the utility line (water). Report on GSA to be submitted.*

II.A BUSINESS PLANS (Title 19)

- 1. Immediate Reporting 2703
- 2. Bus. Plan Sids. 25503(b)
- 3. RR Cars > 30 days 25503.7
- 4. Inventory Information 25504(a)
- 5. Inventory Complete 2730
- 6. Emergency Response 25504(b)
- 7. Training 25504(c)
- 8. Deficiency 25505(a)
- 9. Modification 25505(b)

II.B ACUTELY HAZ. MATLS

- 10. Registration Form Filed 25533(a)
- 11. Form Complete 25533(b)
- 12. RMPP Contents 25534(c)
- 13. Implement Sch. Req'd? (Y/N) \_\_\_\_\_
- 14. OffSite Conseq. Assess. 25524(c)
- 15. Probable Risk Assessment 25534(d)
- 16. Persons Responsible 25534(g)
- 17. Certification 25534(f)
- 18. Exemption Request? (Y/N) \_\_\_\_\_
- 19. Trade Secret Requested? 25538

III. UNDERGROUND TANKS (Title 23)

- |                               |  |
|-------------------------------|--|
| General                       | 1. Permit Application 25284 (H&S)  |
|                               | 2. Pipeline Leak Detection 25292 (H&S)   |
|                               | 3. Records Maintenance 2712  |
|                               | 4. Release Report 2651   |
|                               | 5. Closure Plans 2670  |
| Monitoring for Existing Tanks | 6. Method  |
|                               | 1) Monthly Test  |
|                               | 2) Daily Vadose Semi-annual groundwater One time soils                         |
|                               | 3) Daily Vadose One time soils Annual tank test                                |
|                               | 4) Monthly Gndwater One time soils   |
|                               | 5) Daily Inventory Annual tank testing Cont pipe leak det Vadose/gndwater mon. |
|                               | 6) Daily Inventory Annual tank testing Cont pipe leak det                      |
|                               | 7) Weekly Tank Gauge Annual tank testing                                       |
|                               | 8) Annual Tank Testing Daily inventory   |
|                               | 9) Other _____   |
|                               | 7. Precs Tank Test Date: 2643  |
|                               | 8. Inventory Rec. 2644   |
|                               | 9. Soil Testing 2646   |
|                               | 10. Ground Water. 2647   |
|                               | New Tanks  |
| 12. Access. Secure 2634       |  |
| 13. Plans Submit Date: 2711   |  |
| 14. As Built Date: 2635       |  |

Rev 8/88

II, III

Contact: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Inspector: \_\_\_\_\_

Signature: Sharon L. Huggs

white -env.health  
 yellow -facility  
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH  
 Hazardous Materials Inspection Form

80 Swan Way, #200  
 Oakland, CA 94621  
 (415) 271-4320

II, III

Site ID # \_\_\_\_\_ Site Name Pepsi Cola Today's Date 7/26/94

Site Address 1150 Park St.  
 City Emeryville Zip 94608 Phone \_\_\_\_\_

MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks

\* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

On site meeting with John Drey, Jeff Hill, Raymond Block  
- over excavated tank pit  
- some pipings associated with the tank still in the trench.  
Contamination around the piping still present -  
Site has nine monitoring wells,  
- sprinkler system accidentally broken & water was detected to be present in the tank. Contamination may have migrated in the sand backfill of the utility line (water).  
Report on PSA to be submitted.

II.A BUSINESS PLANS (Title 19)

- 1. Immediate Reporting 2703
- 2. Bus. Plan Slids. 25503(b)
- 3. RR Cars > 30 days 25503.7
- 4. Inventory Information 25504(a)
- 5. Inventory Complete 2730
- 6. Emergency Response 25504(b)
- 7. Training 25504(c)
- 8. Deficiency 25505(a)
- 9. Modification 25505(b)

II.B ACUTELY HAZ. MATLS

- 10. Registration Form Filed 25533(a)
- 11. Form Complete 25533(b)
- 12. RMPP Contents 25534(c)
- 13. Implement Sch. Req'd? (Y/N)
- 14. OffSite Conseq. Assess. 25524(c)
- 15. Probable Risk Assessment 25534(d)
- 16. Persons Responsible 25534(g)
- 17. Certification 25534(f)
- 18. Exemption Request? (Y/N) 25536(b)
- 19. Trade Secret Requested? 25538

III. UNDERGROUND TANKS (Title 23)

- |   |   |
|---|---|
| General   | <input type="checkbox"/> 1. Permit Application 25284 (H&S)      |
|   | <input type="checkbox"/> 2. Pipeline Leak Detection 25292 (H&S) |
|   | <input type="checkbox"/> 3. Records Maintenance 2712            |
|   | <input type="checkbox"/> 4. Release Report 2651                 |
|   | <input type="checkbox"/> 5. Closure Plans 2670                  |
| Monitoring for Existing Tanks                     | <input type="checkbox"/> 6. Method                              |
|   | 1) Monthly Test   |
|   | 2) Daily Vadose   |
|   | Semi-annual groundwater   |
|   | One time soils  |
|   | 3) Daily Vadose   |
|   | One time soils  |
|   | Annual tank test  |
|   | 4) Monthly Gndwater   |
|   | One time soils  |
|   | 5) Daily Inventory  |
|   | Annual tank testing   |
|   | Cont pipe leak det  |
|   | Vadose/gndwater mon.  |
| 6) Daily Inventory                                |   |
| Annual tank testing                               |   |
| Cont pipe leak det                                |   |
| 7) Weekly Tank Gauge                              |   |
| Annual tank testing                               |   |
| 8) Annual Tank Testing                            |   |
| Daily Inventory                                   |   |
| 9) Other _____                                    |   |
| <input type="checkbox"/> 7. Precls Tank Test 2643 |   |
| Date: _____                                       |   |
| <input type="checkbox"/> 8. Inventory Rec. 2644   |   |
| <input type="checkbox"/> 9. Soil Testing 2646     |   |
| <input type="checkbox"/> 10. Ground Water. 2647   |   |
| New Tanks   | <input type="checkbox"/> 11. Monitor Plan 2632                  |
|   | <input type="checkbox"/> 12. Access. Secure 2634                |
|   | <input type="checkbox"/> 13. Plans Submit 2711                  |
|   | Date: _____   |
| <input type="checkbox"/> 14. As Built 2635        |   |
| Date: _____                                       |   |

Rev 8/88

II, III

Contact: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Inspector: \_\_\_\_\_

Signature: James L. Hayes

white -env.health  
 yellow -facility  
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

80 Swan Way, #200  
 Oakland, CA 94621  
 (415) 271-4320

Hazardous Materials Inspection Form

II, III

Site ID # \_\_\_\_\_ Site Name Pepsi Cola Today's Date 7/19/94

Site Address 1150 Park St.

City Emeryville Zip 94608 Phone \_\_\_\_\_

MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks

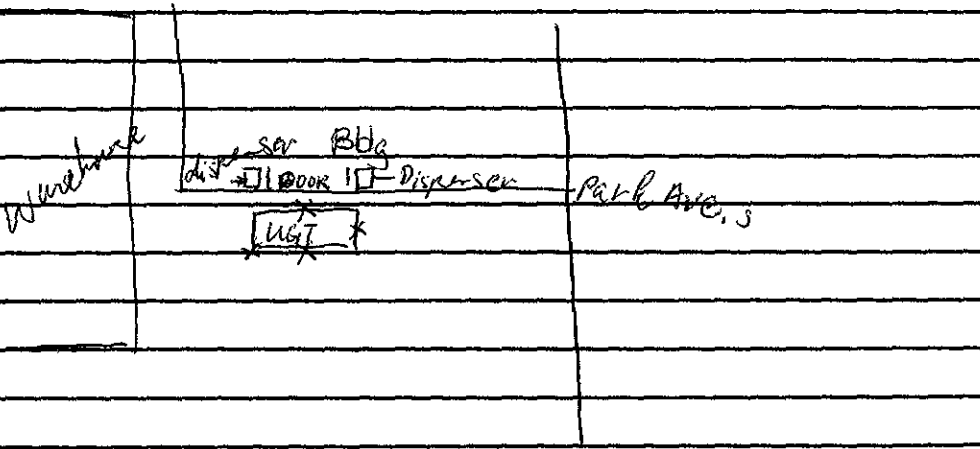
Tank's Manifest # 93238582

Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

Erickson - Tank's Trailer # 430332  
1- UGT Removal 10,000 gallon (gasoline) 5/95  
Fire Dept. - Dennis Rivers on site  
LEL = 0% O2 = 10%

Steel tank wrapped in tar paper; bottom of tank sitting in water; one end of the tank near the top appeared dented. NO obvious holes other than already dented. <sup>causing removal of tank</sup> Paper tar appeared to be dissolved/torn on some areas in the side of the tank.



II.A BUSINESS PLANS (Title 19)

- 1. Immediate Reporting 2703
- 2. Bus. Plan Stds. 25503(b)
- 3. RR Cars > 30 days 25503.7
- 4. Inventory Information 25504(a)
- 5. Inventory Complete 2730
- 6. Emergency Response 25504(b)
- 7. Training 25504(c)
- 8. Deficiency 25505(a)
- 9. Modification 25505(b)

II.B ACUTELY HAZ. MATLS

- 10. Registration Form Filed 25533(a)
- 11. Form Complete 25533(b)
- 12. RMPP Contents 25534(c)
- 13. Implement Sch. Req'd? (Y/N)
- 14. Off-Site Conseq. Assess. 25524(c)
- 15. Probable Risk Assessment 25534(d)
- 16. Persons Responsible 25534(g)
- 17. Certification 25534(f)
- 18. Exemption Request? (Y/N) 25536(b)
- 19. Trade Secret Requested? 25538

III. UNDERGROUND TANKS (Title 23)

- General
- 1. Permit Application 25284 (H&S)
  - 2. Pipeline Leak Detection 25292 (H&S)
  - 3. Records Maintenance 2712
  - 4. Release Report 2651
  - 5. Closure Plans 2670

- Monitoring for Existing Tanks
- 6. Method
    - 1) Monthly Test
    - 2) Daily Vadose Semi-annual groundwater One time soils
    - 3) Daily Vadose One time soils Annual tank test
    - 4) Monthly Groundwater One time soils
    - 5) Daily Inventory Annual tank testing Cont pipe leak det Vadose/grndwater mon.
    - 6) Daily Inventory Annual tank testing Cont pipe leak det
    - 7) Weekly Tank Gauge Annual tank testing
    - 8) Annual Tank Testing Daily Inventory
    - 9) Other \_\_\_\_\_

- 7. Precs Tank Test 2643  
Date: \_\_\_\_\_
- 8. Inventory Rec. 2644
- 9. Soil Testing 2646
- 10. Ground Water 2647

- New Tanks
- 11. Monitor Plan 2632
  - 12. Access, Secure 2634
  - 13. Plans Submit 2711  
Date: \_\_\_\_\_
  - 14. As Built 2635  
Date: \_\_\_\_\_

II, III

Contact: John Doey  
 Title: Geologist  
 Signature: John Doey

Inspector: \_\_\_\_\_  
 Signature: Simon J. Hugo

white - env. health  
 yellow - facility  
 pink - files

ALAMEDA COUNTY, DEPARTMENT OF  
**ENVIRONMENTAL HEALTH**  
 Hazardous Materials Inspection Form

80 Swan Way, #200  
 Oakland, CA 94621  
 (415) 271-4320

II, III

Site ID # \_\_\_\_\_ Site Name Pepsi Cola Today's Date 7/19/94

Site Address 1150 Park St.  
 City Emeryville Zip 94608 Phone \_\_\_\_\_

MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

**Inspection Categories:**

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks

Tank's Manifest # 93238582

\* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

**Comments:** Cruciform - Tank's hauler # 430332  
1. UGT Removal 10,000 gallon (groundwater) 5/95  
Fire Dept. - Dennis Rivers on site  
LEL - 0% O2 = 10%

Steel tank wrapped in tar paper, bottom of tank sitting in water, one end of the tank near the top appeared dented. NO obvious holes other than the one dented. Paper tar appeared to be dissolved/torn on some areas in the side of the tank.

Warehouse	SR B06	Park Ave.
	UGT *	

**II.A BUSINESS PLANS (Title 19)**

- 1. Immediate Reporting 2703
- 2. Bus. Plan Sds. 25503(b)
- 3. RR Cars > 30 days 25503.7
- 4. Inventory Information 25504(a)
- 5. Inventory Complete 2730
- 6. Emergency Response 25504(b)
- 7. Training 25504(c)
- 8. Deficiency 25505(a)
- 9. Modification 25505(b)

**II.B ACUTELY HAZ. MATLS**

- 10. Registration Form Filed 25533(a)
- 11. Form Complete 25533(b)
- 12. RMPP Contents 25534(c)
- 13. Implement Sch. Req'd? (Y/N)
- 14. OffSite Corseq. Assess. 25524(c)
- 15. Probable Risk Assessment 25534(d)
- 16. Persons Responsible 25534(g)
- 17. Certification 25534(i)
- 18. Exemption Request? (Y/N) 25534(b)
- 19. Trade Secret Requested? 25538

**III. UNDERGROUND TANKS (Title 23)**

- General**
- 1. Permit Application 25284 (H&S)
- 2. Pipeline Leak Detection 25292 (H&S)
- 3. Records Maintenance 2712
- 4. Release Report 2651
- 5. Closure Plans 2670
- Monitoring for Existing Tanks**
- 6. Method
  - 1) Monthly Test
  - 2) Daily Vadose Semi-annual groundwater One time soil
  - 3) Daily Vadose Annual tank test One time soil
  - 4) Monthly Groundwater Annual tank test One time soil
  - 5) Daily Inventory Annual tank testing Cont pipe leak det Vadose/gndwater mon.
  - 6) Daily Inventory Annual tank testing Cont pipe leak det Weekly Tank Gauge Annual tank testing Annual Tank Testing Daily Inventory
  - 9) Other \_\_\_\_\_
- 7. Precs Tank Test 2643
  - Date: \_\_\_\_\_
- 8. Inventory Rec. 2644
- 9. Soil Testing 2646
- 10. Ground Water 2647
- New Tanks**
- 11. Monitor Plan 2632
- 12. Access. Secure 2634
- 13. Plans Submit 2711
  - Date: \_\_\_\_\_
- 14. As Built 2635
  - Date: \_\_\_\_\_

Rev 8/88

Contact: John Drey  
 Title: Geologist  
 Signature: [Signature]

Inspector: \_\_\_\_\_  
 Signature: [Signature]

II, III

white -env.health  
yellow -facility  
pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Inspection Form

80 Swan Way, #200  
Oakland, CA 94621  
(415) 271-4320

II, III

Site ID # 1777 Site Name Pepsi Cola Today's Date 7/19/94

II.A BUSINESS PLANS (Title 19)

- 1. Immediate Reporting 2703
- 2. Bus. Plan Sids. 25503(b)
- 3. RR Cars > 30 days 25503.7
- 4. Inventory Information 25504(a)
- 5. Inventory Complete 2730
- 6. Emergency Response 25504(b)
- 7. Training 25504(c)
- 8. Deficiency 25505(a)
- 9. Modification 25505(b)

Site Address 1150 Park Ave.

City Emeryville Zip 94608 Phone \_\_\_\_\_

MAX AMT stored > 500 lbs, 55 gal., 200 cft.?

Inspection Categories:

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks

II.B ACUTELY HAZ. MAT'L S

- 10. Registration Form Filed 25533(a)
- 11. Form Complete 25533(b)
- 12. RMPP Contents 25534(c)
- 13. Implement Sch. Req'd? (Y/N)
- 14. OnSite Conseq. Assess. 25524(c)
- 15. Probable Risk Assessment 25534(d)
- 16. Persons Responsible 25534(g)
- 17. Certification 25534(f)
- 18. Exemption Request? (Y/N) 25534(b)
- 19. Trade Secret Requested? 25538

\* Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

Comments:

page 2

- Strong staining (soil) present, Free product in groundwater; Groundwater need to be pumped out.

One soil sample must be collected under each each dispenser. Pipe line between the two dispenser is approximately 18 ft. After uncovering the pipe line if obvious contamination is present, need to collect 1 sample in the pipe line trench.

Stackpiled soil must be characterized & disposed properly. 9 monitoring wells on site; groundwater sample will be waived; haul groundwater data from wells.

One sample from each end of the tank at soil/water interface, collected by 2 additional sidewall samples.

Verification soil samples must be collected after limited reventilation. Notify this office 72hrs in advance for sample collection.

III. UNDERGROUND TANKS (Title 23)

- General**
- 1. Permit Application 25284 (H&S)
- 2. Pipeline Leak Detection 25292 (H&S)
- 3. Records Maintenance 2712
- 4. Release Report 2651
- 5. Closure Plans 2670
- Monitoring for Existing Tanks**
- 6. Method
  - 1) Monthly Test
  - 2) Daily Vadose Semi-annual groundwater One time soils
  - 3) Daily Vadose One time soils Annual tank test
  - 4) Monthly Gndwater One time soils Annual tank testing Cont pipe leak det Vadose/gndwater mon.
  - 5) Daily Inventory Annual tank testing Cont pipe leak det
  - 6) Daily Inventory Annual tank testing Cont pipe leak det Weekly Tank Gauge Annual tank testing Annual Tank Testing Daily Inventory
  - 9) Other \_\_\_\_\_
- 7. Precs Tank Test 2643
  - Date: \_\_\_\_\_
- 8. Inventory Rec. 2644
- 9. Soil Testing 2646
- 10. Ground Water. 2647
- 11. Monitor Plan 2632
- 12. Access. Secure 2634
- 13. Plans Submit 2711
  - Date: \_\_\_\_\_
- 14. As Built 2635
  - Date: \_\_\_\_\_

8/88

Contact: John Dvey

Title: Geologist

Signature: John Dvey

Inspector: \_\_\_\_\_

Signature: Bruce L. Hoyle

II, III

ALAMEDA COUNTY, DEPARTMENT OF  
**ENVIRONMENTAL HEALTH**  
**Hazardous Materials Inspection Form**

white -env. health  
yellow -facility  
pink -files

II, III

Site ID # 1777 Site Name Pepsi Cola Today's Date 7/19/94

Site Address 1150 Park Ave

City Emeryville Zip 94608 Phone \_\_\_\_\_

MAX AMT. stored > 500 lbs., 55 gal., 200 cft.?

**Inspection Categories:**

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER
- II. Business Plans, Acute Hazardous Materials
- III. Underground Tanks

Calif. Administration Code (CAC) or the Health & Safety Code (HS&C)

**Comments:**

page 2  
- Strong staining (soil) present, Free product in groundwater; groundwater need to be pumped out.  
One soil sample must be collected under each dispenser. Pipe line between the two dispenser is approximately 18 ft. After uncovering the pipe line if obvious contamination is present, need to collect 1 sample in the pipe line trench.  
Stack piled soil must be char or triple bagged & disposed properly. 9 monitoring wells on site, groundwater sample will be waived, haul groundwater data from wells.  
One sample from each end of the tanks at soil/water interface collected & 3 additional sidewall samples.  
Verification soil samples must be collected after limited over excavation. Notify this office 72 hrs in advance for sample collection.

**II.A BUSINESS PLANS (Title 19)**

- 1. Immediate Reporting 2703
- 2. Bus. Plan Stds. 25503(b)
- 3. RR Cars > 30 days 25503.7
- 4. Inventory Information 25504(a)
- 5. Inventory Complete 2730
- 6. Emergency Response 25504(b)
- 7. Training 25504(c)
- 8. Deficiency 25505(a)
- 9. Modification 25505(b)

**II.B ACUTELY HAZ. MATLS**

- 10. Registration Form Filed 25533(a)
- 11. Form Complete 25533(b)
- 12. RMPP Contents 25534(c)
- 13. Implement Sch. Req'd? (Y/N)
- 14. OffSite Conseq. Assess. 25524(c)
- 15. Probable Risk Assessment 25534(d)
- 16. Persons Responsible 25534(g)
- 17. Certification 25534(i)
- 18. Exemption Request? (Y/N) 25536(b)
- 19. Trade Secret Requested? 25538

**III. UNDERGROUND TANKS (Title 23)**

- General**
- 1. Permit Application 25284 (H&S)
- 2. Pipeline Leak Detection 25292 (H&S)
- 3. Records Maintenance 2712
- 4. Release Report 2651
- 5. Closure Plans 2670
- 6. Method
- 1) Monthly Test
- 2) Daily Vadose
- Semi-annual groundwater
- One time soil
- 3) Daily Vadose
- One time soil
- Annual tank test
- 4) Monthly Gndwater
- One time soil
- 5) Daily Inventory
- Annual tank testing
- Cont pipe leak det
- Vadose/gndwater mon.
- 6) Daily Inventory
- Annual tank testing
- Cont pipe leak det
- 7) Weekly Tank Gauge
- Annual tank testing
- 8) Annual Tank Testing
- Daily Inventory
- 9) Other \_\_\_\_\_
- 7. Precs Tank Test 2643
- Date: \_\_\_\_\_
- 8. Inventory Rec. 2644
- 9. Soil Testing 2646
- 10. Ground Water. 2647
- Monitoring for Existing Tanks**
- 11. Monitor Plan 2632
- 12. Access, Secure 2634
- 13. Plans Submit 2711
- Date: \_\_\_\_\_
- New Tanks**
- 14. As Built 2635
- Date: \_\_\_\_\_

II, III

Contact: John Dvey

Title: Geologist

Signature: John Dvey

Inspector: \_\_\_\_\_

Signature: Arnon Hays

ugt file

# BILLING ADJUSTMENT FORM

Billing Acct.#	
<input type="checkbox"/>	Generator...H _____
<input type="checkbox"/>	HMMP.....L _____
<input checked="" type="checkbox"/>	UST.....T <u>41103</u>

Date: 7/21/94  
HazMat StdID#: 1333

Caller: \_\_\_\_\_ Phone: \_\_\_\_\_

Company Name: Pepsi Cola

Site Address: 1150 Park City: Emeryville Zip: 94601

Requested Changes: Removed ust & left on site

Initials: \_\_\_\_\_

**[ ] Rescind Bill with explanation and date (if available):**

- Generator \_\_\_\_\_
- HMMP (AB2185) \_\_\_\_\_
- UST usts removed on 7/19/94

**[ ] Continue Billing With Following Changes:**

From: \_\_\_\_\_ To: \_\_\_\_\_

- Change number of EMPLOYEES \_\_\_\_\_
- Change number of TANKS 1 0
- HMMP (AB2185)
- Updated information

Business Name \_\_\_\_\_ Phone: \_\_\_\_\_

SITE Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

BILLING Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

Inspector: Bruce P. Allen Date: 7/21/94

<input checked="" type="checkbox"/> Sent to Billing
on <u>8/23/94</u>
Rev 12/91 Mac-BillAdj-2

TANK REMOVED 7/19/94

ALCO  
HAZM

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD



94 JUL 12 AM 11:33

COMPLETE THIS FORM FOR EACH FACILITY/SITE

MARK ONLY ONE ITEM	<input type="checkbox"/> 1 NEW PERMIT	<input type="checkbox"/> 3 RENEWAL PERMIT	<input type="checkbox"/> 5 CHANGE OF INFORMATION	<input type="checkbox"/> 7 PERMANENTLY CLOSED SITE
	<input type="checkbox"/> 2 INTERIM PERMIT	<input type="checkbox"/> 4 AMENDED PERMIT	<input type="checkbox"/> 6 TEMPORARY SITE CLOSURE	

I. FACILITY/SITE INFORMATION & ADDRESS - (MUST BE COMPLETED)

DRA OR FACILITY NAME <b>NEW CENTURY BEVERAGE</b>		NAME OF OPERATOR <b>JE</b>		
ADDRESS <b>1150 PARK AVE</b>		NEAREST CROSS STREET		PARCEL # (OPTIONAL)
CITY NAME <b>EMERYVILLE CA 94609</b>		STATE <b>CA</b>	ZIP CODE	SITE PHONE # WITH AREA CODE
<input checked="" type="checkbox"/> BOX TO INDICATE	<input checked="" type="checkbox"/> CORPORATION	<input type="checkbox"/> INDIVIDUAL	<input type="checkbox"/> PARTNERSHIP	<input type="checkbox"/> LOCAL-AGENCY DISTRICTS*
	<input type="checkbox"/> COUNTY-AGENCY*	<input type="checkbox"/> STATE-AGENCY*	<input type="checkbox"/> FEDERAL-AGENCY*	
* If owner of UST is a public agency, complete the following: name of Supervisor or division, section, or office which operates the UST				
TYPE OF BUSINESS		IF INDIAN RESERVATION OR TRUST LANDS		# OF TANKS AT SITE
<input type="checkbox"/> 1 GAS STATION	<input type="checkbox"/> 2 DISTRIBUTOR	<input checked="" type="checkbox"/> 6 OTHER		E. P. A. I. D. # (optional)
<input type="checkbox"/> 3 FARM	<input type="checkbox"/> 4 PROCESSOR			

EMERGENCY CONTACT PERSON (PRIMARY)

EMERGENCY CONTACT PERSON (SECONDARY) - optional

DAYS: NAME (LAST, FIRST) <b>DANE ALBRECHT</b>		PHONE # WITH AREA CODE <b>510-596-2869</b>		DAYS: NAME (LAST, FIRST) <b>JERRY TIWELL</b>		PHONE # WITH AREA CODE <b>510-596-2800</b>	
NIGHTS: NAME (LAST, FIRST)		PHONE # WITH AREA CODE		NIGHTS: NAME (LAST, FIRST)		PHONE # WITH AREA CODE <b>510-932-0983</b>	

II. PROPERTY OWNER INFORMATION - (MUST BE COMPLETED)

NAME <b>NEW CENTURY BEVERAGE</b>		CARE OF ADDRESS INFORMATION			
MAILING OR STREET ADDRESS <b>1150 PARK AVE</b>		<input checked="" type="checkbox"/> box to indicate	<input type="checkbox"/> INDIVIDUAL	<input type="checkbox"/> LOCAL-AGENCY	<input type="checkbox"/> STATE-AGENCY
CITY NAME <b>EMERYVILLE CA 94609</b>		<input checked="" type="checkbox"/> CORPORATION	<input type="checkbox"/> PARTNERSHIP	<input type="checkbox"/> COUNTY-AGENCY	<input type="checkbox"/> FEDERAL-AGENCY
		STATE	ZIP CODE	PHONE # WITH AREA CODE	

III. TANK OWNER INFORMATION - (MUST BE COMPLETED)

NAME OF OWNER		CARE OF ADDRESS INFORMATION			
MAILING OR STREET ADDRESS <b>SAME -</b>		<input checked="" type="checkbox"/> box to indicate	<input type="checkbox"/> INDIVIDUAL	<input type="checkbox"/> LOCAL-AGENCY	<input type="checkbox"/> STATE-AGENCY
CITY NAME		<input type="checkbox"/> CORPORATION	<input type="checkbox"/> PARTNERSHIP	<input type="checkbox"/> COUNTY-AGENCY	<input type="checkbox"/> FEDERAL-AGENCY
		STATE	ZIP CODE	PHONE # WITH AREA CODE	

IV. BOARD OF EQUALIZATION UST STORAGE FEE ACCOUNT NUMBER - Call (916) 322-9669 if questions arise.

TY (TK) HQ **44** - [ ] [ ] [ ] [ ] [ ] [ ]

V. PETROLEUM UST FINANCIAL RESPONSIBILITY - (MUST BE COMPLETED) - IDENTIFY THE METHOD(S) USED

<input checked="" type="checkbox"/> box to indicate	<input checked="" type="checkbox"/> 1 SELF-INSURED	<input type="checkbox"/> 2 GUARANTEE	<input type="checkbox"/> 3 INSURANCE	<input type="checkbox"/> 4 SURETY BOND
	<input type="checkbox"/> 5 LETTER OF CREDIT	<input type="checkbox"/> 6 EXEMPTION	<input type="checkbox"/> 99 OTHER	

VI. LEGAL NOTIFICATION AND BILLING ADDRESS Legal notification and billing will be sent to the tank owner unless box I or II is checked.

CHECK ONE BOX INDICATING WHICH ABOVE ADDRESS SHOULD BE USED FOR LEGAL NOTIFICATIONS AND BILLING: I.  II.  III.

THIS FORM HAS BEEN COMPLETED UNDER PENALTY OF PERJURY, AND TO THE BEST OF MY KNOWLEDGE, IS TRUE AND CORRECT

OWNER'S NAME (PRINTED & SIGNED) <b>JERRY TIWELL</b>	OWNER'S TITLE <b>PLANT MANAGER</b>	DATE MONTH/DAY/YEAR <b>7-6-94</b>
--	---------------------------------------	--------------------------------------

LOCAL AGENCY USE ONLY

COUNTY # [ ] [ ]	JURISDICTION # [ ] [ ] [ ]	FACILITY # [ ] [ ] [ ] [ ] [ ] [ ]
LOCATION CODE - OPTIONAL	CENSUS TRACT # - OPTIONAL	SUPVISOR - DISTRICT CODE - OPTIONAL

THIS FORM MUST BE ACCOMPANIED BY AT LEAST (1) OR MORE PERMIT APPLICATION - FORM B, UNLESS THIS IS A CHANGE OF SITE INFORMATION ONLY.  
OWNER MUST FILE THIS FORM WITH THE LOCAL AGENCY IMPLEMENTING THE UNDERGROUND STORAGE TANK REGULATIONS



TANK REMOVED 7/19/94

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
UNDERGROUND STORAGE TANK PERMIT APPLICATION - FORM B



COMPLETE A SEPARATE FORM FOR EACH TANK SYSTEM.

MARK ONLY ONE ITEM  1 NEW PERMIT  2 INTERIM PERMIT  3 RENEWAL PERMIT  4 AMENDED PERMIT  5 CHANGE OF INFORMATION  6 TEMPORARY TANK CLOSURE  7 PERMANENTLY CLOSED ON SITE  8 TANK REMOVED

DBA OR FACILITY NAME WHERE TANK IS INSTALLED:

I. TANK DESCRIPTION COMPLETE ALL ITEMS -- SPECIFY IF UNKNOWN

A. OWNER'S TANK I.D. # B. MANUFACTURED BY: UNKNOWN  
C. DATE INSTALLED (MO/DAY/YEAR) 1958 D. TANK CAPACITY IN GALLONS: 10,000

II. TANK CONTENTS IF A-1 IS MARKED, COMPLETE ITEM C.

A.  1 MOTOR VEHICLE FUEL  2 PETROLEUM  3 CHEMICAL PRODUCT  4 OIL  80 EMPTY  95 UNKNOWN B.  1 PRODUCT  2 WASTE C.  1a REGULAR UNLEADED  1b PREMIUM UNLEADED  2 LEADED  3 DIESEL  4 GASAHOL  5 JET FUEL  6 AVIATION GAS  7 METHANOL  99 OTHER (DESCRIBE IN ITEM D. BELOW) D. IF (A.1) IS NOT MARKED, ENTER NAME OF SUBSTANCE STORED C. A. S. #:

III. TANK CONSTRUCTION MARK ONE ITEM ONLY IN BOXES A, B, AND C, AND ALL THAT APPLIES IN BOX D AND E

A. TYPE OF SYSTEM  1 DOUBLE WALL  2 SINGLE WALL  3 SINGLE WALL WITH EXTERIOR LINER  4 SECONDARY CONTAINMENT (VAULTED TANK)  95 UNKNOWN  99 OTHER B. TANK MATERIAL (Primary Tank)  1 BARE STEEL  5 CONCRETE  9 BRONZE  2 STAINLESS STEEL  8 POLYVINYL CHLORIDE  10 GALVANIZED STEEL  3 FIBERGLASS  7 ALUMINUM  95 UNKNOWN  4 STEEL CLAD W/ FIBERGLASS REINFORCED PLASTIC  6 100% METHANOL COMPATIBLE W/FRP  99 OTHER C. INTERIOR LINING  1 RUBBER LINED  5 GLASS LINING  2 ALKYD LINING  6 UNLINED  95 UNKNOWN  3 EPOXY LINING  4 PHENOLIC LINING  99 OTHER IS LINING MATERIAL COMPATIBLE WITH 100% METHANOL? YES \_\_\_ NO \_\_\_ D. CORROSION PROTECTION  1 POLYETHYLENE WRAP  5 CATHODIC PROTECTION  2 COATING  91 NONE  95 UNKNOWN  3 VINYL WRAP  4 FIBERGLASS REINFORCED PLASTIC  99 OTHER E. SPILL AND OVERFILL SPILL CONTAINMENT INSTALLED (YEAR) UNKNOWN OVERFILL PREVENTION EQUIPMENT INSTALLED (YEAR) UNKNOWN

IV. PIPING INFORMATION CIRCLE A IF ABOVE GROUND OR U IF UNDERGROUND, BOTH IF APPLICABLE

A. SYSTEM TYPE  A  U 1 SUCTION  2 PRESSURE  3 GRAVITY  99 OTHER B. CONSTRUCTION  A  U 1 SINGLE WALL  2 DOUBLE WALL  3 LINED TRENCH  95 UNKNOWN  99 OTHER C. MATERIAL AND CORROSION PROTECTION  1 BARE STEEL  5 ALUMINUM  9 GALVANIZED STEEL  2 STAINLESS STEEL  6 CONCRETE  10 CATHODIC PROTECTION  95 UNKNOWN  3 POLYVINYL CHLORIDE (PVC)  7 STEEL W/ COATING  8 100% METHANOL COMPATIBLE W/FRP  4 FIBERGLASS PIPE  99 OTHER D. LEAK DETECTION  1 AUTOMATIC LINE LEAK DETECTOR  2 LINE TIGHTNESS TESTING  3 INTERSTITIAL MONITORING  99 OTHER UNKNOWN

V. TANK LEAK DETECTION

1 VISUAL CHECK  2 INVENTORY RECONCILIATION  3 VADOZE MONITORING  4 AUTOMATIC TANK GAUGING  5 GROUND WATER MONITORING  6 TANK TESTING  7 INTERSTITIAL MONITORING  91 NONE  95 UNKNOWN  99 OTHER

VI. TANK CLOSURE INFORMATION

1. ESTIMATED DATE LAST USED (MO/DAY/YR) 3-93 2. ESTIMATED QUANTITY OF SUBSTANCE REMAINING 20 GALLONS 3. WAS TANK FILLED WITH INERT MATERIAL? YES  NO

THIS FORM HAS BEEN COMPLETED UNDER PENALTY OF PERJURY, AND TO THE BEST OF MY KNOWLEDGE, IS TRUE AND CORRECT

APPLICANT'S NAME (PRINTED & SIGNATURE) JERRY TROWELL DATE 7-6-94

LOCAL AGENCY USE ONLY THE STATE I.D. NUMBER IS COMPOSED OF THE FOUR NUMBERS BELOW

STATE I.D.# COUNTY # JURISDICTION # FACILITY # TANK #  
PERMIT NUMBER PERMIT APPROVED BY/DATE PERMIT EXPIRATION DATE

THIS FORM MUST BE ACCOMPANIED BY A PERMIT APPLICATION - FORM A, UNLESS A CURRENT FORM A HAS BEEN FILED.  
FILE THIS FORM WITH THE LOCAL AGENCY IMPLEMENTING THE UNDERGROUND STORAGE TANK REGULATIONS

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY  
 DEPARTMENT OF ENVIRONMENTAL HEALTH  
 HAZARDOUS MATERIALS DIVISION  
 80 SWAN WAY, ROOM 200  
 OAKLAND, CA 94621  
 PHONE NO. 510/271-4320

SUSAN L. HUGO

STID  
1777

**ACCEPTED**

Underground Storage Tank Closure Permit Application  
 Alameda County Division of Hazardous Materials  
 80 Swan Way, Suite 200,  
 Oakland, CA 94621  
 Telephone (510) 271-4320

These closure/removal plans have been received and found to be acceptable and consistent with the requirements of State and Local Health Laws. Changes to your closure plans indicate by this Department are to ensure compliance with State and local laws. The closure/removal plans are considered for issuance of any required building permits for construction/destruction. One copy of the approved plans shall be submitted to the Department with the removal permit. Any changes to the approved plans shall be submitted to the Department for review. Inspections by the Department shall be conducted to ensure that the requirements of State and local laws are being met. Notify this Department of any changes to the approved plans. Remove all (s) and piping. Sampling. Final inspection. Issuance of a) permit to operate, b) permanent site closure, is dependant on compliance with accepted plans and all applicable laws and regulations.

Closure Plan is scheduled for 1994

\*THERE IS A FINANCIAL PENALTY FOR NOT OBTAINING THESE INSPECTIONS

Contact Specialist:

Susan L. Hugo  
7/12/94

**UNDERGROUND TANK CLOSURE PLAN**

\*\*\* Complete according to attached instructions \*\*\*

- Business Name New Century Pepsi-Cola Company ✓
- Business Owner Same
- Site Address 1150 Park Avenue  
 City Emeryville zip 94608 Phone \_\_\_\_\_ ✓
- Mailing Address Same  
 City \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_ ✓
- Land Owner Same  
 Address \_\_\_\_\_ City, State \_\_\_\_\_ Zip \_\_\_\_\_
- Generator name under which tank will be manifested Same
- EPA I.D. No. under which tank will be manifested Pending ?  
EPA ID# CAL-000-026  
-326

need to submit forms A & B ✓

6. Contractor Weiss Associates  
Address 5500 Shellmound St  
City Emeryville Phone 450-6000  
License Type\* A-HAZ ID# 606481

\*Effective January 1, 1992, Business and Professional Code Section 7058.7 requires prime contractors to also hold Hazardous Waste Certification issued by the State Contractors License Board. Indicate that the certificate has been received, in addition, to holding the appropriate contractors license type.

7. Consultant Weiss Associates  
Address 5500 Shellmound St  
City Emeryville Phone 450-6000

8. Contact Person for Investigation  
Name John Dvey Title Geologist  
Phone 450-6000

9. Number of tanks being closed under this plan One  
Length of piping being removed under this plan Approximately 15-30 ft  
Total number of tanks at facility One

10. State Registered Hazardous Waste Transporters/Facilities (see instructions).

\*\* Underground tanks are hazardous waste and must be handled \*\*  
as hazardous waste

a) Product/Residual Sludge/Rinsate Transporter

Name Erickson, Inc. EPA I.D. No. CAD009466392  
Hauler License No. 0019 License Exp. Date 7/94  
Address 255 Parr Blvd  
City Richmond State CA zip 94801

b) Product/Residual Sludge/Rinsate Disposal Site

Name no info to be determined Gibson Recycling Plant EPA I.D. No. CAD043260702  
Address 475 Senpat Blvd  
City Redwood City State CA zip 94063

c) Tank and Piping Transporter

Name Erickson, Inc. EPA I.D. No. CAD009466392  
Hauler License No. 0019 License Exp. Date 7/94  
Address 255 Parr Blvd  
City Richmond state CA zip 94801

d) Tank and Piping Disposal Site

Name Erickson, Inc. EPA I.D. No. CAD009466392  
Address 255 Parr Blvd  
City Richmond state CA zip 94801

11. Experienced Sample Collector

Name Jonathan Weingart  
Company Weiss Associates  
Address 5000 Shellmound St  
City Emeryville state CA zip 94608 Phone 450-6000

12. Laboratory

Name Curtis & Tompkins, Ltd  
Address 2323 First St  
City Berkeley state CA zip 94710  
State Certification No. 1459 (DMS)

13. Have tanks or pipes leaked in the past? Yes [ ] No [X]

If yes, describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

14. Describe methods to be used for rendering tank inert

Tank will be rinsed, and associated piping flushed into tank. All rinseate will then be removed along with any residual liquids, and an appropriate amount of dry ice will be placed in the tank to evacuate all oxygen. A Combustible gasmeter will verify inert conditions.

Before tanks are pumped out and inerted, all associated piping must be flushed out into the tanks. All accessible associated piping must then be removed. Inaccessible piping must be plugged.

The Bay Area Air Quality Management District (771-6000), along with local Fire and Building Departments, must also be contacted for tank removal permits. Fire departments typically require the use of explosion proof combustible gas meters to verify tank inertness. It is the contractor's responsibility to bring a working combustible gas meter on site to verify tank inertness.

15. Tank History and Sampling Information

Tank		Material to be sampled (tank contents, soil, ground-water, etc.)	Location and Depth of Samples
Capacity	Use History (see instructions)		
10,000 gal	Installed about 1974 Stored gasoline/diesel only last used about 3/93	Soil  ----- Ground Water (if found in excavation) ± Soil	beneath each end of tank in native soil less than 2-ft beneath backfill  Ground water sample will be taken from excavation and four soil samples above water table from each sidewall if ground water is encountered

One soil sample must be collected for every 20 feet of piping that is removed. A ground water sample must be collected should any ground water be present in the excavation.

\* Soil sample must be collected underneath the dispenser.

Excavated/Stockpiled Soil	
Stockpiled Soil Volume (Estimated)  200 cubic yds.	<b>Sampling Plan</b> a minimum of one composite soil sample will be analyzed for gasoline/BTEX for each 50 yd of stockpiled soil. Each composite sample will consist of four discrete samples collected from a freshly-exposed surface, and will be composited at the analytical laboratory.

Stockpiled soil must be placed on bermed plastic and must be completely covered by plastic sheeting.

16. Chemical methods and associated detection limits to be used for analyzing samples

The Tri-Regional Board recommended minimum verification analyses and practical quantitation reporting limits should be followed. See attached Table 2.

Contaminant Sought	EPA, DHS, or Other Sample Preparation Method Number	EPA, DHS, or Other Analysis Method Number	Method Detection Limit
TPH - Gasoline BTEX TPH diesel	DHS-LUFT Method EPA 5030	DHS-LUFT Method EPA 8020	1 ppm (soil) 0.005 ppm

17. Submit Site Health and Safety Plan (See Instructions)

18. Submit Worker's Compensation Certificate copy

Name of Insurer Fireman's Fund

19. Submit Plot Plan (See Instructions)

20. Enclose Deposit (See Instructions)

21. Report any leaks or contamination to this office within 5 days of discovery. The report shall be made on an Underground Storage Tank Unauthorized Leak/Contamination Site Report form. (see Instructions)

22. Submit a closure report to this office within 60 days of the tank removal. This report must contain all the information listed in item 22 of the instructions.

I declare that to the best of my knowledge and belief the statements and information provided above are correct and true.

I understand that information in addition to that provided above may be needed in order to obtain an approval from the Department of Environmental Health and that no work is to begin on this project until this plan is approved.

I understand that any changes in design, materials or equipment will void this plan if prior approval is not obtained.

I understand that all work performed during this project will be done in compliance with all applicable OSHA (Occupational Safety and Health Administration) requirements concerning personnel health and safety. I understand that site and worker safety are solely the responsibility of the property owner or his agent and that this responsibility is not shared nor assumed by the County of Alameda.

Once I have received my stamped, accepted closure plan, I will contact the project Hazardous Materials Specialist at least three working days in advance of site work to schedule the required inspections.

Signature of Contractor

Name (please type) John W Duey for Richard B. Weiss

Signature John W Duey

Date 3/17/94

Signature of Site Owner or Operator

Name (please type) JERRY TIOWEU

Signature Jerry Tioweu

Date 3-17-94

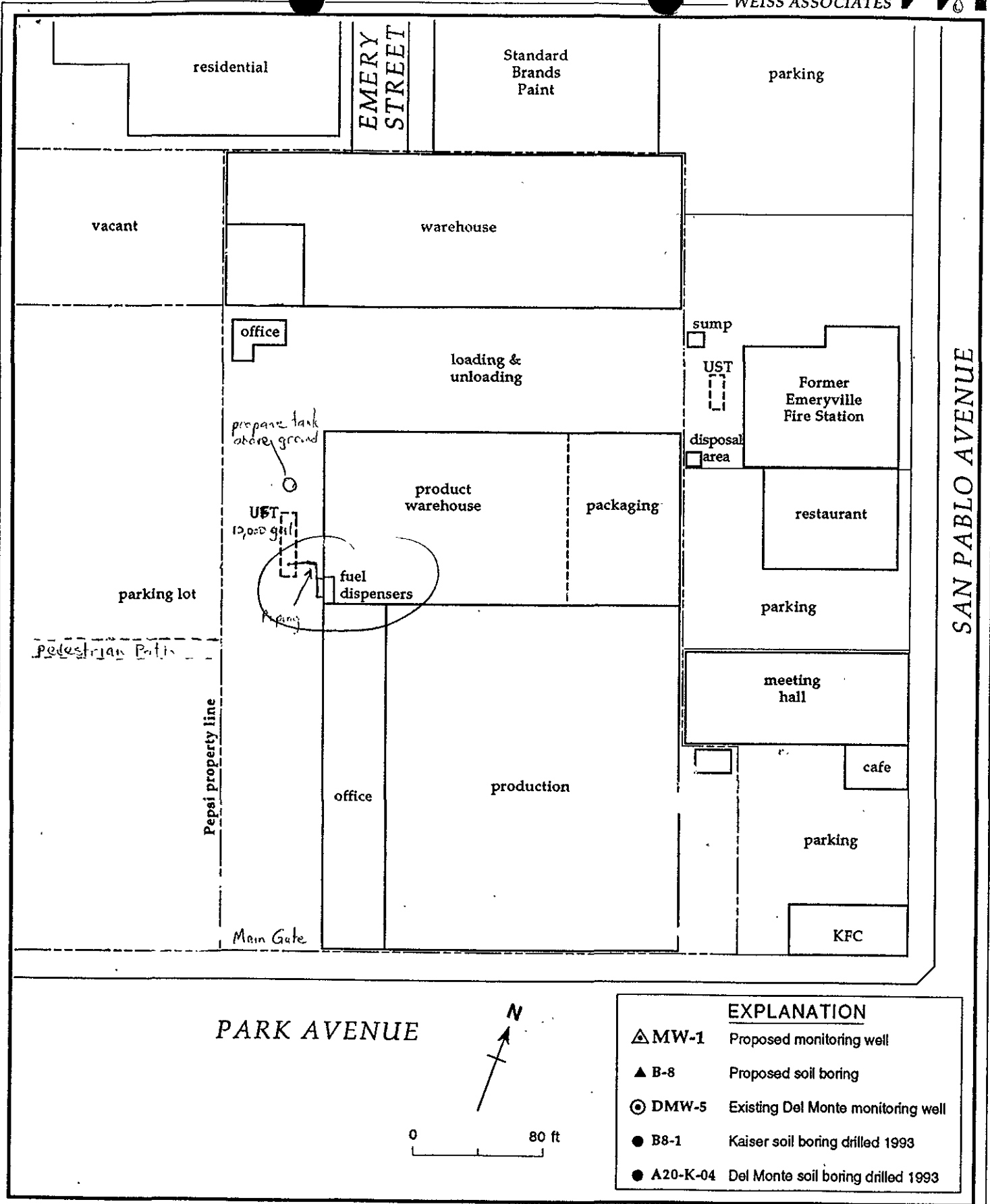


Figure 1. Site Plan

Pepsi-Cola Bottling Company, 1150 Park Avenue, Emeryville, California



# Certificate of Insurance

<b>Agency Name and Address:</b> Professional Practice Insurance Brokers 10 California Street Redwood City, CA 94063-1513 (415) 369-5900	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED THE POLICIES LISTED BELOW.
<b>Insured's Name and Address:</b> WEISS ASSOCIATES 5500 Shellmound Suite 100 Emeryville, CA 94608	<b>Companies Affording Coverage</b> Company A -- TRANSAMERICA INSURANCE COMPANY Company B -- FIREMAN'S FUND INSURANCE COMPANY Company C -- ASSOCIATED INDEMNITY CORPORATION Company D -- PLANET INSURANCE COMPANY (ECS)

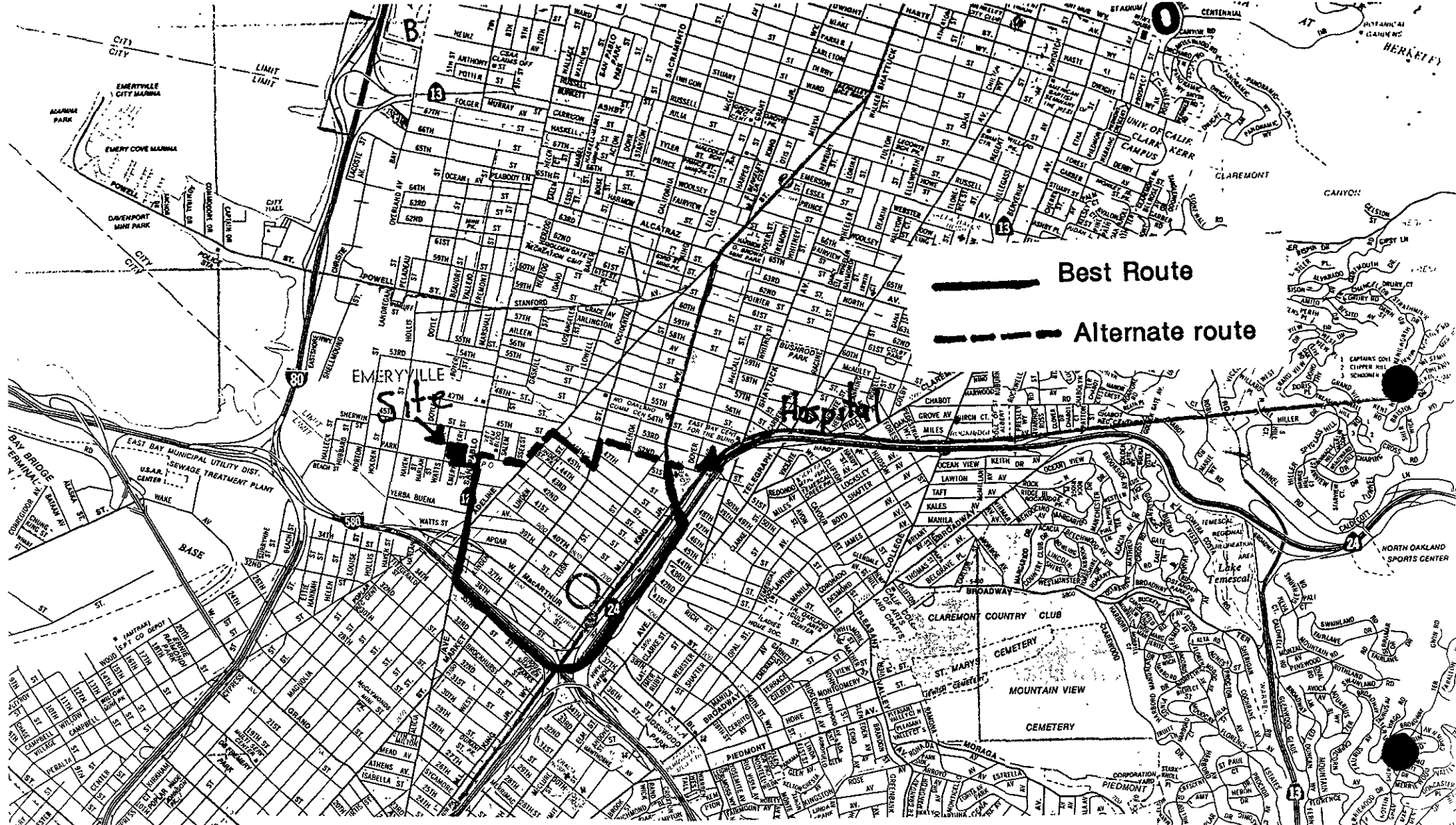
**COVERAGES:** THIS IS TO CERTIFY THAT POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS, AND CONDITIONS OF SUCH POLICIES

CO. LTR.	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFEC. DATE	POLICY EXPIR. DATE	LIMITS
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> Comml. Gen. Liability <input type="checkbox"/> Claims Made <input checked="" type="checkbox"/> Occurrence <input type="checkbox"/> Owner's & Contractors Protective. <input type="checkbox"/>	T+30839066	04/08/93	04/08/94	General Aggregate <span style="float: right;">\$ 2,000,000</span>
					Products-Com/Ops Agg. <span style="float: right;">\$ 1,000,000</span>
					Personal & Adv. Injury <span style="float: right;">\$ 1,000,000</span>
					Each Occurrence <span style="float: right;">\$ 1,000,000</span>
					Fire Damage any one fire <span style="float: right;">\$ 50,000</span>
					\$
A	<b>AUTO LIABILITY</b> <input checked="" type="checkbox"/> Any Automobile <input type="checkbox"/> All owned autos <input type="checkbox"/> Scheduled autos <input type="checkbox"/> Hired autos <input type="checkbox"/> Non-owned autos <input type="checkbox"/> Garage liability <input type="checkbox"/>	CA31914532	04/08/93	04/08/94	Combined Single Limit <span style="float: right;">\$ 1,000,000</span>
					Bodily Injury per person <span style="float: right;">\$</span>
					Bodily injury per accident <span style="float: right;">\$</span>
					Property Damage <span style="float: right;">\$</span>
					\$
B	<b>EXCESS LIABILITY</b> <input type="checkbox"/> Umbrella Form <input checked="" type="checkbox"/> Excess Liability	XEC00031543036	04/08/93	04/08/94	Each Occurrence <span style="float: right;">\$</span>
					Aggregate <span style="float: right;">\$ 4,000,000</span>
C	<b>WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY</b>	809WZP80531765	07/01/93	07/01/94	Statutory Limits: Each Accident <span style="float: right;">\$ 1,000,000</span> Disease-Policy Limit <span style="float: right;">\$ 1,000,000</span> Disease-Each Employee <span style="float: right;">\$ 1,000,000</span>
D	<b>PROFESSIONAL LIABILITY POLLUTION LEGAL LIABILITY INCLUDED</b>	NTF250937901	04/08/93	04/08/94	Aggregate <span style="float: right;">\$ 1,000,000</span>

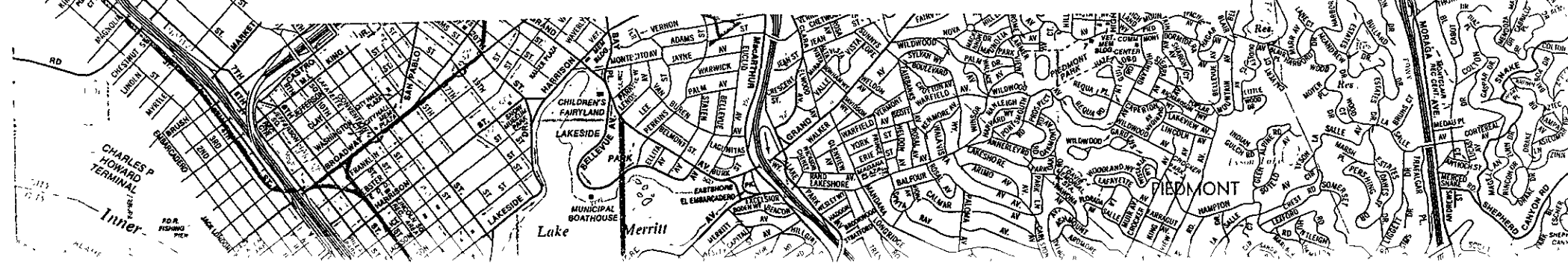
**Description of Operations/Locations/Vehicles/Restrictions/Special Items:**

All operations of the named insured.

<b>Certificate Holder:</b>  WEISS ASSOCIATES 5500 Shellmound Street Suite 100 Emeryville, CA 94608 Attn: Beth Springston	THE AGGREGATE LIMIT IS THE TOTAL INSURANCE AVAILABLE FOR CLAIMS PRESENTED WITHIN THE POLICY FOR ALL OPERATIONS OF THE INSURED. <b>CANCELLATION:</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS' WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO LIABILITY OR OBLIGATION ON THE INSURANCE COMPANY, ITS AGENTS OR REPRESENTATIVES.
	Authorized Representative: <span style="float: right;">Date: 6/24/93:ds</span> 



Hospital Route Map - Pepsi Cola Company, 1150 Park Avenue, Emeryville, CA



**Site Safety Plan**

Date 3/16/94  
Job # 14-307-02

**A. Site Description**

Client: Pepsi-Cola Company  
 Location: 1150 Park Avenue, Emeryville, CA, west of San Pablo Avenue  
 Area affected:  40 yd x 40 yd       acres  
 Surrounding land use:  Residential  Agricultural  Industrial  Commercial  
 Topography:  Flat  Hilly  Open Excavation  Paved  Unpaved  
 Weather conditions: Expected calm, clear to partly cloudy, temperature 70-80 deg. F. (typical summer weather pattern)

**B. Work to be Performed**

Prep and remove one 10,000-gal steel underground fuel tank, inspect the tank, offhaul the tank, associated equipment and residual liquids, collect required soil and/or ground water samples from the excavation and stockpiled soil, coordinate treatment and/or disposal of excavated soil.

**C. On Site Control**

A safe perimeter will be established. Its boundaries will be defined by:  
 tape  traffic cones  other \_\_\_\_\_  
 The contamination reduction zone is designated as follows: Area south of the cordoned-off work area  
 The support zone is designated as follows: Area south of the contamination reduction zone

**D. Hazard Evaluation**

The following substances are known or suspected to be on site.  
 Concentration range in water (mg/l) and soils (mg/kg) are as shown.

Substance	Free-Phase	In Ground Water	In Soil	8-hr TWA	IDLH
Gasoline	potential	N/A	N/A	300 ppm	n/a
Benzene	N/A	N/A	N/A	1 ppm	2,000 ppm
Toluene	N/A	N/A	N/A	100 ppm	2,000 ppm
Ethylbenzene	N/A	N/A	N/A	100 ppm	2,000 ppm
Xylenes	N/A	N/A	N/A	100 ppm	10,000 ppm
Tetraethyl Lead	N/A	N/A	N/A	0.1 mg/M <sup>3</sup>	40 mg/M <sup>3</sup>

Material Safety Data Sheets (MSDS) for the substances at the site are attached.  
 Air concentrations may exceed 10% of the Lower Explosive Limit (LEL). (Only probable in tank)  
 Air concentrations may exceed OSHA Permissible Exposure Levels (PEL) 8 hour Time Weighted Average (TWA) for the following substances: \_\_\_\_\_

**General Safety Hazards:**

Underground utilities and/or process lines will be identified. A line detector survey is required.  
 Nitrogen cylinders or tanks will be used. Safety and operating instructions have been reviewed.  
 Personnel are aware of safety hazards associated with lifting heavy items, moving machinery parts, slipping, falling and operating or working near electrical equipment.  
 Confined space entry is required. All personnel have reviewed confined space entry procedures. A confined space entry checklist has been completed and it is attached to this plan.

**E. Air Monitoring**

The following air monitoring instruments shall be used on site at the specified intervals:  
 Combustible Gas Indicator: In tank to assure inerting is effective  
 Oxygen Indicator \_\_\_\_\_  
 Organic Vapor Meter: approximately every 10 minutes in work zone if fumes are encountered  
 Color Tubes \_\_\_\_\_

**F. Personal Protective Equipment**

The required personal protection level is: D. Specific protective equipment to be worn is as follows: \_\_\_\_\_  
 Protective clothing materials for the involved substances are: Nitrile gloves  
 Respiratory protection shall consist of 1/2 face respirator if necessary Protection Factor = 10  
 The required respiratory cartridge is Organic Vapor/Acid Gas  
 This cartridge is expected to provide adequate protection for up to 8 hours.  
 All personnel at the site have been trained in the proper use and care of protective equipment.

**G. Decontamination Procedures**

Personnel and equipment leaving the site shall be decontaminated as follows:  
Any protective clothing will be removed before leaving the site. Personnel shall shower with warm water as soon as is reasonable after leaving the site.

H. Heat Stress Monitoring

The expected air temperature will be 70-80 ° F. Adjusted air temperature

[Tadj] = Tair(°F) + (13 x % sunshine) is not expected to exceed 93 ° F.

[ ] A Health Alert Warning (air temperatures likely to exceed 95° F) has [not] been issued by the weather service.

[ X ] Workers are trained to recognize heat stress symptoms.

[ X ] The Site Safety Officer will monitor pulse rate and temperature of workers showing signs of heat stress and modify the work schedule accordingly. A disposable oral thermometer is part of the field kit. No team member will work if his/her oral temperature exceeds 100.6° F.

[ X ] Drinking water and disposable cups are available during work.

I. Emergency Procedures

Personnel Injury: The Site Safety Officer and Project Team Leader will evaluate the nature of any injury and contact will be made for an ambulance and with the designated medical facility if required. An incident report form will be filed.

Fire/Explosion: The fire department shall be alerted if necessary. All personnel shall be moved to a safe distance from the involved area. There is [not] an alarm system at the facility. [ X ] The client has explained to us the procedures to be followed if their alarm is activated.

Oral communications are [not] possible at all times. [ ] A [horn] [megaphone] will be used to issue emergency signals.

Emergency escape routes have been identified as follows: West through the pedestrian passage or south through the main gate.

J. Emergency Medical Care

Hospital: Children's Hospital Oakland, at 747 52nd St. and Martin Luther King, Jr. Way in Oakland

phone (510) 428-3240 is located 10 minutes from this location. A map of alternative routes to this facility is attached. First-aid equipment is available on site at the following locations:

First-aid kit

In the Weiss Associates vehicle

Emergency eye wash

In the Weiss Associates vehicle

Other

List of emergency phone numbers:

<u>Agency/Facility</u>	<u>Phone #</u>	<u>Contact (if applicable)</u>
Police	<u>911</u>	
Fire	<u>911</u>	
Client	<u>596-2800</u>	<u>Dane Albrecht</u>

Any injuries sustained while working are covered under Worker's Compensation insurance. Any injured WA employee should inform the medical care facility that this is a worker's comp claim and that our policy is Firemans' Fund #8 09 WZP 8053 17 65. Copies of the Doctor's report on injury should be forwarded to our carrier Fireman's Fund, P.O. Box 1799, Rohnert Park, CA 94927-9908.) WA employees must also notify Krista Huntsman at WA (510-450-6000) the same day so that this claim can be filed properly.

Any injured sub-contractor employee must be covered under their employer's policy. If they do not know their information, WA has certificates on file of the insurance policy for all approved sub-contractors.

Emergency medical information is presented in the attached MSDS.

All site personnel have read the plan and are familiar with its provisions. The following personnel are designated to carry out job functions at the site:

	<u>Name</u>	<u>Signature</u>
Project Team Leader	<u>Jonathan Weingast</u>	_____
Site Safety Officer	<u>Jonathan Weingast</u>	_____
Field Team Leader	_____	_____
Field Team Member	_____	_____
WA Office Advisor	<u>John Duey</u>	_____

I have read the attached Weiss Associate Safety Plan and am familiar with its provisions. I agree that any employee of this firm who enters this site will be notified of these provisions and procedures; and our firm will be responsible for making sure they abide by these provisions and procedures.

<u>Subcontractor Acknowledgement</u>	
Firm Name:	_____
By:	_____
Title:	_____
Date:	_____

TABLE 1

Chemical Name	Column A Cw or Cs ppm	Column B Cw or Cs ppm
Carbon Tetrachloride	1	-
Chlorobenzene	50	40
Chloroform	1.5	-
1,2-Dichlorobenzene	25	150
1,2-Dichloroethane	60	140
1,2-Dichloroethylene	100	140
Dichloroethane	300	520
Methyl Chloride	10	10
1,1,2,2-Tetrachloroethane	1	-
Tetrachloroethylene	10	-
1,1,2-Trichloroethane	5	60
Trichloroethylene	30	160
Vinyl Chloride	0.1	3

- If chemical is not listed:

1. Estimate concentration in nearby ambient air:

$$CA = \frac{CW}{MW} (10^3 KH + 12.2)$$

CW = concentration in water, ppm

MW = molecular weight from NIOSH redbook

KH = Henry's law constant from EPA Table (Appendix E)

2. Compare CA with 10% of OSHA PEL 8 hr. TWA; if lower, go to paragraph 2; if higher, go to paragraph 3.
3. Compare CA with 10% LEL; if higher, go to paragraph 4.

# GASOLINES: AUTOMOTIVE (< 4.23g lead/gal)

GAT

<p><b>Common Synonyms</b> Motor spirit Petrol</p>	<p><b>Watery liquid</b> Colorless to pale brown or pink Gasoline odor Floats on water. Flammable, irritating vapor is produced.</p>
<p>Stop discharge if possible. Keep people away. Shut off ignition sources and call fire department. Stay upwind and use water spray to "knock down" vapor. Isolate and remove discharged material. Notify local health and pollution control agencies.</p>	
<p><b>Fire</b></p>	<p><b>FLAMMABLE.</b> Flashback along vapor trail may occur. Vapor may explode if ignited in an enclosed area. Extinguish with dry chemical, foam, or carbon dioxide. Water may be ineffective on fire. Cool exposed containers with water.</p>
<p><b>Exposure</b></p>	<p><b>CALL FOR MEDICAL AID.</b> <b>VAPOR</b> Irritating to eyes, nose and throat. If inhaled, will cause dizziness, headache, difficult breathing or loss of consciousness. Move to fresh air. If breathing has stopped, give artificial respiration. If breathing is difficult, give oxygen. <b>LIQUID</b> Irritating to skin and eyes. If swallowed, will cause nausea or vomiting. Remove contaminated clothing and shoes. Flush affected areas with plenty of water. <b>IF IN EYES, hold eyelids open and flush with plenty of water.</b> <b>IF SWALLOWED and victim is CONSCIOUS, have victim drink water or milk.</b> <b>DO NOT INDUCE VOMITING</b></p>
<p><b>Water Pollution</b></p>	<p><b>HARMFUL TO AQUATIC LIFE IN VERY LOW CONCENTRATIONS.</b> Fouling to shoreline. May be dangerous if it enters water intakes. Notify local health and wildlife officials. Notify operators of nearby water intakes.</p>
<p><b>1. RESPONSE TO DISCHARGE</b> (See Response Methods Handbook) Issue warning-high flammability Evacuate area Disperse and flush</p>	<p><b>2. LABEL</b> 2.1 <b>Category:</b> Flammable liquid 2.2 <b>Class:</b> 3</p>
<p><b>3. CHEMICAL DESIGNATIONS</b> 3.1 <b>CG Compatibility Class:</b> Miscellaneous Hydrocarbon Mixtures 3.2 <b>Formula:</b> (Mixture of hydrocarbons) 3.3 <b>IMO/UN Designation:</b> 3.1/1203 3.4 <b>DOT ID No.:</b> 1203 3.5 <b>CAS Registry No.:</b> Data not available</p>	<p><b>4. OBSERVABLE CHARACTERISTICS</b> 4.1 <b>Physical State (as shipped):</b> Liquid 4.2 <b>Color:</b> Colorless to brown 4.3 <b>Odor:</b> Gasoline</p>
<p><b>5. HEALTH HAZARDS</b> 5.1 <b>Personal Protective Equipment:</b> Protective goggles, gloves. 5.2 <b>Symptoms Following Exposure:</b> Irritation of mucous membranes and stimulation followed by depression of central nervous system. Breathing of vapor may also cause dizziness, headache, and incoordination or, in more severe cases, anesthesia, coma, and respiratory arrest. If liquid enters lungs, it will cause severe irritation, coughing, gagging, pulmonary edema, and, later, signs of bronchopneumonia and pneumonitis. Swallowing may cause irregular heartbeat. 5.3 <b>Treatment of Exposure:</b> <b>INHALATION:</b> maintain respiration and administer oxygen, enforce bed rest if liquid is in lungs. <b>INGESTION:</b> do NOT induce vomiting, stomach should be lavaged (by doctor) if appreciable quantity is swallowed. <b>EYES:</b> wash with copious quantity of water. <b>SKIN:</b> wipe off and wash with soap and water. 5.4 <b>Threshold Limit Value:</b> 300 ppm 5.5 <b>Short Term Inhalation Limit:</b> 500 ppm for 30 min. 5.6 <b>Toxicity by Ingestion:</b> Grade 2; LD<sub>50</sub> = 0.5 to 5 g/kg. 5.7 <b>Late Toxicity:</b> None 5.8 <b>Vapor (Gas) Irritant Characteristics:</b> Vapors cause a slight smarting of the eyes or respiratory system if present in high concentrations. The effect is temporary. 5.9 <b>Liquid or Solid Irritant Characteristics:</b> Minimum hazard. If spilled on clothing and allowed to remain, may cause smarting and reddening of the skin. 5.10 <b>Odor Threshold:</b> 0.25 ppm 5.11 <b>IDLH Value:</b> Data not available</p>	

<p><b>6. FIRE HAZARDS</b> 6.1 <b>Flash Point:</b> -36°F C.C. 6.2 <b>Flammable Limits in Air:</b> 1.4%-7.4% 6.3 <b>Fire Extinguishing Agents:</b> Foam, carbon dioxide, dry chemical 6.4 <b>Fire Extinguishing Agents Not to be Used:</b> Water may be ineffective 6.5 <b>Special Hazards of Combustion Products:</b> None 6.6 <b>Behavior in Fire:</b> Vapor is heavier than air and may travel considerable distance to a source of ignition and flash back. 6.7 <b>Ignition Temperature:</b> 853°F 6.8 <b>Electrical Hazard:</b> Class I, Group D 6.9 <b>Burning Rate:</b> 4 mm/min. 6.10 <b>Adiabatic Flame Temperature:</b> Data not available 6.11 <b>Stoichiometric Air to Fuel Ratio:</b> Data not available 6.12 <b>Flame Temperature:</b> Data not available</p>	<p><b>10. HAZARD ASSESSMENT CODE</b> (See Hazard Assessment Handbook) <b>A-T-U-V-W</b></p> <p><b>11. HAZARD CLASSIFICATIONS</b> 11.1 <b>Code of Federal Regulations:</b> Flammable liquid 11.2 <b>NAS Hazard Rating for Bulk Water Transportation:</b></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Category</th> <th style="text-align: right;">Rating</th> </tr> </thead> <tbody> <tr> <td>Fire .....</td> <td style="text-align: right;">3</td> </tr> <tr> <td>Health</td> <td></td> </tr> <tr> <td>Vapor Irritant .....</td> <td style="text-align: right;">1</td> </tr> <tr> <td>Liquid or Solid Irritant .....</td> <td style="text-align: right;">1</td> </tr> <tr> <td>Poisons .....</td> <td style="text-align: right;">2</td> </tr> <tr> <td>Water Pollution</td> <td></td> </tr> <tr> <td>Human Toxicity .....</td> <td style="text-align: right;">1</td> </tr> <tr> <td>Aquatic Toxicity .....</td> <td style="text-align: right;">2</td> </tr> <tr> <td>Aesthetic Effect .....</td> <td style="text-align: right;">2</td> </tr> <tr> <td>Reactivity</td> <td></td> </tr> <tr> <td>Other Chemicals .....</td> <td style="text-align: right;">0</td> </tr> <tr> <td>Water .....</td> <td style="text-align: right;">0</td> </tr> <tr> <td>Self Reaction .....</td> <td style="text-align: right;">0</td> </tr> <tr> <td>11.3 <b>NFPA Hazard Classification:</b></td> <td></td> </tr> <tr> <td style="text-align: center;"><b>Category</b></td> <td style="text-align: center;"><b>Classification</b></td> </tr> <tr> <td>Health Hazard (Blue) .....</td> <td style="text-align: right;">1</td> </tr> <tr> <td>Flammability (Red) .....</td> <td style="text-align: right;">3</td> </tr> <tr> <td>Reactivity (Yellow) .....</td> <td style="text-align: right;">0</td> </tr> </tbody> </table>	Category	Rating	Fire .....	3	Health		Vapor Irritant .....	1	Liquid or Solid Irritant .....	1	Poisons .....	2	Water Pollution		Human Toxicity .....	1	Aquatic Toxicity .....	2	Aesthetic Effect .....	2	Reactivity		Other Chemicals .....	0	Water .....	0	Self Reaction .....	0	11.3 <b>NFPA Hazard Classification:</b>		<b>Category</b>	<b>Classification</b>	Health Hazard (Blue) .....	1	Flammability (Red) .....	3	Reactivity (Yellow) .....	0
Category	Rating																																						
Fire .....	3																																						
Health																																							
Vapor Irritant .....	1																																						
Liquid or Solid Irritant .....	1																																						
Poisons .....	2																																						
Water Pollution																																							
Human Toxicity .....	1																																						
Aquatic Toxicity .....	2																																						
Aesthetic Effect .....	2																																						
Reactivity																																							
Other Chemicals .....	0																																						
Water .....	0																																						
Self Reaction .....	0																																						
11.3 <b>NFPA Hazard Classification:</b>																																							
<b>Category</b>	<b>Classification</b>																																						
Health Hazard (Blue) .....	1																																						
Flammability (Red) .....	3																																						
Reactivity (Yellow) .....	0																																						
<p><b>7. CHEMICAL REACTIVITY</b> 7.1 <b>Reactivity With Water:</b> No reaction 7.2 <b>Reactivity With Common Materials:</b> No reaction 7.3 <b>Stability During Transport:</b> Stable 7.4 <b>Neutralizing Agents for Acids and Caustics:</b> Not pertinent 7.5 <b>Polymerization:</b> Not pertinent 7.6 <b>Inhibitor of Polymerization:</b> Not pertinent 7.7 <b>Molar Ratio (Reactant to Product):</b> Data not available 7.8 <b>Reactivity Group:</b> 33</p>	<p><b>12. PHYSICAL AND CHEMICAL PROPERTIES</b> 12.1 <b>Physical State at 15°C and 1 atm:</b> Liquid 12.2 <b>Molecular Weight:</b> Not pertinent 12.3 <b>Boiling Point at 1 atm:</b> 140-390°F = 60-199°C = 333-472°K 12.4 <b>Freezing Point:</b> Not pertinent 12.5 <b>Critical Temperature:</b> Not pertinent 12.6 <b>Critical Pressure:</b> Not pertinent 12.7 <b>Specific Gravity:</b> 0.7321 at 20°C (liquid) 12.8 <b>Liquid Surface Tension:</b> 19-23 dynes/cm = 0.019-0.023 N/m at 20°C 12.9 <b>Liquid Water Interfacial Tension:</b> 49-51 dynes/cm = 0.049-0.051 N/m at 20°C 12.10 <b>Vapor (Gas) Specific Gravity:</b> 3.4 12.11 <b>Ratio of Specific Heats of Vapor (Gas):</b> (est.) 1.054 12.12 <b>Latent Heat of Vaporization:</b> 130-150 Btu/lb = 71-81 cal/g = 30 - 3.4 X 10<sup>5</sup> J/kg 12.13 <b>Heat of Combustion:</b> -18,720 Btu/lb = -10,400 cal/g = 435.1 X 10<sup>5</sup> J/kg 12.14 <b>Heat of Decomposition:</b> Not pertinent 12.15 <b>Heat of Solution:</b> Not pertinent 12.16 <b>Heat of Polymerization:</b> Not pertinent 12.25 <b>Heat of Fusion:</b> Data not available 12.26 <b>Limiting Value:</b> Data not available 12.27 <b>Reid Vapor Pressure:</b> 7.4 psia</p>																																						
<p><b>8. WATER POLLUTION</b> 8.1 <b>Aquatic Toxicity:</b> 90 ppm/24 hr/juvenile American shad/TL<sub>50</sub>/fresh water 91 mg/1/24 hr/juvenile American shad/TL<sub>50</sub>/salt water 8.2 <b>Waterlow Toxicity:</b> Data not available 8.3 <b>Biological Oxygen Demand (BOD):</b> 8%, 5 days 8.4 <b>Food Chain Concentration Potential:</b> None</p>	<p><b>9. SHIPPING INFORMATION</b> 9.1 <b>Grades of Purity:</b> Various octane ratings, military specifications 9.2 <b>Storage Temperature:</b> Ambient 9.3 <b>Inert Atmosphere:</b> No requirement 9.4 <b>Venting:</b> Open (flame arrester) or pressure-vacuum</p>																																						
<p>NOTES</p>																																							

# BENZENE

BNZ

<b>Common Synonyms</b> Benzol Benzole		<b>Watery liquid</b>  Floats on water. Flammable, irritating vapor is produced. Freezing point is 42°F	<b>Colorless</b>	<b>Gasoline-like odor</b>
Avoid contact with liquid and vapor. Keep people away. Wear goggles and self-contained breathing apparatus. Shut off ignition sources and call fire department. Stop discharge if possible. Stay upwind and use water spray to "knock down" vapor. Isolate and remove discharged material. Notify local health and pollution control agencies.				
<b>Fire</b>		<b>FLAMMABLE</b> Flashback along vapor trail may occur. Vapor may explode if ignited in an enclosed area.  Wear goggles and self-contained breathing apparatus. Extinguish with dry chemical, foam, or carbon dioxide. Water may be ineffective on fire. Cool exposed containers with water.		
<b>Exposure</b>		<b>CALL FOR MEDICAL AID</b> <b>VAPOR</b> Irritating to eyes, nose and throat. If inhaled, will cause headache, difficult breathing, or loss of consciousness.  Move to fresh air. If breathing has stopped, give artificial respiration. If breathing is difficult, give oxygen. <b>LIQUID</b> Irritating to skin and eyes. Harmful if swallowed.  Remove contaminated clothing and shoes. Flush affected areas with plenty of water. IF IN EYES, hold eyelids open and flush with plenty of water. IF SWALLOWED and victim is CONSCIOUS, have victim drink water or milk.		
<b>Water Pollution</b>		<b>HARMFUL TO AQUATIC LIFE IN VERY LOW CONCENTRATIONS.</b> May be dangerous if it enters water intakes.  Notify local health and wildlife officials. Notify operators of nearby water intakes.		
<b>1. RESPONSE TO DISCHARGE</b> (See Response Methods Handbook) Issue warning-high flammability Restrict access		<b>2. LABEL</b> 2.1 Category: Flammable liquid 2.2 Class: 3		
<b>3. CHEMICAL DESIGNATIONS</b> 3.1 CG Compatibility Class: Aromatic Hydrocarbon 3.2 Formula: C <sub>6</sub> H <sub>6</sub> 3.3 IMO/UN Designation: 3 2/1114 3.4 DOT ID No.: 1114 3.5 CAS Registry No.: 71-43-2		<b>4. OBSERVABLE CHARACTERISTICS</b> 4.1 Physical State (as shipped): Liquid 4.2 Color: Colorless 4.3 Odor: Aromatic; rather pleasant aromatic odor; characteristic odor		
<b>5. HEALTH HAZARDS</b> 5.1 Personal Protective Equipment: Hydrocarbon vapor canister, supplied air or a hose mask; hydrocarbon-insoluble rubber or plastic gloves; chemical goggles or face splash shield; hydrocarbon-insoluble apron such as neoprene. 5.2 Symptoms Following Exposure: Dizziness, excitation, pallor, followed by flushing, weakness, headache, breathlessness, chest constriction. Coma and possible death. 5.3 Treatment of Exposure: SKIN: flush with water followed by soap and water; remove contaminated clothing and wash skin. EYES: flush with plenty of water until irritation subsides. INHALATION: remove from exposure immediately. Call a physician. IF breathing is irregular or stopped, start resuscitation, administer oxygen. 5.4 Threshold Limit Value: 10 ppm 5.5 Short Term Inhalation Limits: 75 ppm for 30 min. 5.6 Toxicity by Ingestion: Grade 3; LD <sub>50</sub> = 50 to 500 mg/kg 5.7 Late Toxicity: Leukemia 5.8 Vapor (Gas) Irritant Characteristics: If present in high concentrations, vapors may cause irritation of eyes or respiratory system. The effect is temporary. 5.9 Liquid or Solid Irritant Characteristics: Minimum hazard. If spilled on clothing and allowed to remain, may cause smearing and reddening of the skin. 5.10 Odor Threshold: 4.66 ppm 5.11 IDLH Value: 2,000 ppm				

<b>6. FIRE HAZARDS</b> 6.1 Flash Point: 12°F C.C. 6.2 Flammable Limits in Air: 1.3%-7.9% 6.3 Fire Extinguishing Agents: Dry chemical, foam, or carbon dioxide 6.4 Fire Extinguishing Agents Not to be Used: Water may be ineffective 6.5 Special Hazards of Combustion Products: Not pertinent 6.6 Behavior in Fire: Vapor is heavier than air and may travel considerable distance to a source of ignition and flash back 6.7 Ignition Temperature: 1097°F 6.8 Electrical Hazard: Class I, Group D 6.9 Burning Rate: 6.0 mm/min. 6.10 Adiabatic Flame Temperature: Data not available 6.11 Stoichiometric Air to Fuel Ratio: Data not available 6.12 Flame Temperature: Data not available		<b>10. HAZARD ASSESSMENT CODE</b> (See Hazard Assessment Handbook) A-T-U-V-W																																					
<b>7. CHEMICAL REACTIVITY</b> 7.1 Reactivity With Water: No reaction 7.2 Reactivity with Common Materials: No reaction 7.3 Stability During Transport: Stable 7.4 Neutralizing Agents for Acids and Caustics: Not pertinent 7.5 Polymerization: Not pertinent 7.6 Inhibitor of Polymerization: Not pertinent 7.7 Molar Ratio (Reactant to Product): Data not available 7.8 Reactivity Group: 32		<b>11. HAZARD CLASSIFICATIONS</b> 11.1 Code of Federal Regulations: Flammable liquid 11.2 NAS Hazard Rating for Bulk Water Transportation: <table border="1"> <thead> <tr> <th>Category</th> <th>Rating</th> </tr> </thead> <tbody> <tr> <td>Fire</td> <td>3</td> </tr> <tr> <td>Health</td> <td></td> </tr> <tr> <td>Vapor Irritant</td> <td>1</td> </tr> <tr> <td>Liquid or Solid Irritant</td> <td>1</td> </tr> <tr> <td>Poisons</td> <td>3</td> </tr> <tr> <td>Water Pollution</td> <td></td> </tr> <tr> <td>Human Toxicity</td> <td>3</td> </tr> <tr> <td>Aquatic Toxicity</td> <td>1</td> </tr> <tr> <td>Aesthetic Effect</td> <td>3</td> </tr> <tr> <td>Reactivity</td> <td></td> </tr> <tr> <td>Other Chemicals</td> <td>2</td> </tr> <tr> <td>Water</td> <td>1</td> </tr> <tr> <td>Self Reaction</td> <td>0</td> </tr> </tbody> </table> 11.3 NFPA Hazard Classification: <table border="1"> <thead> <tr> <th>Category</th> <th>Classification</th> </tr> </thead> <tbody> <tr> <td>Health Hazard (Blue)</td> <td>2</td> </tr> <tr> <td>Flammability (Red)</td> <td>3</td> </tr> <tr> <td>Reactivity (Yellow)</td> <td>0</td> </tr> </tbody> </table>		Category	Rating	Fire	3	Health		Vapor Irritant	1	Liquid or Solid Irritant	1	Poisons	3	Water Pollution		Human Toxicity	3	Aquatic Toxicity	1	Aesthetic Effect	3	Reactivity		Other Chemicals	2	Water	1	Self Reaction	0	Category	Classification	Health Hazard (Blue)	2	Flammability (Red)	3	Reactivity (Yellow)	0
Category	Rating																																						
Fire	3																																						
Health																																							
Vapor Irritant	1																																						
Liquid or Solid Irritant	1																																						
Poisons	3																																						
Water Pollution																																							
Human Toxicity	3																																						
Aquatic Toxicity	1																																						
Aesthetic Effect	3																																						
Reactivity																																							
Other Chemicals	2																																						
Water	1																																						
Self Reaction	0																																						
Category	Classification																																						
Health Hazard (Blue)	2																																						
Flammability (Red)	3																																						
Reactivity (Yellow)	0																																						
<b>8. WATER POLLUTION</b> 8.1 Aquatic Toxicity: 5 ppm/6 hr/minnow/lethal/disabled water 20 ppm/24 hr/sunfish/TL <sub>50</sub> /lap water 8.2 Waterfowl Toxicity: Data not available 8.3 Biological Oxygen Demand (BOD): 1.2 lb/lb, 10 days 8.4 Food Chain Concentration Potential: None		<b>12. PHYSICAL AND CHEMICAL PROPERTIES</b> 12.1 Physical State at 15°C and 1 atm: Liquid 12.2 Molecular Weight: 78.11 12.3 Boiling Point at 1 atm: 178°F = 80.1°C = 353.3°K 12.4 Freezing Point: 42.0°F = 5.5°C = 278.7°K 12.5 Critical Temperature: 552.0°F = 288.9°C = 562.1°K 12.6 Critical Pressure: 710 psia = 48.3 atm = 4.89 MN/m <sup>2</sup> 12.7 Specific Gravity: 0.879 at 20°C (liquid) 12.8 Liquid Surface Tension: 28.9 dynes/cm = 0.0289 N/m at 20°C 12.9 Liquid Water Interfacial Tension: 35.0 dynes/cm = 0.035 N/m at 20°C 12.10 Vapor (Gas) Specific Gravity: 2.7 12.11 Ratio of Specific Heats of Vapor (Gas): 1.061 12.12 Latent Heat of Vaporization: 169 Btu/lb = 94.1 cal/g = 3.94 X 10 <sup>5</sup> J/kg 12.13 Heat of Combustion: -17,460 Btu/lb = -9698 cal/g = -406.0 X 10 <sup>3</sup> J/kg 12.14 Heat of Decomposition: Not pertinent 12.15 Heat of Solution: Not pertinent 12.16 Heat of Polymerization: Not pertinent 12.25 Heat of Fusion: 30.45 cal/g 12.26 Limiting Value: Data not available 12.27 Reid Vapor Pressure: 3.22 psia																																					
<b>9. SHIPPING INFORMATION</b> 9.1 Grades of Purity: Industrial pure . . . . . 99+% Thiophene-free . . . . . 99+% Nitration . . . . . 99+% Industrial 90% . . . . . 85+% Reagent . . . . . 99+% 9.2 Storage Temperature: Open 9.3 Inert Atmosphere: No requirement 9.4 Venting: Pressure-vacuum		<b>NOTES</b>																																					

# ETHYLBENZENE

ETB

<p><b>Common Synonyms</b> Phenylethane EB</p>	<p><b>Liquid</b> Colorless Sweet, gasoline-like odor</p> <p>Floats on water. Flammable, irritating vapor is produced</p>
<p>Avoid contact with liquid and vapor. Keep people away. Wear goggles, self-contained breathing apparatus, and rubber overclothing (including gloves) Shut off ignition sources and call fire department. Stop discharge if possible Stay upwind and use water spray to "knock down" vapor Isolate and remove discharged material Notify local health and pollution control agencies</p>	
<p><b>Fire</b></p>	<p><b>FLAMMABLE.</b> Flashback along vapor trail may occur. Vapor may explode if ignited in an enclosed area. Wear goggles, self-contained breathing apparatus, and rubber overclothing (including gloves) Extinguish with dry chemical, foam, or carbon dioxide Water may be ineffective on fire Cool exposed containers with water</p>
<p><b>Exposure</b></p>	<p><b>CALL FOR MEDICAL AID</b></p> <p><b>VAPOR</b> Irritating to eyes, nose and throat. If inhaled, will cause dizziness or difficult breathing Move to fresh air If breathing has stopped, give artificial respiration if breathing is difficult, give oxygen</p> <p><b>LIQUID</b> Will burn skin and eyes. Harmful if swallowed. Remove contaminated clothing and shoes. Flush affected areas with plenty of water. IF IN EYES, hold eyelids open and flush with plenty of water IF SWALLOWED and victim is CONSCIOUS, have victim drink water or milk. DO NOT INDUCE VOMITING</p>
<p><b>Water Pollution</b></p>	<p><b>HARMFUL TO AQUATIC LIFE IN VERY LOW CONCENTRATIONS</b> Fouling to shoreline. May be dangerous if it enters water intakes. Notify local health and wildlife officials. Notify operators of nearby water intakes</p>
<p><b>1. RESPONSE TO DISCHARGE</b> (See Response Methods Handbook) Mechanical containment Should be removed Chemical and physical treatment</p>	<p><b>2. LABEL</b> 2.1 Category: Flammable liquid 2.2 Class: 3</p>
<p><b>3. CHEMICAL DESIGNATIONS</b></p> <p>3.1 CG Compatibility Class: Aromatic hydrocarbon 3.2 Formula: C<sub>8</sub>H<sub>10</sub> 3.3 IMO/UN Designation: 3 3/1175 3.4 DOT ID No.: 1175 3.5 CAS Registry No.: 100-41-4</p>	<p><b>4. OBSERVABLE CHARACTERISTICS</b></p> <p>4.1 Physical State (as shipped): Liquid 4.2 Color: Colorless 4.3 Odor: Aromatic</p>
<p><b>5. HEALTH HAZARDS</b></p> <p>5.1 Personal Protective Equipment: Self-contained breathing apparatus, safety goggles 5.2 Symptoms Following Exposure: Inhalation may cause irritation of nose, dizziness, depression. Moderate irritation of eye with corneal injury possible. Irritates skin and may cause blisters. 5.3 Treatment of Exposure: <b>INHALATION:</b> If it affects occur, remove victim to fresh air, keep him warm and quiet, and get medical help promptly, if breathing stops, give artificial respiration. <b>INGESTION:</b> induce vomiting only upon physician's approval, material in lung may cause chemical pneumonitis. <b>SKIN AND EYES:</b> promptly flush with plenty of water (15 min. for eyes) and get medical attention; remove and wash contaminated clothing before reuse. 5.4 Threshold Limit Value: 100 ppm 5.5 Short Term Inhalation Limits: 200 ppm for 30 min 5.6 Toxicity by Ingestion: Grade 2; LD<sub>50</sub> = 0.5 to 5 g/kg (rat) 5.7 Late Toxicity: Data not available 5.8 Vapor (Gas) Irritant Characteristics: Vapors cause moderate irritation such that personnel will find high concentrations unpleasant. The effect is temporary 5.9 Liquid or Solid Irritant Characteristics: Causes smarting of the skin and first-degree burns on short exposure, may cause secondary burns on long exposure. 5.10 Odor Threshold: 140 ppm 5.11 IDLH Value: 2,000 ppm</p>	

<p><b>6. FIRE HAZARDS</b></p> <p>6.1 Flash Point: 80°F O.C.; 59°F C.C. 6.2 Flammable Limits in Air: 1.0%-6.7% 6.3 Fire Extinguishing Agents: Foam (most effective), water fog, carbon dioxide or dry chemical. 6.4 Fire Extinguishing Agents Not to be Used: Not pertinent 6.5 Special Hazards of Combustion: Products: Irritating vapors are generated when heated 6.6 Behavior in Fire: Vapor is heavier than air and may travel considerable distance to the source of ignition and flash back. 6.7 Ignition Temperature: 860°F 6.8 Electrical Hazard: Not pertinent 6.9 Burning Rate: 5.6 mm/min. 6.10 Adiabatic Flame Temperature: Data Not Available</p> <p style="text-align: right;"><i>(Continued)</i></p>	<p><b>10. HAZARD ASSESSMENT CODE</b> (See Hazard Assessment Handbook) <b>A-T-U</b></p> <p><b>11. HAZARD CLASSIFICATIONS</b></p> <p>11.1 Code of Federal Regulations: Flammable liquid 11.2 NAS Hazard Rating for Bulk Water Transportation:</p> <table border="1"> <thead> <tr> <th>Category</th> <th>Rating</th> </tr> </thead> <tbody> <tr> <td>Fire .....</td> <td>3</td> </tr> <tr> <td>Health</td> <td></td> </tr> <tr> <td>Vapor Irritant .....</td> <td>2</td> </tr> <tr> <td>Liquid or Solid Irritant .....</td> <td>2</td> </tr> <tr> <td>Poisons .....</td> <td>2</td> </tr> <tr> <td>Water Pollution</td> <td></td> </tr> <tr> <td>Human Toxicity .....</td> <td>1</td> </tr> <tr> <td>Aquatic Toxicity .....</td> <td>3</td> </tr> <tr> <td>Aesthetic Effect .....</td> <td>2</td> </tr> <tr> <td>Reactivity</td> <td></td> </tr> <tr> <td>Other Chemicals .....</td> <td>1</td> </tr> <tr> <td>Water .....</td> <td>0</td> </tr> <tr> <td>Self Reaction .....</td> <td>0</td> </tr> </tbody> </table> <p>11.3 NFPA Hazard Classification:</p> <table border="1"> <thead> <tr> <th>Category</th> <th>Classification</th> </tr> </thead> <tbody> <tr> <td>Health Hazard (Blue) .....</td> <td>2</td> </tr> <tr> <td>Flammability (Red) .....</td> <td>3</td> </tr> <tr> <td>Reactivity (Yellow) .....</td> <td>0</td> </tr> </tbody> </table>	Category	Rating	Fire .....	3	Health		Vapor Irritant .....	2	Liquid or Solid Irritant .....	2	Poisons .....	2	Water Pollution		Human Toxicity .....	1	Aquatic Toxicity .....	3	Aesthetic Effect .....	2	Reactivity		Other Chemicals .....	1	Water .....	0	Self Reaction .....	0	Category	Classification	Health Hazard (Blue) .....	2	Flammability (Red) .....	3	Reactivity (Yellow) .....	0
Category	Rating																																				
Fire .....	3																																				
Health																																					
Vapor Irritant .....	2																																				
Liquid or Solid Irritant .....	2																																				
Poisons .....	2																																				
Water Pollution																																					
Human Toxicity .....	1																																				
Aquatic Toxicity .....	3																																				
Aesthetic Effect .....	2																																				
Reactivity																																					
Other Chemicals .....	1																																				
Water .....	0																																				
Self Reaction .....	0																																				
Category	Classification																																				
Health Hazard (Blue) .....	2																																				
Flammability (Red) .....	3																																				
Reactivity (Yellow) .....	0																																				
<p><b>7. CHEMICAL REACTIVITY</b></p> <p>7.1 Reactivity With Water: No reaction 7.2 Reactivity with Common Materials: No reaction 7.3 Stability During Transport: Stable 7.4 Neutralizing Agents for Acids and Caustics: Not pertinent 7.5 Polymerization: Not pertinent 7.6 Inhibitor of Polymerization: Not pertinent 7.7 Molar Ratio (Reactant to Product): Data Not Available 7.8 Reactivity Group: 32</p>	<p><b>12. PHYSICAL AND CHEMICAL PROPERTIES</b></p> <p>12.1 Physical State at 15°C and 1 atm: Liquid 12.2 Molecular Weight: 106.17 12.3 Boiling Point at 1 atm: 277.2°F = 136.2°C = 409.4°K 12.4 Freezing Point: -139°F = -95°C = 178°K 12.5 Critical Temperature: 651.0°F = 343.9°C = 617.1°K 12.6 Critical Pressure: 523 psia = 35.6 atm = 3.61 MN/m<sup>2</sup> 12.7 Specific Gravity: 0.867 at 20°C (liquid) 12.8 Liquid Surface Tension: 29.2 dynes/cm = 0.0292 N/m at 20°C 12.9 Liquid Water Interfacial Tension: 35.48 dynes/cm = 0.03548 N/m at 20°C 12.10 Vapor (Gas) Specific Gravity: Not pertinent 12.11 Ratio of Specific Heats of Vapor (Gas): 1.071 12.12 Latent Heat of Vaporization: 144 Btu/lb = 80.1 cal/g = 3.35 X 10<sup>4</sup> J/kg 12.13 Heat of Combustion: -17,780 Btu/lb = -8677 cal/g = -413.5 X 10<sup>4</sup> J/kg 12.14 Heat of Decomposition: Not pertinent 12.15 Heat of Solution: Not pertinent 12.16 Heat of Polymerization: Not pertinent 12.25 Heat of Fusion: Data Not Available 12.26 Limiting Value: Data Not Available 12.27 Reid Vapor Pressure: 0.4 psia</p>																																				
<p><b>8. WATER POLLUTION</b></p> <p>8.1 Aquatic Toxicity: 29 ppm/96 hr/bluegill/TL<sub>50</sub>/fresh water 8.2 Waterfowl Toxicity: Data not available 8.3 Biological Oxygen Demand (BOD): 2.6% (theor.), 5 days 8.4 Food Chain Concentration Potential: None</p>																																					
<p><b>9. SHIPPING INFORMATION</b></p> <p>9.1 Grades of Purity: Research grade 99.98%; pure grade 99.5%; technical grade 99.0% 9.2 Storage Temperature: Ambient 9.3 Inert Atmosphere: No requirement 9.4 Venting: Open (flame arrester) or pressure-vacuum</p>																																					
<p><b>6. FIRE HAZARDS (Continued)</b></p> <p>6.11 Stoichiometric Air to Fuel Ratio: Data Not Available 6.12 Flame Temperature: Data Not Available</p>																																					



# TOLUENE

TOL

<p><b>Common Synonyms</b> Toluol Methylbenzene Methylbenzol</p>	<p><b>Watery liquid</b> Colorless Pleasant odor</p>	<p>Floats on water. Flammable. Irritating vapor is produced.</p>
<p>Stop discharge if possible. Keep people away. Shut off ignition sources and call fire department. Stay upwind and use water spray to "knock down" vapor. Avoid contact with liquid and vapor. Isolate and remove discharged material. Notify local health and pollution control agencies.</p>		
<b>Fire</b>	<p><b>FLAMMABLE.</b> Flashback along vapor trail may occur. Vapor may explode if ignited in an enclosed area. Wear goggles and self-contained breathing apparatus. Extinguish with dry chemical, foam, or carbon dioxide. Water may be ineffective on fire. Cool exposed containers with water.</p>	
<b>Exposure</b>	<p><b>CALL FOR MEDICAL AID.</b> <b>VAPOR</b> Irritating to eyes, nose and throat. If inhaled, will cause nausea, vomiting, headache, dizziness, difficult breathing, or loss of consciousness. Move to fresh air. If breathing has stopped, give artificial respiration. If breathing difficult, give oxygen. <b>LIQUID</b> Irritating to skin and eyes. If swallowed, will cause nausea, vomiting or loss of consciousness. Remove contaminated clothing and shoes. Flush affected areas with plenty of water. IF IN EYES, hold eyelids open and flush with plenty of water. IF SWALLOWED and victim is CONSCIOUS, have victim drink water or milk. DO NOT INDUCE VOMITING.</p>	
<b>Water Pollution</b>	<p>Dangerous to aquatic life in high concentrations. Fouling to shoreline. May be dangerous if it enters water intakes. Notify local health and wildlife officials. Notify operators of nearby water intakes.</p>	
<p><b>1. RESPONSE TO DISCHARGE</b> (See Response Methods Handbook) Issue warning-high flammability Evacuate area</p>		<p><b>2. LABEL</b> 2.1 Category: Flammable liquid 2.2 Class: 3</p>
<p><b>3. CHEMICAL DESIGNATIONS</b> 3.1 CG Compatibility Class: Aromatic Hydrocarbon 3.2 Formula: C<sub>6</sub>H<sub>5</sub>CH<sub>3</sub> 3.3 IMO/UN Designation: 3.2/1204 3.4 DOT ID No.: 1294 3.5 CAS Registry No.: 108-88-3</p>		<p><b>4. OBSERVABLE CHARACTERISTICS</b> 4.1 Physical State (as shipped): Liquid 4.2 Color: Colorless 4.3 Odor: Pungent; aromatic, benzene-like; distinct, pleasant</p>
<b>5. HEALTH HAZARDS</b>		
<p>5.1 Personal Protective Equipment: Air-supplied mask; goggles or face shield; plastic gloves. 5.2 Symptoms Following Exposure: Vapors irritate eyes and upper respiratory tract; cause dizziness, headache, anesthesia, respiratory arrest. Liquid irritates eyes and causes drying of skin. If aspirated, causes coughing, gagging, distress, and rapidly developing pulmonary edema. If ingested causes vomiting, griping, diarrhea, depressed respiration. 5.3 Treatment of Exposure: INHALATION: remove to fresh air, give artificial respiration and oxygen if needed; call a doctor. INGESTION: do NOT induce vomiting; call a doctor. EYES: flush with water for at least 15 min. SKIN: wipe off, wash with soap and water. 5.4 Threshold Limit Value: 100 ppm 5.5 Short Term Inhalation Limits: 600 ppm for 30 min. 5.6 Toxicity by Ingestion: Grade 2; LD<sub>50</sub> = 0.5 to 5 g/kg 5.7 Late Toxicity: Kidney and liver damage may follow ingestion. 5.8 Vapor (Gas) Irritant Characteristics: Vapors cause a slight smarting of the eyes or respiratory system if present in high concentrations. The effect is temporary. 5.9 Liquid or Solid Irritant Characteristics: Minimum hazard. If spilled on clothing and allowed to remain, may cause smarting and reddening of the skin. 5.10 Odor Threshold: 0.17 ppm 5.11 IDLH Value: 2,000 ppm</p>		

<p><b>6. FIRE HAZARDS</b> 6.1 Flash Point: 40°F C.C.; 55°F D.C. 6.2 Flammable Limits in Air: 1.27%-7% 6.3 Fire Extinguishing Agents: Carbon dioxide or dry chemical for small fires, ordinary foam for large fires 6.4 Fire Extinguishing Agents Not to be Used: Water may be ineffective 6.5 Special Hazards of Combustion Products: Not pertinent 6.6 Behavior in Fire: Vapor is heavier than air and may travel a considerable distance to a source of ignition and flash back. 6.7 Ignition Temperature: 997°F 6.8 Electrical Hazard: Class I, Group D 6.9 Burning Rate: 5.7 mm/min. 6.10 Adiabatic Flame Temperature: Data not available</p> <p style="text-align: right;"><i>(Continued)</i></p>	<p><b>10. HAZARD ASSESSMENT CODE</b> (See Hazard Assessment Handbook) A-T-U</p> <p><b>11. HAZARD CLASSIFICATIONS</b> 11.1 Code of Federal Regulations: Flammable liquid 11.2 NAS Hazard Rating for Bulk Water Transportation: Category Rating Fire..... 3 Health Vapor Irritant..... 1 Liquid or Solid Irritant..... 1 Poisons..... 2 Water Pollution Human Toxicity..... 3 Aquatic Toxicity..... 1 Aesthetic Effect..... 2 Reactivity Other Chemicals..... 1 Water..... 0 Self Reaction..... 0 11.3 NFPA Hazard Classification: Category Classification Health Hazard (Blue)..... 2 Flammability (Red)..... 3 Reactivity (Yellow)..... 0</p>
<p><b>7. CHEMICAL REACTIVITY</b> 7.1 Reactivity With Water: No reaction 7.2 Reactivity with Common Materials: No reaction 7.3 Stability During Transport: Stable 7.4 Neutralizing Agents for Acids and Caustics: Not pertinent 7.5 Polymerization: Not pertinent 7.6 Inhibitor of Polymerization: Not pertinent 7.7 Molar Ratio (Reactant to Product): Data not available 7.8 Reactivity Group: 32</p>	<p><b>12. PHYSICAL AND CHEMICAL PROPERTIES</b> 12.1 Physical State at 15°C and 1 atm: Liquid 12.2 Molecular Weight: 92.14 12.3 Boiling Point at 1 atm: 231.1°F = 110.6°C = 383.8°K 12.4 Freezing Point: -139°F = -95.0°C = 178.2°K 12.5 Critical Temperature: 605.4°F = 318.6°C = 591.8°K 12.6 Critical Pressure: 596.1 psia = 40.55 atm = 4.108 MN/m<sup>2</sup> 12.7 Specific Gravity: 0.867 at 20°C (liquid) 12.8 Liquid Surface Tension: 29.0 dynes/cm = 0.0290 N/m at 20°C 12.9 Liquid Water Interfacial Tension: 36.1 dynes/cm = 0.0361 N/m at 25°C 12.10 Vapor (Gas) Specific Gravity: Not pertinent 12.11 Ratio of Specific Heats of Vapor (Gas): 1.089 12.12 Latent Heat of Vaporization: 155 Btu/lb = 86.1 cal/g = 3.61 X 10<sup>4</sup> J/kg 12.13 Heat of Combustion: -17,430 Btu/lb = -9686 cal/g = -405.5 X 10<sup>4</sup> J/kg 12.14 Heat of Decomposition: Not pertinent 12.15 Heat of Solution: Not pertinent 12.16 Heat of Polymerization: Not pertinent 12.25 Heat of Fusion: 17.17 cal/g 12.26 Limiting Value: Data not available 12.27 Reid Vapor Pressure: 1.1 psia</p>
<p><b>8. WATER POLLUTION</b> 8.1 Aquatic Toxicity: 1190 mg/l/96 hr/sunfish/TL<sub>50</sub>/fresh water 8.2 Waterfowl Toxicity: Data not available 8.3 Biological Oxygen Demand (BOD): 0%, 5 days; 38% (theor), 8 days 8.4 Food Chain Concentration Potential: None</p>	<p><b>9. SHIPPING INFORMATION</b> 9.1 Grades of Purity: Research, reagent, nitration-all 99.8 + %; industrial, contains 94 + %, with 5% xylene and small amounts of benzene and nonaromatic hydrocarbons; 90/120: less pure than industrial. 9.2 Storage Temperature: Ambient 9.3 Inert Atmosphere: No requirement 9.4 Venting: Open (flame arrester) or pressure-vacuum</p>
<b>6. FIRE HAZARDS (Continued)</b>	
<p>6.11 Stoichiometric Air to Fuel Ratio: Data not available 6.12 Flame Temperature: Data not available</p>	

# m-XYLENE

XLM

<p><b>Common Synonyms</b> 1, 3-Dimethylbenzene Xylol</p>	<p><b>Watery liquid</b> Colorless Sweet odor</p>	<p>Floats on water. Flammable, irritating vapor is produced</p>
<p>Stop discharge if possible. Keep people away Call fire department. Avoid contact with liquid and vapor Isolate and remove discharged material. Notify local health and pollution control agencies</p>		
<b>Fire</b>	<p><b>FLAMMABLE</b> Flashback along vapor trail may occur. Vapor may explode if ignited in an enclosed area. Wear self-contained breathing apparatus. Extinguish with foam, dry chemical, or carbon dioxide Water may be ineffective on fire. Cool exposed containers with water</p>	
<b>Exposure</b>	<p><b>CALL FOR MEDICAL AID.</b> <b>VAPOR</b> Irritating to eyes, nose, and throat. If inhaled, will cause headache, difficult breathing, or loss of consciousness. Move to fresh air. If breathing has stopped, give artificial respiration. If breathing is difficult, give oxygen <b>LIQUID</b> Irritating to skin and eyes. If swallowed, will cause nausea, vomiting, or loss of consciousness. Remove contaminated clothing and shoes. Flush affected areas with plenty of water. <b>IF IN EYES:</b> hold eyelids open and flush with plenty of water <b>IF SWALLOWED and victim is CONSCIOUS,</b> have victim drink water or milk. <b>DO NOT INDUCE VOMITING</b></p>	
<b>Water Pollution</b>	<p><b>HARMFUL TO AQUATIC LIFE IN VERY LOW CONCENTRATIONS.</b> Fouling to shoreline. May be dangerous if it enters water intakes. Notify local health and wildlife officials Notify operators of nearby water intakes.</p>	
<p><b>1. RESPONSE TO DISCHARGE</b> (See Response Methods Handbook) Issue warning-high flammability Evacuate area Should be removed Chemical and physical treatment</p>		<p><b>2. LABEL</b> 2.1 Category: Flammable liquid 2.2 Class: 3</p>
<p><b>3. CHEMICAL DESIGNATIONS</b> 3.1 <b>CG Compatibility Class:</b> Aromatic Hydrocarbon 3.2 <b>Formula:</b> m-C<sub>6</sub>H<sub>4</sub>(CH<sub>3</sub>)<sub>2</sub> 3.3 <b>IMO/IUN Designation:</b> 3 2/1307 3.4 <b>DOT ID No.:</b> 1307 3.5 <b>CAS Registry No.:</b> 108-38-3</p>		<p><b>4. OBSERVABLE CHARACTERISTICS</b> 4.1 <b>Physical State (as shipped):</b> Liquid 4.2 <b>Color:</b> Colorless 4.3 <b>Odor:</b> Like benzene; characteristic aromatic</p>
<p><b>5. HEALTH HAZARDS</b> 5.1 <b>Personal Protective Equipment:</b> Approved canister or air-supplied mask; goggles or face shield, plastic gloves and boots. 5.2 <b>Symptoms Following Exposure:</b> Vapors cause headache and dizziness. Liquid irritates eyes and skin. If taken into lungs, causes severe coughing, distress, and rapidly developing pulmonary edema. If ingested, causes nausea, vomiting, cramps, headache, and coma; can be fatal. Kidney and liver damage can occur. 5.3 <b>Treatment of Exposure:</b> <b>INHALATION:</b> remove to fresh air; administer artificial respiration and oxygen if required; call a doctor. <b>INGESTION:</b> do NOT induce vomiting; call a doctor. <b>EYES:</b> flush with water for at least 15 min. <b>SKIN:</b> wipe off, wash with soap and water. 5.4 <b>Threshold Limit Value:</b> 100 ppm 5.5 <b>Short Term Inhalation Limit:</b> 300 ppm for 30 min 5.6 <b>Toxicity by Ingestion:</b> Grade 3; LD<sub>50</sub> = 50 to 500 g/kg 5.7 <b>Late Toxicity:</b> Kidney and liver damage. 5.8 <b>Vapor (Gas) Irritant Characteristics:</b> Vapors cause a slight smarting of the eyes or respiratory system if present in high concentrations. The effect is temporary 5.9 <b>Liquid or Solid Irritant Characteristics:</b> Minimum hazard. If spilled on clothing and allowed to remain, may cause smarting and reddening of the skin. 5.10 <b>Odor Threshold:</b> 0.05 ppm 5.11 <b>IDLH Value:</b> 10,000 ppm</p>		

<p><b>6. FIRE HAZARDS</b> 6.1 <b>Flash Point:</b> 84°F C.C. 6.2 <b>Flammable Limits in Air:</b> 1.1%-6.4% 6.3 <b>Fire Extinguishing Agents:</b> Foam, dry chemical, or carbon dioxide 6.4 <b>Fire Extinguishing Agents Not to be Used:</b> Water may be ineffective 6.5 <b>Special Hazards of Combustion Products:</b> Not pertinent 6.6 <b>Behavior in Fire:</b> Vapor is heavier than air and may travel considerable distance to a source of ignition and flash back. 6.7 <b>Ignition Temperature:</b> 986°F 6.8 <b>Electrical Hazard:</b> Class I, Group D 6.9 <b>Burning Rate:</b> 5.8 mm/min. 6.10 <b>Adiabatic Flame Temperature:</b> Data not available 6.11 <b>Stoichiometric Air to Fuel Ratio:</b> Data not available 6.12 <b>Flame Temperature:</b> Data not available</p>	<p><b>7. CHEMICAL REACTIVITY</b> 7.1 <b>Reactivity With Water:</b> No reaction 7.2 <b>Reactivity with Common Materials:</b> No reaction 7.3 <b>Stability During Transport:</b> Stable 7.4 <b>Neutralizing Agents for Acids and Caustics:</b> Not pertinent 7.5 <b>Polymerization:</b> Not pertinent 7.6 <b>Inhibitor of Polymerization:</b> Not pertinent 7.7 <b>Molar Ratio (Reactant to Product):</b> Data not available 7.8 <b>Reactivity Group:</b> 32</p>
<p><b>8. WATER POLLUTION</b> 8.1 <b>Aquatic Toxicity:</b> 22 ppm/96 hr/bluegill/TL<sub>50</sub>/fresh water 8.2 <b>Waterfowl Toxicity:</b> Data not available 8.3 <b>Biological Oxygen Demand (BOD):</b> 0 lb/lb, 5 days; 0% (theor.), 8 days 8.4 <b>Food Chain Concentration Potential:</b> Data not available</p>	
<p><b>9. SHIPPING INFORMATION</b> 9.1 <b>Grades of Purity:</b> Research: 99.99%; Pure: 99.9%; Technical: 99.2% 9.2 <b>Storage Temperature:</b> Ambient 9.3 <b>Inert Atmosphere:</b> No requirement 9.4 <b>Venting:</b> Open (flame arrester) or pressure-vacuum</p>	

<p><b>10. HAZARD ASSESSMENT CODE</b> (See Hazard Assessment Handbook) A-T-U</p>																																				
<p><b>11. HAZARD CLASSIFICATIONS</b> 11.1 <b>Code of Federal Regulations:</b> Flammable liquid 11.2 <b>NAS Hazard Rating for Bulk Water Transportation:</b></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Category</th> <th style="text-align: right;">Rating</th> </tr> </thead> <tbody> <tr> <td>Fire.....</td> <td style="text-align: right;">3</td> </tr> <tr> <td>Health</td> <td></td> </tr> <tr> <td>Vapor Irritant.....</td> <td style="text-align: right;">1</td> </tr> <tr> <td>Liquid or Solid Irritant.....</td> <td style="text-align: right;">1</td> </tr> <tr> <td>Poisons.....</td> <td style="text-align: right;">2</td> </tr> <tr> <td>Water Pollution</td> <td></td> </tr> <tr> <td>Human Toxicity.....</td> <td style="text-align: right;">1</td> </tr> <tr> <td>Aquatic Toxicity.....</td> <td style="text-align: right;">3</td> </tr> <tr> <td>Aesthetic Effect.....</td> <td style="text-align: right;">2</td> </tr> <tr> <td>Reactivity</td> <td></td> </tr> <tr> <td>Other Chemicals.....</td> <td style="text-align: right;">1</td> </tr> <tr> <td>Water.....</td> <td style="text-align: right;">0</td> </tr> <tr> <td>Self Reaction.....</td> <td style="text-align: right;">0</td> </tr> </tbody> </table> <p>11.3 <b>NFPA Hazard Classification:</b></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Category</th> <th style="text-align: right;">Classification</th> </tr> </thead> <tbody> <tr> <td>Health Hazard (Blue).....</td> <td style="text-align: right;">2</td> </tr> <tr> <td>Flammability (Red).....</td> <td style="text-align: right;">3</td> </tr> <tr> <td>Reactivity (Yellow).....</td> <td style="text-align: right;">0</td> </tr> </tbody> </table>	Category	Rating	Fire.....	3	Health		Vapor Irritant.....	1	Liquid or Solid Irritant.....	1	Poisons.....	2	Water Pollution		Human Toxicity.....	1	Aquatic Toxicity.....	3	Aesthetic Effect.....	2	Reactivity		Other Chemicals.....	1	Water.....	0	Self Reaction.....	0	Category	Classification	Health Hazard (Blue).....	2	Flammability (Red).....	3	Reactivity (Yellow).....	0
Category	Rating																																			
Fire.....	3																																			
Health																																				
Vapor Irritant.....	1																																			
Liquid or Solid Irritant.....	1																																			
Poisons.....	2																																			
Water Pollution																																				
Human Toxicity.....	1																																			
Aquatic Toxicity.....	3																																			
Aesthetic Effect.....	2																																			
Reactivity																																				
Other Chemicals.....	1																																			
Water.....	0																																			
Self Reaction.....	0																																			
Category	Classification																																			
Health Hazard (Blue).....	2																																			
Flammability (Red).....	3																																			
Reactivity (Yellow).....	0																																			
<p><b>12. PHYSICAL AND CHEMICAL PROPERTIES</b> 12.1 <b>Physical State at 15°C and 1 atm:</b> Liquid 12.2 <b>Molecular Weight:</b> 106.16 12.3 <b>Boiling Point at 1 atm:</b> 269.4°F = 131.9°C = 405.1°K 12.4 <b>Freezing Point:</b> -54.2°F = -47.9°C = 225.3°K 12.5 <b>Critical Temperature:</b> 650.8°F = 343.8°C = 617.0°K 12.6 <b>Critical Pressure:</b> 513.8 atm = 34.95 psia = 3540 MN/m<sup>2</sup> 12.7 <b>Specific Gravity:</b> 0.884 at 20°C (liquid) 12.8 <b>Liquid Surface Tension:</b> 28.6 dynes/cm = 0.0286 N/m at 20°C 12.9 <b>Liquid Water Interfacial Tension:</b> 36.4 dynes/cm = 0.0364 N/m at 30°C 12.10 <b>Vapor (Gas) Specific Gravity:</b> Not pertinent 12.11 <b>Ratio of Specific Heats of Vapor (Gas):</b> 1.071 12.12 <b>Latent Heat of Vaporization:</b> 147 Btu/lb = 81.9 cal/g = 3.43 X 10<sup>4</sup> J/kg 12.13 <b>Heat of Combustion:</b> -17,554 Btu/lb = -9752.4 cal/g = -408.31 X 10<sup>3</sup> J/kg 12.14 <b>Heat of Decomposition:</b> Not pertinent 12.15 <b>Heat of Solution:</b> Not pertinent 12.16 <b>Heat of Polymerization:</b> Not pertinent 12.25 <b>Heat of Fusion:</b> 26.01 cal/g 12.26 <b>Limiting Value:</b> Data not available 12.27 <b>Reid Vapor Pressure:</b> 0.34 psia</p>																																				
<p>NOTES</p>																																				

# TETRAETHYL LEAD

TEL

<p><b>Common Synonyms</b> TEL Lead tetraethyl</p>	<p><b>Odor</b> Fruity odor <b>Color</b> Colorless, but generally dyed red <b>Physical Properties</b> Sinks in water. Poisonous, flammable vapor is produced.</p>
<p><b>SAFETY PRECAUTIONS</b></p> <p>AVOID CONTACT WITH LIQUID AND VAPOR. Keep people away. Wear goggles, self-contained breathing apparatus, and rubber overclothing (including gloves). Stop discharge if possible. Call fire department. Stay upwind and use water spray to "knock down" vapor. Isolate and remove discharged material. Notify local health and pollution control agencies.</p>	
<b>Fire</b>	<p><b>Fire</b> Combustible <b>POISONOUS GASES ARE PRODUCED IN FIRE.</b> Containers may explode in fire. Vapor may explode if ignited in an enclosed area. Wear goggles, self-contained breathing apparatus, and rubber overclothing (including gloves). Combat fires from behind barrier or protected location Flood discharge area with water. Extinguish with water, dry chemical, foam, or carbon dioxide. Cool exposed containers with water.</p>
<b>Exposure</b>	<p><b>Exposure</b> CALL FOR MEDICAL AID. <b>VAPOR POISONOUS IF INHALED OR IF SKIN IS EXPOSED.</b> Irritating to eyes. Move to fresh air. If breathing has stopped, give artificial respiration if breathing is difficult, give oxygen. <b>LIQUID POISONOUS IF SWALLOWED OR IF SKIN IS EXPOSED.</b> Will burn eyes. Remove contaminated clothing and shoes. Flush affected areas with plenty of water. IF IN EYES, hold eyelids open and flush with plenty of water. IF SWALLOWED and victim is CONSCIOUS, have victim drink water or milk and have victim induce vomiting. IF SWALLOWED and victim is UNCONSCIOUS OR HAVING CONVULSIONS, do nothing except keep victim warm.</p>
<b>Water Pollution</b>	<p><b>Water Pollution</b> HARMFUL TO AQUATIC LIFE IN VERY LOW CONCENTRATIONS May be dangerous if it enters water intakes. Notify local health and wildlife officials. Notify operators of nearby water intakes.</p>
<p><b>1. RESPONSE TO DISCHARGE</b> (See Response Methods Handbook) Issue warning-poison, water contaminant Restrict access Should be removed Chemical and physical treatment</p>	<p><b>2. LABEL</b> 2.1 Category: Poison 2.2 Class: 6</p>
<p><b>3. CHEMICAL DESIGNATIONS</b> 3.1 CG Compatibility Class: Not listed 3.2 Formula: Pb(C<sub>2</sub>H<sub>5</sub>)<sub>4</sub> 3.3 IMO/UN Designation: 6.1/1649 3.4 DOT ID No.: 1649 3.5 CAS Registry No.: 78-00-2</p>	<p><b>4. OBSERVABLE CHARACTERISTICS</b> 4.1 Physical State (as shipped): Liquid 4.2 Color: Dyed red or other distinctive color. 4.3 Odor: Sweet</p>
<p><b>5. HEALTH HAZARDS</b></p>	
<p>6.1 Personal Protective Equipment: Organic vapor type canister face mask for short periods; air line type for longer periods; neoprene-coated, liquid-proof gloves; protective goggles or face shield; white or light-colored clothing; rubber shoes or boots. 6.2 Symptoms Following Exposure: Increased urinary output of lead, if a large degree of absorption from inhalation or skin contact, may cause inoemia, excitability, delirium, coma and death. Do not confuse with inorganic lead. 6.3 Treatment of Exposure: Remove victim from contaminated area and consult physician immediately. INGESTION: induce vomiting. SKIN: wash immediately with kerosene or similar petroleum distillate followed by soap and water. 6.4 Threshold Limit Value: 0.1 mg/m<sup>3</sup> 6.5 Short Term Inhalation Limits: 0.15 mg Pb/m<sup>3</sup> for 30 min. 6.6 Toxicity by Ingestion: Oral rat LD<sub>50</sub> = 17 mg/kg 6.7 Late Toxicity: Lead poisoning 6.8 Vapor (Gas) Irritant Characteristics: Vapors cause a slight smarting of the eyes or respiratory system if present in high concentrations. The effect is temporary. 6.9 Liquid or Solid Irritant Characteristics: Causes smarting of the skin and first-degree burns on short exposure; may cause secondary burns on long exposure. 6.10 Odor Threshold: Data not available 6.11 IDLH Value: 40 mg/m<sup>3</sup></p>	

<p><b>6. FIRE HAZARDS</b></p> <p>6.1 Flash Point: 200°F O.C.; 185°F O.C. 6.2 Flammable Limits in Air: Data not available 6.3 Fire Extinguishing Agents: Water, foam, dry chemical, or carbon dioxide 6.4 Fire Extinguishing Agents Not to be Used: Not pertinent 6.5 Special Hazards of Combustion Products: Toxic gases are generated in fires. 6.6 Behavior in Fire: May explode in fires. 6.7 Ignition Temperature: Decomposes above 230°F 6.8 Electrical Hazard: Not pertinent 6.9 Burning Rate: Data not available 6.10 Adiabatic Flame Temperature: Data not available</p> <p style="text-align: right;"><i>(Continued)</i></p> <p><b>7. CHEMICAL REACTIVITY</b></p> <p>7.1 Reactivity With Water: No reaction 7.2 Reactivity with Common Materials: Rust and some metals cause decomposition. 7.3 Stability During Transport: Stable below 230°F. At higher temperatures, may detonate or explode when confined. 7.4 Neutralizing Agents for Acids and Caustics: Not pertinent 7.5 Polymerization: Not pertinent 7.6 Inhibitor of Polymerization: Not pertinent 7.7 Molar Ratio (Reactant to Product): Data not available 7.8 Reactivity Group: Data not available</p> <p><b>8. WATER POLLUTION</b></p> <p>8.1 Aquatic Toxicity: 0.20 mg/l/96 hr/bluegill/TL<sub>50</sub>/fresh water 8.2 Waterfowl Toxicity: Data not available 8.3 Biological Oxygen Demand (BOD): Data not available 8.4 Food Chain Concentration Potential: Data not available</p> <p><b>9. SHIPPING INFORMATION</b></p> <p>9.1 Grades of Purity: Technical 9.2 Storage Temperature: Ambient 9.3 Inert Atmosphere: No requirement 9.4 Venting: Pressure-vacuum</p>	<p><b>10. HAZARD ASSESSMENT CODE</b> (See Hazard Assessment Handbook) A-X-Y</p> <p><b>11. HAZARD CLASSIFICATIONS</b></p> <p>11.1 Code of Federal Regulations: Poison, B 11.2 NAS Hazard Rating for Bulk Water Transportation: Not listed 11.3 NFPA Hazard Classification:</p> <table style="width: 100%; border: none;"> <tr> <td style="text-align: right;">Category</td> <td style="text-align: left;">Classification</td> </tr> <tr> <td style="text-align: right;">Health Hazard (Blue).....</td> <td style="text-align: left;">3</td> </tr> <tr> <td style="text-align: right;">Flammability (Red).....</td> <td style="text-align: left;">2</td> </tr> <tr> <td style="text-align: right;">Reactivity (Yellow).....</td> <td style="text-align: left;">3</td> </tr> </table> <p><b>12. PHYSICAL AND CHEMICAL PROPERTIES</b></p> <p>12.1 Physical State at 15°C and 1 atm: Liquid 12.2 Molecular Weight: 323.44 12.3 Boiling Point at 1 atm: Decomposes 12.4 Freezing Point: -215°F = -137°C = 136°K 12.5 Critical Temperature: Not pertinent 12.6 Critical Pressure: Not pertinent 12.7 Specific Gravity: 1.633 at 20°C (liquid) 12.8 Liquid Surface Tension: 28.5 dynes/cm = 0.0285 N/m at (est.) 25°C 12.9 Liquid Water Interfacial Tension: (est.) 40 dynes/cm = 0.04 N/m at 20°C 12.10 Vapor (Gas) Specific Gravity: Not pertinent 12.11 Ratio of Specific Heats of Vapor (Gas): Not pertinent 12.12 Latent Heat of Vaporization: Not pertinent 12.13 Heat of Combustion: (est.) -7,870 Btu/lb = -4,380 cal/g = -183 X 10<sup>3</sup> J/kg 12.14 Heat of Decomposition: Not pertinent 12.15 Heat of Solution: Not pertinent 12.16 Heat of Polymerization: Not pertinent 12.15 Heat of Fusion: Data not available 12.26 Limiting Value: Data not available 12.27 Reid Vapor Pressure: Data not available</p> <p style="text-align: center;"><b>6. FIRE HAZARDS (Continued)</b></p> <p>6.11 Stoichiometric Air to Fuel Ratio: Data not available 6.12 Flame Temperature: Data not available</p>	Category	Classification	Health Hazard (Blue).....	3	Flammability (Red).....	2	Reactivity (Yellow).....	3
Category	Classification								
Health Hazard (Blue).....	3								
Flammability (Red).....	2								
Reactivity (Yellow).....	3								

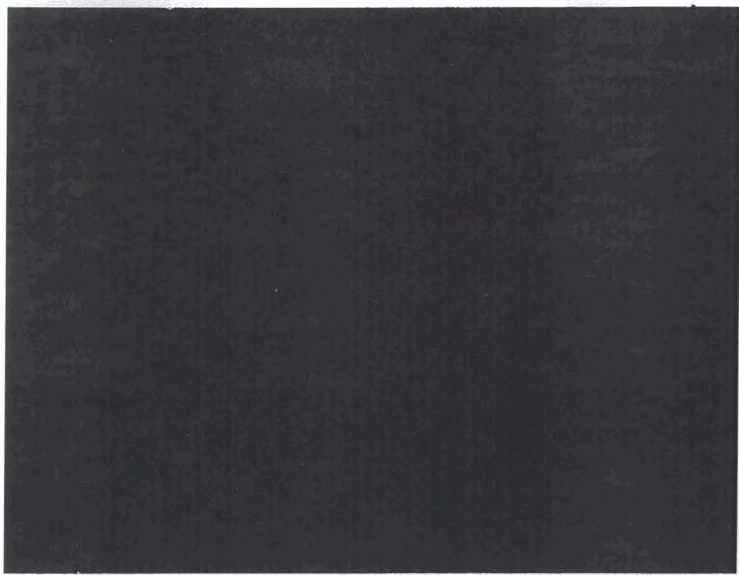


7/19/04 02216206128 8  
1-10,000 gal diesel Pepsi Cola  
1150 Park Ave.

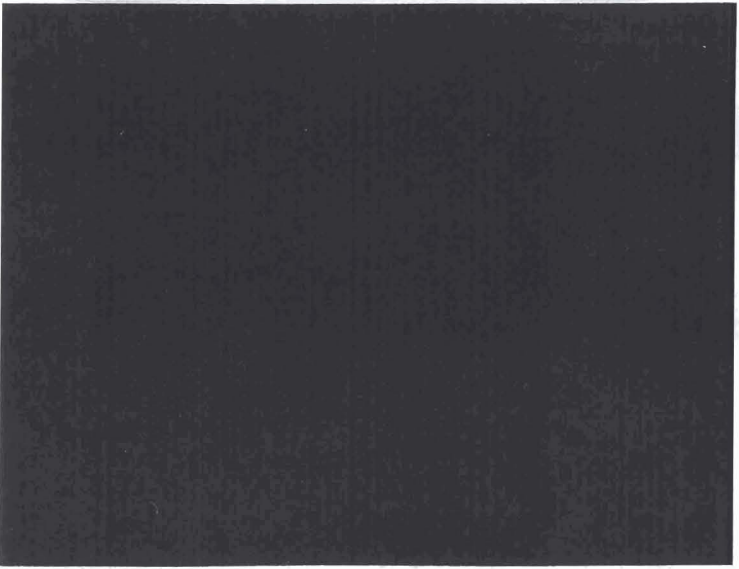


7/19/04 02216206128 8  
Pepsi Cola - 1150 Park Ave  
Brentwood



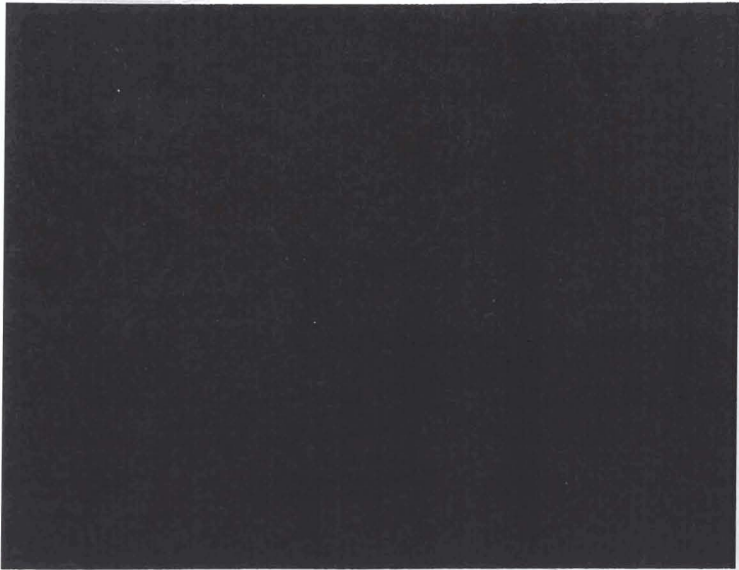


0ZZ16Z061Z8 8  
1150 Park Ave. Emeryville  
Pepsi Cola 7/19/94

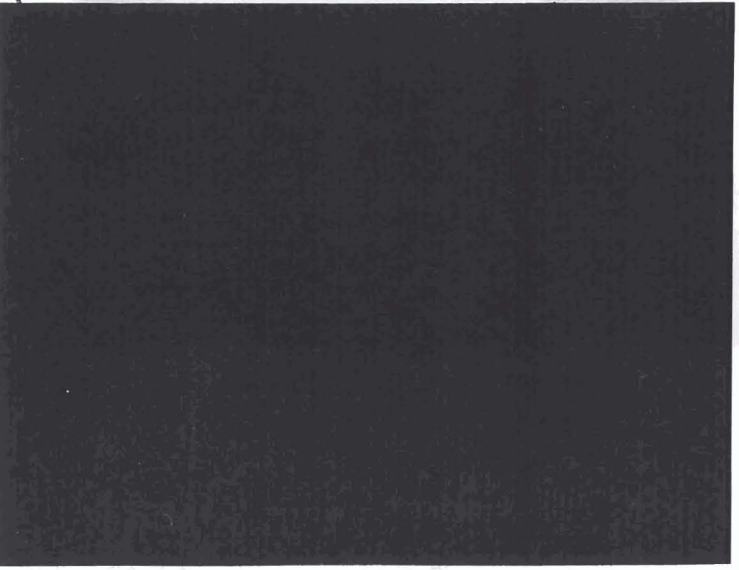


7/19/94 0ZZ16Z061Z8 8  
Pepsi Cola - 1150 Park Ave  
Emeryville

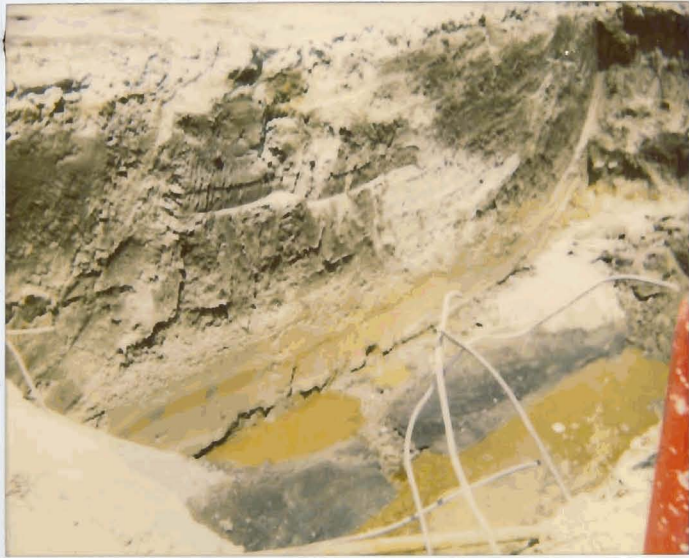




7/19/94 02216206128 8  
Pepsi Cola - 1150 Park Ave  
Concordville



7/19/94 02216206128 8  
Pepsi Cola - 1150 Park Ave  
Concordville







7/19/94 02216206128 8  
Pepsi Cola - 1150 Park Ave  
Emeryville



7/19/94 02216206128 8  
Pepsi Cola  
1150 Park Ave Emeryville





June 12, 1994

Juliet Blake  
 County of Alameda  
 Department of Environmental Health  
 Underground Storage Tank Programs  
 80 Swan Way  
 Oakland, CA

Dear Ms. Blake,

Last week, I had a meeting with Susan Hugo regarding my client's property at 4343 San Pablo Ave., Emeryville (i.e. Standards Brands Paints). During our meeting, Ms. Hugo allowed me to make a cursory review of the file (SH 1777) for the Pepsico property at 1150 Park Ave. At that time, Ms. Hugo said that I had to contact you to be able to spend more time with the file. In addition to this file, we identified a few other properties in Emeryville, which have files in the County's possession, which would be of interest to my client.

Three sites in the LOP files:

Emeryville Redevelopment Agency  
 Emeryville Senior Housing Project  
 4300 San Pablo Ave.  
 SH 4266

Pepsico  
 1150 Park Ave.  
 SH 1777

Oliver Rubber and Tire  
 1200 65th Street  
 SH 1330

Two sites in the UST Permit files:

Emeryville Fire Station  
 4331 San Pablo Ave.

AC Transit  
 1177 47th Street

I will be up in the Bay Area on 6/13, 14, and 15 performing a subsurface investigation at the Standard Brands site and can be reached at (818) 998-7197 or at the Berkely Marriot at (510) 548-7920. I understand that you do have a two week backlog and are not always able to accommodate last minute requests. I was hoping however that you might make an exception as I can show up at any time during the aforementioned three days and will only need about two hours to complete my review. I will have my own portable copy machine. I will also not have to inconvenience you as I am very familiar with maintaining the integrity of environmental regulatory record files and have great respect for their importance.

Thank you,

Frank Goldman, RG  
 Senior Hydrogeologist

*Susan*  
 Please pull for  
 Wed. June 15, 1994  
 8:30 AM  
 Thanks  
 B



# UNDERGROUND STORAGE TANK UNAUTHORIZED RELEASE (LEAK) / CONTAMINATION SITE REPORT

ALCO HAZMAT		FOR LOCAL AGENCY USE ONLY I HEREBY CERTIFY THAT I HAVE DISTRIBUTED THIS INFORMATION ACCORDING TO THE DISTRIBUTION SHOWN ON THE INSTRUCTION SHEET ON THE BACK PAGE OF THIS FORM.	
EMERGENCY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		HAS STATE OFFICE OF EMERGENCY SERVICES REPORT BEEN FILED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
REPORT DATE 0 M 5 M 1 D 2 D 9 Y 4 Y		CASE # 94 MAY 18 AM 11 25	
NAME OF INDIVIDUAL FILING REPORT <b>JERRY TIDWELL</b>		PHONE ( 510 ) 596-2800	SIGNATURE <i>Jerry Tidwell</i>
REPRESENTING <input checked="" type="checkbox"/> OWNER/OPERATOR <input type="checkbox"/> REGIONAL BOARD <input type="checkbox"/> LOCAL AGENCY <input type="checkbox"/> OTHER		COMPANY OR AGENCY NAME <b>NEW CENTURY BEVERAGE CO.</b>	
ADDRESS <b>1150 PARK AVENUE</b> <b>EMERYVILLE</b> <b>CA</b> <b>94608</b>			
NAME <b>NEW CENTURY BEVERAGE</b> <input type="checkbox"/> UNKNOWN		CONTACT PERSON <b>JERRY TIDWELL</b>	PHONE ( 510 ) 596-2800
ADDRESS <b>1150 PARK AVENUE</b> <b>EMERYVILLE</b> <b>CA</b> <b>94608</b>			
FACILITY NAME (IF APPLICABLE) <b>NEW CENTURY BEVERAGE CO.</b>		OPERATOR	PHONE ( 510 ) 596-2800
ADDRESS <b>1150 PARK AVENUE</b> <b>EMERYVILLE</b> <b>CA</b> <b>94608</b>			
CROSS STREET <b>EMERY ST.</b>			
LOCAL AGENCY <b>ALAMEDA COUNTY HEALTH CARE SERVICES</b>		CONTACT PERSON <b>SUSAN HUGO</b>	PHONE ( 510 ) 271-4530
REGIONAL BOARD <b>SAN FRANCISCO BAY REGION</b>		<b>RICHARD HIETT</b>	PHONE ( )
(1) <b>GASOLINE</b>		NAME QUANTITY LOST (GALLONS) <input checked="" type="checkbox"/> UNKNOWN	
(2) <b>DIESEL</b>		<input checked="" type="checkbox"/> UNKNOWN	
DATE DISCOVERED 0 M 4 M 2 D 0 D 9 Y 4 Y		HOW DISCOVERED <input type="checkbox"/> INVENTORY CONTROL <input checked="" type="checkbox"/> SUBSURFACE MONITORING <input type="checkbox"/> NUISANCE CONDITIONS <input type="checkbox"/> TANK TEST <input type="checkbox"/> TANK REMOVAL <input type="checkbox"/> OTHER	
DATE DISCHARGE BEGAN M M D D Y Y <input checked="" type="checkbox"/> UNKNOWN		METHOD USED TO STOP DISCHARGE (CHECK ALL THAT APPLY) <input checked="" type="checkbox"/> REMOVE CONTENTS <input checked="" type="checkbox"/> CLOSE TANK & REMOVE <input type="checkbox"/> REPAIR PIPING <input type="checkbox"/> REPAIR TANK <input type="checkbox"/> CLOSE TANK & FILL IN PLACE <input type="checkbox"/> CHANGE PROCEDURE <input type="checkbox"/> REPLACE TANK <input checked="" type="checkbox"/> OTHER <b>UNKNOWN</b>	
HAS DISCHARGE BEEN STOPPED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, DATE <b>N/A</b>			
SOURCE OF DISCHARGE <input type="checkbox"/> TANK LEAK <input checked="" type="checkbox"/> UNKNOWN <input type="checkbox"/> PIPING LEAK <input type="checkbox"/> OTHER		CAUSE(S) <input type="checkbox"/> OVERFILL <input type="checkbox"/> RUPTURE/FAILURE <input type="checkbox"/> SPILL <input type="checkbox"/> CORROSION <input checked="" type="checkbox"/> UNKNOWN <input type="checkbox"/> OTHER	
CHECK ONE ONLY <input type="checkbox"/> UNDETERMINED <input type="checkbox"/> SOIL ONLY <input checked="" type="checkbox"/> GROUNDWATER <input type="checkbox"/> DRINKING WATER - (CHECK ONLY IF WATER WELLS HAVE ACTUALLY BEEN AFFECTED)			
CHECK ONE ONLY <input type="checkbox"/> NO ACTION TAKEN <input type="checkbox"/> PRELIMINARY SITE ASSESSMENT WORKPLAN SUBMITTED <input checked="" type="checkbox"/> POLLUTION CHARACTERIZATION <input type="checkbox"/> LEAK BEING CONFIRMED <input type="checkbox"/> PRELIMINARY SITE ASSESSMENT UNDERWAY <input type="checkbox"/> POST CLEANUP MONITORING IN PROGRESS <input type="checkbox"/> REMEDIATION PLAN <input type="checkbox"/> CASE CLOSED (CLEANUP COMPLETED OR UNNECESSARY) <input type="checkbox"/> CLEANUP UNDERWAY			
CHECK APPROPRIATE ACTION(S) (SEE BACK FOR DETAILS) <input type="checkbox"/> CAP SITE (CD) <input type="checkbox"/> EXCAVATE & DISPOSE (ED) <input type="checkbox"/> REMOVE FREE PRODUCT (FP) <input type="checkbox"/> ENHANCED BIO DEGRADATION (IT) <input type="checkbox"/> CONTAINMENT BARRIER (CB) <input type="checkbox"/> EXCAVATE & TREAT (ET) <input type="checkbox"/> PUMP & TREAT GROUNDWATER (GT) <input type="checkbox"/> REPLACE SUPPLY (RS) <input type="checkbox"/> VACUUM EXTRACT (VE) <input type="checkbox"/> NO ACTION REQUIRED (NA) <input type="checkbox"/> TREATMENT AT HOOKUP (HU) <input type="checkbox"/> VENT SOIL (VS) <input type="checkbox"/> OTHER (OT)			
COMMENTS			

## INSTRUCTIONS

### EMERGENCY

Indicate whether emergency response personnel and equipment were involved at any time. If so, a Hazardous Material Incident Report should be filed with the State Office of Emergency Services (OES) at 2800 Meadowview Road, Sacramento, CA 95832. Copies of the OES report form may be obtained at your local underground storage tank permitting agency. Indicate whether the OES report has been filed as of the date of this report.

### LOCAL AGENCY ONLY

To avoid duplicate notification pursuant to Health and Safety Code Section 25180.5, a government employee should sign and date the form in this block. A signature here does not mean that the leak has been determined to pose a significant threat to human health or safety, only that notification procedures have been followed if required.

### REPORTED BY

Enter your name, telephone number, and address. Indicate which party you represent and provide company or agency name.

### RESPONSIBLE PARTY

Enter name, telephone number, contact person, and address of the party responsible for the leak. The responsible party would normally be the tank owner.

### SITE LOCATION

Enter information regarding the tank facility. At a minimum, you must provide the facility name and full address.

### IMPLEMENTING AGENCIES

Enter names of the local agency and Regional Water Quality Control Board involved.

### SUBSTANCES INVOLVED

Enter the name and quantity lost of the hazardous substance involved. Room is provided for information on two substances if appropriate. If more than two substances leaked, list the two of most concern for cleanup.

### DISCOVERY/ABATEMENT

Provide information regarding the discovery and abatement of the leak.

### SOURCE/CAUSE

Indicate source(s) of leak. Check box(es) indicating cause of leak.

### CASE TYPE

Indicate the case type category for this leak. Check one box only. Case type is based on the most sensitive resource affected. For example, if both soil and ground water have been affected, case type will be "Ground Water". Indicate "Drinking Water" only if one or more municipal or domestic water wells have actually been affected. A "Ground Water" designation does not imply that the affected water cannot be, or is not, used for drinking water, but only that water wells have not yet been affected. It is understood that case type may change upon further investigation.

### CURRENT STATUS

Indicate the category which best describes the current status of the case. Check one box only. The response should be relative to the case type. For example, if case type is "Ground Water", then "Current Status" should refer to the status of the ground water investigation or cleanup, as opposed to that of soil. Descriptions of options follow:

No Action Taken - No action has been taken by responsible party beyond initial report of leak.

Leak Being Confirmed - Leak suspected at site, but has not been confirmed.

Preliminary Site Assessment Workplan Submitted - workplan/proposal requested of/submitted by responsible party to determine whether ground water has been, or will be, impacted as a result of the release.

Preliminary Site Assessment Underway - implementation of workplan.

Pollution Characterization - responsible party is in the process of fully defining the extent of contamination in soil and ground water and assessing impacts on surface and/or ground water.

Remediation Plan - remediation plan submitted evaluating long term remediation options. Proposal and implementation schedule for appropriate remediation options also submitted.

Cleanup Underway - implementation of remediation plan.

Post Cleanup Monitoring in Progress - periodic ground water or other monitoring at site, as necessary, to verify and/or evaluate effectiveness of remedial activities.

Case Closed - regional board and local agency in concurrence that no further work is necessary at the site.

IMPORTANT: THE INFORMATION PROVIDED ON THIS FORM IS INTENDED FOR GENERAL STATISTICAL PURPOSES ONLY AND IS NOT TO BE CONSTRUED AS REPRESENTING THE OFFICIAL POSITION OF ANY GOVERNMENTAL AGENCY.

### REMEDIAL ACTION

Indicate which action have been used to cleanup or remediate the leak. Descriptions of options follow:

Cap Site - install horizontal impermeable layer to reduce rainfall infiltration.

Containment Barrier - install vertical dike to block horizontal movement of contaminant.

Excavate and Dispose - remove contaminated soil and dispose in approved site.

Excavate and Treat - remove contaminated soil and treat (includes spreading or land farming).

Remove Free Product - remove floating product from water table.

Pump and Treat Groundwater - generally employed to remove dissolved contaminants.

Enhanced Biodegradation - use of any available technology to promote bacterial decomposition of contaminants.

Replace Supply - provide alternative water supply to affected parties.

Treatment at Hookup - install water treatment devices at each dwelling or other place of use.

Vacuum Extract - use pumps or blowers to draw air through soil.

Vent Soil - bore holes in soil to allow volatilization of contaminants.

No Action Required - incident is minor, requiring no remedial action.

COMMENTS - Use this space to elaborate on any aspects of the incident.

SIGNATURE - Sign the form in the space provided.

### DISTRIBUTION

If the form is completed by the tank owner or his agent, retain the last copy and forward the remaining copies intact to your local tank permitting agency for distribution.

1. Original - Local Tank Permitting Agency
2. State Water Resources Control Board, Division of Clean Water Programs, (Underground Storage Tank Program, P.O. Box 944212, Sacramento, CA 94244-2120)
3. Regional Water Quality Control Board
4. Local Health Officer and County Board of Supervisors or their designee to receive Proposition 65 notifications.
5. Owner/responsible party.



**Weiss Associates**

*Environmental and Geologic Services*

5500 Shellmound Street, Emeryville, CA 94608-2411

Fax: 510-547-5043 Phone: 510-547-5420

94 MAY 18 AM 11:25

TRANSMITTAL LETTER

FROM: John Duey

DATE: May 12, 1994

TO: Mr. Jerry Tidwell  
New Century Beverage Co.  
1150 Park Ave  
Emeryville, CA 94608

VIA: \_\_\_\_\_ First Class US Mail  
\_\_\_\_\_ Express air service  
\_\_\_\_\_ UPS (surface)  
\_\_\_\_\_ X Courier

SUBJECT: UST reporting

JOB No.: 14-307-02

AS:  We discussed on the telephone on May 11  
\_\_\_\_\_ You requested \_\_\_\_\_  
\_\_\_\_\_ We believe you may be interested  
\_\_\_\_\_ Is required

WE ARE SENDING:  Enclosed  
\_\_\_\_\_ Under separate cover via \_\_\_\_\_

A blank State of California Underground Storage Tank Unauthorized Release (Leak)/Contamination Site Report along with a filled-in copy

FOR: \_\_\_\_\_ Your information  
 Your use  
\_\_\_\_\_ Your review and comments  
\_\_\_\_\_ Return to you

PLEASE: \_\_\_\_\_ Keep this material  
\_\_\_\_\_ Return at your convenience  
\_\_\_\_\_ Acknowledge receipt  
 Forward at earliest convenience

MESSAGE: Please fill this out and forward all copies except the gold (back) copy to:

Ms. Susan Hugo  
Alameda County Health Care Services Agency  
80 Swan Way  
Oakland, California 94621

Also, please forward a xerox copy to Weiss Associates for our records  
Please call me at 450-6129 if you have any questions.

ALAMEDA COUNTY HAZARDOUS MATERIALS DIVISION  
DEPOSIT / REFUND ACCOUNT SHEET

SITE INFORMATION

Pepsi Cola Co  
1150 Park Ave  
Emeryville 94608  
Site Contact:  
Site Phone :

StID: 1777 Site#: 2467  
PROJECT#: 2467A  
PROJECT TYPE: R  
INSP: -- LOP PROGRAM  
ACCT. SHEET PG #: \_\_\_\_\_

PROPERTY OWNER INFORMATION

Owner Contact:  
Owner Phone :

CONTRACTOR INFORMATION

Weiss Associates  
5500 Shellmound St, #100  
Emeryville CA 94608 #394  
Contr. Contact: James Carmody  
Contr. Phone : 450-6000

Date	Action Taken	Time In	Time Out	Hours Spent/ Depstd	Hour Balnce	Money Spent/ Depositd	Money Balance
	Balance from Prev. Page	.....	.....	.....		.....	
	Rcpt# 725567						
03/17/94	Deposit of \$483.00 @ \$75/hour			+6.44			
4/1/94	Review Closure Plan	10:30	11:30	1.0			
4/1/94	Talked to John Dwey	7:30	7:45	0.25			
	Weiss also re: HEB forms, EPA IDH etc.						
4/7/94	Talked to Jeff Roth	8:		0.4			
	(Weiss) re: communication found at site (Phase I)						
5/2/94	Talked to Jeff Kell			0.4			
	re: status of URF						
	Transfer to LOP						
	5/5/94						

UPON COMPLETION OF PROJECT

PROJ COMPLETED BY : Susan L. Hugo ATTACH: State Forms A, B & C  
DATE OF COMPLETION : Transfer to LOP 5/5/94 DATE SENT TO BILLING: Billing Adjustment\*

TOTAL COST OF PROJECT: \_\_\_\_\_ REFUND AMOUNT: \_\_\_\_\_ Rev. 1/93

\* Billing adjustment forms needed when site is in our UST program.

Stid #1777

DATE: 5/2/94  
TO : Local Oversight Program  
FROM: SUSAN  
SUBJ: Transfer of Eligible Oversight Case

Site name: Pepsi-Cola Bottling Plant  
Address: 1150 PARK AVENUE City EMERYVILLE Zip 94608

Closure plan attached?  Y  N DepRef remaining \$ \_\_\_\_\_

DepRef Project # \_\_\_\_\_ STID #(if any) \_\_\_\_\_

Number of Tanks: 1 removed?  Y  N Date of removal \_\_\_\_\_

Leak Report filed?  Y  N Date of Discovery \_\_\_\_\_

Samples received?  Y  N Contamination: \_\_\_\_\_

Petroleum  Y  N Types: Avgas Jet leaded unleaded Diesel  
fuel oil waste oil kerosene solvents

Monitoring wells on site ? Monitoring schedule?  Y  N

Briefly describe the following:

Preliminary Assessment \_\_\_\_\_

Remedial Action \_\_\_\_\_

Post Remedial Action Monitoring \_\_\_\_\_

Enforcement Action \_\_\_\_\_

Comments:



**Weiss Associates**

5500 Shellmound Street, Emeryville, CA 94608-2411

Environmental and Geologic Services

Fax: 510-547-5043 Phone: 510-450-6000

*ILR form mailed 4/26/94*

April 20, 1994

*RP:  
New Century Beverage Co.  
1 Pepsi NY SOMERS  
NY 10589*

Ms. Susan Hugo  
Senior Hazardous Materials Specialist  
Alameda County Department of Environmental Health  
80 Swan Way  
Oakland, CA 94621

Subject: Disclosure of Petroleum from UST at the Pepsi-Cola Bottling Plant in Emeryville, California.

Dear Ms. Hugo:

This letter is to inform you that Weiss Associates (WA) has conducted a subsurface investigation on the property owned and operated by the Pepsi-Cola Bottling Plant at 1150 Park Avenue in Emeryville, CA. The purpose of the investigation was to determine if petroleum fuel materials had been released to the soil and ground water from an existing, but out of service, UST, as well as from a former UST. Additionally, we investigated the possibility of contamination from off-site sources migrating under the site. We would like to report that we have detected the presence of petroleum contaminants in the soil and ground water downgradient from both the existing and former USTs. We have also found petroleum contaminants in the ground water at locations on the site that strongly indicate migration from off-site sources.

As you and I discussed by telephone this morning, we will provide you with a report of the investigation within approximately two weeks. We also understand that you will send us a release report which we will complete and return. You stated that the fee provided earlier by Pepsi-Cola for a UST removal application would be returned, and that local agency oversight of any activities conducted by the property owner as a result of our findings would qualify for inclusion in the state cost recovery program. Under this program, the State Water Resources Control Board will bill the property owner for agency oversight time. If you have any questions regarding this disclosure, please call me at (510) 450-6149.

Sincerely,

John Jeffrey Root  
Senior Project Manager

cc: R. Hiatt, RWQCB  
P. Morici, Pepsi-Cola  
J. Tidwell, Pepsi-Cola  
R. Plock, Consultant

ALCO  
HAZMAT  
94 APR 21 AM 10:35



TRANSMITTAL LETTER

FROM: John Duey

DATE: March 17, 1994

TO: Mr. Brian Oliva  
Alameda County Health Care  
Services Agency  
80 Swan Way  
Oakland, California 94621

VIA:    First Class Mail  
   Fax    pages  
   UPS (Surface)  
   Federal Express  
  X Courier

SUBJECT: 1150 Park Avenue, Emeryville

JOB: 14-307-01

AS:    We discussed on the telephone \_\_\_\_\_  
   You requested \_\_\_\_\_  
   We believe you may be interested  
  X Is required

WE ARE SENDING:   X Enclosed  
   Under Separate Cover Via \_\_\_\_\_

Underground Tank Closure Application, including:

- Copy of WA Workers' Compensation certificate
- Site plan showing tank and piping locations
- Site-specific health & safety plan
- Check in the amount of \$483 to cover closure of one tank

FOR:    Your information  
  X Your use  
   Your review & comments  
   Return to you

PLEASE:    Keep this material  
   Return by \_\_\_\_\_  
  X Acknowledge receipt

1777

ALAMEDA COUNTY  
HEALTH CARE SERVICES



2 AGENCY  
DAVID J. KEARS, Agency Director

RAFAT A. SHAHID, Assistant Agency Director

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Division  
80 Swan Way, Rm. 200  
Oakland, CA 94621  
(510) 271-4320

Aug 24, 1993

Pepsi Co.  
1130 Gosh.  
Emeryville, CA  
ATTN: Terry Tidwell

8/26/93  
information re closure sent BPC  
**FILE**

**Subject:** Application for Permit to Operate Underground Storage Tank(s) at

~~1130 Gosh, Emeryville~~

According to our records, you are the owner/operator of the above facility. The following information is needed to complete the application for underground tank(s) permit(s). To complete the process, please forward the following to this office:

- 1) An accurate and complete plot plan (see attached sheet).
- 2) A written spill response plan (see attached sheet).
- 3) A written monitoring plan, indicating the proposed procedure for tank monitoring.
- 4) Results of precision tank test(s) (initial/annual).
- 5) Results of (initial/annual) precision pressure pipeline leak detector test.
- 6) A completed form "A" (enclosed).
- 7) A completed form "B" (enclosed) for each tank, numbered in accordance with the allocations shown on the plot plan.
- 8) A completed form "C" (enclosed).
- 9) Correct fee should be in the amount of \$ Call office (check or money order payable to Alameda County Division of Hazardous Materials, 470 27th St, Oakland, CA 94612 (Fee schedule enclosed).

Other: \_\_\_\_\_

Received checklist: date: 8/24/93 Signature: [Signature]

Note: Please keep checklist in order to facilitate completion. Sign and return second copy to this office indicating receipt of the above checklist.

Further information can be obtained by calling Buan Alur at (510) 271-4320.

Forms enclosed: 1) Forms A,B,C, plot plan, spill response plan, and fee schedule. Memo on SB 2004 funding (January 9, 1992). ( PERMAPPL BPO 1/92)