

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

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

April 14, 2006

Mr. Peter Puckett  
Berkeley Farms  
P.O. Box 4616  
Hayward, CA 94540-4616

Mr. Mitch Fine  
Armstrong Premier Property LLC  
774 Harrison Street  
San Francisco, CA 94107-1235

Ms. Karen Bellini  
Harmon Management Co.  
199 First Street, Suite 212  
Los Altos, CA 94022

Subject: Fuel Leak Case No. [REDACTED], Berkeley Farms, 4575 San Pablo Avenue, Emeryville, CA – Request for Well Decommissioning

Dear Mr. Puckett, Ms. Bellini, and Mr. Fine:

Alameda County Environmental Health (ACEH) and California Regional Water Quality Control Board staff have reviewed the fuel leak case file and case closure summary for the above-referenced site and concur that no further action related to the underground storage tank fuel release is required at this time. Prior to issuance of a remedial action completion certificate, the monitoring wells at the site are to be properly destroyed, should the monitoring wells have no further use at the site. Please decommission the monitoring wells and provide documentation of the well decommissioning to this office. A remedial action completion certificate will be issued following receipt of the documentation.

Well destruction permits may be obtained from the Alameda County Public Works Agency (<http://www.acgov.org/pwa/wells/index.shtml>). If you have any questions, please call me at (510) 567-6791.

Sincerely,

Jerry Wickham  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Donna Drogos, ACEH  
Jerry Wickham, ACEH

File

10-245



P.O. Box 4616 • Hayward • California 94540-4616 • Telephone (510) 265-8600  
www.berkeleyfarms.com

Alameda County  
MAY 05 2003  
Environmental Health

April 30, 2003

Ms. eva chu  
Alameda County  
Environmental Health Services  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA. 94502

Dear Ms. chu,

In response to today's conversation involving our former properties on San Pablo Ave. in Emeryville. We have pending at your department a request for the closures of the monitoring wells at our former truck shop locations. Our intention is to no longer monitor these wells until a decision has been made on our request.

Berkeley Farms has not conducted business in these Emeryville locations since 1998; and no longer own these properties. Our desire is to finish our involvement in these properties. Please contact me when a determination has been made as to what action may be preformed on these wells. In the future please direct all Berkeley Farms correspondence regarding these wells to my attention. Thank you for your help on this matter.

Sincerely,

Peter D. Puckett  
Environmental Supervisor  
Berkeley Farms  
(510)265-8753

C: Rick Montesano, Paradiso Mechanical  
Joel G. Greger, Geo Logic

700-245

Armstrong Premier Properties  
774 Harrison Street  
San Francisco, CA 94107


January 15, 2003

Eva Chu  
Hazardous Materials Specialist  
Environmental Health Services  
1131 Harbor Bay Parkway, Suite 250  
Alameda, CA 94502-6577

Dear Ms. Chu

This is to advise you that pursuant to your letter dated January 10, 2003 I certify that in accordance with Section 25297.15 of Ch. 6.7 of the Health & Safety Code, all current record fee title owners have been informed of the proposed action referenced in your letter.

If any further action is required on our part, please let us know at your earliest convenience.

Sincerely,  
  
Mitch Fine

ALAMEDA COUNTY  
HEALTH CARE SERVICES



AGENCY  
DAVID J. KEARS, Agency Director

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

RO0000245

January 10, 2003

Mr. Norman Alberts  
Berkeley Farms  
2550 Clawiter Rd  
Hayward, CA 94545

Mr. Mitch Fine  
Armstrong Premier Properties  
744 Harrison St  
San Francisco, CA 94107

**SUBJECT: INTENT TO MAKE A DETERMINATION THAT NO FURTHER ACTION IS  
REQUIRED OR ISSUE A CLOSURE LETTER FOR 4575 SAN PABLO AVE, EMERYVILLE, CA**

Dear Messrs. Alberts and Fine:

This letter is to inform you that Alameda County Environmental Protection (LOP) intends to make a determination that no further action is required at the above site or to issue a closure letter. Please notify this agency of any input and recommendations you may have on these proposed actions within 20 days of the date of this letter.

In accordance with section 25297.15 of Ch. 6.7 of the Health & Safety Code, you must provide certification to the local agency that all of the current record fee title owners have been informed of the proposed action. Please provide this certification to this office within 20 days of the date of this letter.

If you have any questions about these proposed actions, please contact me at (510) 567-6762.

Sincerely,

eva chu  
Hazardous Materials Specialist

c: Betty Graham, RWQCB  
Ignacio Dayrit, City of Emeryville, 1333 Park Ave, Emeryville, CA 94608

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



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

RO0000245

September 3, 2002

Ms. Karen Bellini  
Harmon Management Corp  
199 1<sup>st</sup> Street, Suite 212  
Los Altos, CA 94022

Mr. Norman Alberts  
Berkeley Farms  
25500 Clawiter Road  
Hayward, CA 94545

**RE: Former Berkeley Farms Truck at 4575 San Pablo Ave., Emeryville, CA**

Dear Ms. Bellini and Mr. Alberts:

I have completed review of Geo-Logic's August 2002 *Work Plan/Proposal, Assessment of Residual Hydrocarbon Vapor in Soil* prepared for the above referenced site. The proposal to advance four soil gas vapor probes and collect soil vapor samples is acceptable with the following additions/changes:

- Soil vapor samples should be collected at approximately 24 inches below grade surface (so as not to puncture the vapor membrane)
- Soil vapor samples should also be analyzed for TPHg and TPHd (in addition to BTEX)

Data from this phase of investigation will be used to supplement the Human Health Risk Assessment previously submitted for the site. Pathways to be evaluated include soil vapor to indoor and outdoor air at a commercial and residential scenario. Field work should commence within 60 days of the date of this letter, or by **November 6, 2002**.

In the meantime, please continue with semi-annual sampling of well MW-1A. Groundwater should be sampled in September 2002 and March 2003. If you have any questions, I can be reached at (510) 567-6762.

eva chu  
Hazardous Materials Specialist

email: Joel Greger (Geo-Logic)

berkeleyfarmstruck-1

20-285

**geo - logic** *geotechnical and environmental consulting services*

1140 - 5th Avenue, Crockett, CA 94525

(510) 787-6867 - Fax (510) 787-1457

**FACSIMILE TRANSMITTAL**DATE: 8-6-02 # of Pages (including cover page) 3TO: Ms. eva chu OF: Alameda Co Env. HealthFAX NO: 3379335FROM: Joel Greger RE: 4575 San Pablo

eva - here are the technical specs on Paraseal GM. A 20ml thick layer of this material was laid down at approximately 42 inches below grade, over a prepared surface. All of the overlaps were sealed with Para JT joint sealing compound. Then two layers of 10 ml visqueen was laid over it, for a total thickness of 40 ml. Given the doubling up of the thickness here, and the potential difficulties of first locating and then sampling above the barrier at 3.5', perhaps we can reevaluate the need to test it?

Please call me to discuss. I can be reached at (510) 787-6967, or on my cell phone at (510) 593-5382.

# Paraseal™ GM

## Waterproofing & Gas

S

### Product Description:

Paraseal GM is a composite-sheet waterproofing membrane that combines a thick layer of high density polyethylene (HDPE) with expandable quality granular bentonite. Paraseal GM is manufactured to control thickness of 150-200 mils (3.75-5.0mm) and is installed as a system with Para JT Tape to form a superior dual membrane barrier to both water and aliphatic gases.

### Basic Uses:

Paraseal GM is used with Para JT Tape to waterproof and/or gasproof structures below grade. The Para JT Tape is installed within the Paraseal GM membrane sheet overlaps where it remains protected while providing a flexible, gasproof and waterproof seal. This dual membrane system exhibits outstanding performance in withstanding conditions of high water head and/or aliphatic gases. The Paraseal GM membrane system is excellent for use on poured concrete or block masonry foundation walls and it may be installed prior to the concrete pour such as on lagging, under floor slabs, in elevator pits, etc.

### Limitations:

- Do not apply in standing water or over snow.
- Whenever acid, alkalis or salt brine exist, Consult Tremco.

### Packaging:

4' x 24' (1.2mx7.3m) standard rolls.

### Installation:

Examine all surfaces prior to starting application. Dust may be pre-

sent however, all debris must be removed. Standing water and sharp protrusions over 1/4" (6.4mm) must be removed. Installation may proceed on uncured, damp or frozen surfaces. Paraseal GM is compatible with all currently used release agents. For installations under slab, prepare grade with layer of compacted sand and cover with 6 mil (.15mm) polyethylene film. Install preformed or site constructed boots around all penetrations prior to membrane installation.

### General Notes:

Paraseal GM is provided having a removable lap protector tape installed beneath the bentonite layer along the perimeter edges. This lap protector tape must be removed at the jobsite to clean the edges of the bentonite in preparation for insertion of the Para JT Tape. The Para JT Tape is always installed according to instructions in the Para JT Tape data sheet. It is advised that the Para JT Tape be fully in place on any membrane sheet prior to its overlapping, or being overlapped by, another Paraseal GM membrane sheet. All overlapped seams are roll-pressed using a hand-held metal seam roller to effect a complete seal and to fuse the membrane sheets together. Batten-strips are field fabricated to repair slits made in the installed membrane that may occur at penetrations. A batten-strip is fabricated by covering one face of a 6" (15.2cm) wide strip of HDPE liner with tightly abutting, side-by-side strips of Para JT Tape.

**Note:** Refer to manufacturer specifications and details which describe further techniques and specific requirements for vertical and underfloor installations.

### Backfilled Walls:

Paraseal GM is installed with the HDPE side facing the installer (bentonite side against the structure). Pour 2" (5.1cm) cove of Paramatramul into horizontal-to-vertical junctures (such as footing-to-wall) prior to covering with membrane. Inside vertical corners receive a cove of Paramastic or Vulkem 101T or 201T prior to covering with membrane. Paraseal GM membrane may be installed horizontal or vertical lifts by nailing along seams which are the overlapped with a subsequent sheet. All such nail heads must be covered completely with Para JT Tape extending 1" (2.5cm) beyond in all directions. Penetrations are detailed using Para JT Tape that has been removed from its paper backing and folded onto itself several times to be used like putty, firmly hand-pressed into place against the HDPE.

### Under Floor Slab:

Place into position unrolled 24' (7.3m) of Paraseal GM membrane. With Para JT Tape fully in place and protected by its paper backing, position overlapping membrane sheet to overlap 3-1/2" (8.0cm). Wipe clean HDPE surfaces within the overlap area. Remove the paper backing from the Para JT Tape within the overlap and press the seams together. If placed directly over prepared grade, the membrane must be protected against punctured by placing protective pads beneath the rebar chairs. Just prior to the concrete placement, inspect and patch any damages to the installed membrane. Place concrete as soon as possible after membrane installation and protect bentonite surfaces from rain until covered with concrete.

TREMCO

08-06-02 18:17:15

FROM: TREMCO

TO: 15107876867

PAGE 3

**Protection:**

The Paraseal GM dual waterproofing system has a **PUNCTURE RESISTANCE OF 169 LBS. (76.6 kg)** and does not require additional protection course for most applications. For special applications, contact your Tremco Representative for details.

**Storage:**

Protect from moisture. Store on skid or pallet, cover with polyethylene or tarp.

**Availability:**

Immediately available from your local Tremco Field Representative, Tremco Distributor or Tremco Warehouse.

**Warranty:**

Tremco warrants its Paraseal Membranes to be free of defects in materials, but makes no warranty as to appearance or color. Since methods of application and on site conditions are beyond our control and can affect performance, Tremco makes no other warranty, expressed or implied, including warranties of **MERCHANTABILITY and FITNESS FOR A PARTICULAR PURPOSE**, with respect to Tremco Paraseal Membranes. Tremco's sole obligation shall be, at its option, to replace, or refund the purchase of the quantity of Tremco Paraseal Membrane proved to be defective and Tremco shall not be liable for any loss or damage.

For MSDS and Spec Data Sheets,  
 Fax our 24 Hour Fax-Back Line:  
 1-800-551-2806  
 or visit our website:  
[www.tremcosealants.com](http://www.tremcosealants.com)

**TECHNICAL DATA**

Physical Properties	Value	Test Method
Colors gray/black or gray/transparent white		
Pliability: 180° bend over 1" (2.5cm) mandra @ -25°F (-31.7°C)	10,000	ASTM-D146
Tensile Strength: Membrane	4,000 psi (27.6MPa)	ASTM-D412
Resistance to microorganisms: (bacteria, fungi, mold, yeast)	unaffected	
Elongation-ultimate failure of membrane:	700%	D638 Type 4 Dumbbell
Puncture Resistance:	169 lbs. (76.6kg)	ASTM E154-88
Resistance to hydrostatic head (ft. (m) of water):	150 ft. (45.6m)	ASTM D751 Method
Resistance to water migration under membrane:	150 ft. (45.6m) Head zero leakage	Footnote #4
Water migration at or through joint:	Instant seal/ no penetration	Footnote #1
Permeance:	2.7x10 <sup>-11</sup> cm <sup>3</sup> /cm <sup>2</sup> /sec	Footnote #4
co-efficient of permeability	No deterioration	Footnote #2
Cycling over 1 1/2" (38.1mm) joint:	2000 cyc.	Footnote #3
Cycling over 1/4" (6.4mm) crack:	No deterioration 250 cyc.	
Installation Temperatures:	40°F to 130°F (5°C to 54.4°C)	
Non-toxic:	Do not ingest	
Freeze/thaw cycles:	No effect before or after installation.	
Gas transmission rate of the composite	11.98	
mL (aSTP)/cm <sup>2</sup> .atm		
Permeability of HDPE and Para JT in "Barrier" b 10-10mL (aSTP)/cm <sup>2</sup> .sec.cm Hg	0.50	
Permeance in perms	.03 grains/sq.ft./hr./in. Hg	ASTM E96-92
Life Expectancy:	Both high density polyethylene and bentonite have life expectancy measurable in the thousands-of-years.	

**FOOTNOTES FOR TECHNICAL DATA:**

1. A 1" (2.5cm) diameter hole was cut in the middle of a 3 1/2" (8.9cm) diameter sample of Paraseal. Sample clamped in 3" (7.6cm) diameter permeameter, 150' (45.6m) water head applied.
2. Membrane placed between 2 clamps 1 1/2" (3.8cm) apart. Temperature reduced to -25°F (-31.7°C) and clamps are pulled apart to 2 1/2" (6.4cm). Cycle repeated between 1 1/2" (3.8cm) and 2 1/2" (6.4cm) - 2000 times.
3. Membrane placed between 2 butting clamps. Clamps spread 3/8" (1cm) at -25°F (-31.7°C). Cycle repeated 250 times.
4. Membrane applied to porous stone and placed in permeameter. Pressure increased to equivalent of 150 ft. (45.6m) water head.
5. Test same as #4 only performed at joint.

aSTP = Standard temperature and pressure.

ba + unit of permeability normally used for homogeneous materials. The unit probably can be used to reflect the permeability of composite itself if the ratio of the thickness of the two materials is kept constant.

The determination was made at 23°C and 40 psi methane pressure. The difference in the two sets of values probably effects the difference and irregularity in thickness.

**TREMCO INCORPORATED**  
 Sealant/Weatherproofing Division

3735 Green Road • Beachwood, Ohio • 44122 • Phone: (216) 292-5000 • (800) 321-7906  
 220 Wicksteed Avenue • Toronto, ON M4H 1G7 • Phone: (416) 421-3300 • (800) 353-3213



APR 25 2002

**geo - logic** *geotechnical and environmental consulting services*

1140 - 5th Avenue, Crockett, CA 94525

(510) 787-6867 - Fax (510) 787-1457

March 6, 2002

Ms. Susan Hugo  
Alameda County Department of Environmental Health  
1131 Harbor Bay Parkway, 2<sup>nd</sup> Floor  
Alameda, CA

Re: Former Berkeley Farms Site, 4575 San Pablo Avenue, Emeryville

Dear Ms. Hugo:

Based on our conversation of today, I have updated the letter I previously sent you to reflect the options we discussed, since the case will be transferred to a new case worker.

Three monitoring wells are present at the site. The two northernmost wells, MW-2 and MW-3, are on a parcel that has been sold by KFC to Armstrong Roofing. The three wells have been monitored quarterly since February, 1998. The previous history of the site is summarized in the quarterly reports, the most recent of which is dated December 17, 2001.

Well MW-2, the northernmost well, is located directly downgradient from a former waste oil tank pit that was overexcavated. Relatively high concentrations of hydrocarbons first seen in this well have dropped to non-detectable.

Well MW-3 was originally installed at the request of the County as an upgradient well to see if contamination from the former Berkeley Farms Dairy site (4550 San Pablo Ave.) has migrated to the KFC site. This well was non-detectable until several quarters ago, but since December, 1999 has shown concentrations of MTBE ranging up to 24 parts per billion. Based on the flow direction and the site history, the MTBE is clearly from an upgradient source.

Well MW-1, at the southern end of the Property is located downgradient of a former service station site where the KFC building now resides. Extensive overexcavation was performed in this area to the practical limit. In addition, exploratory borings were installed downgradient, on the AC Transit property, providing delineation of the extent of the groundwater plume. Well MW-1 continues to show relatively high concentrations of hydrocarbons, which fluctuate seasonally as groundwater rises and falls, coming into periodic contact with a "smear zone" of residual contamination. However, the concentrations have shown a marked decrease since the levels found in this well prior to the overexcavation work. As in well MW-3, MTBE began to be detected in well MW-1 in December, 1999, and since that time has ranged up to 320 parts per billion. The fact that the service station usage of that portion of the Property ceased in the 1960's, and the history of no detected MTBE until it was also detected in December, 1999 in upgradient well MW-3, indicates that the MTBE is from an offsite upgradient source.

Based on the previous downgradient borings completed on the adjacent parcel to the west, the extent of the contaminant plume has been defined and shown to be relatively limited, and the flow velocities through the fine-grained clayey sediments are low. Therefore, the remaining contaminants in groundwater are not likely to further migrate. The northern portion of the Property, which has been sold to another owner and which contains two wells, appears to clearly be appropriate for closure, if division of the site into the present configuration of two parcels is possible. As there is a preponderance of evidence for a consistent direction of groundwater flow, retaining three wells does not appear necessary. At the southern portion of the site, the concentrations of hydrocarbons have decreased greatly since the overexcavation work, but remain elevated. The purpose of this letter, then, is to request direction from your department as to the remaining future work necessary to attain closure.

After your review of this case, please call me to discuss. I can be reached at (510) 787-6867.

Geo-Logic

Sincerely,



Joel G. Greger, C.E.G.  
Certified Engineering Geologist

License No. EG 1633

Exp. Date 8/31/2002

cc: Mr. Peter Puckett, Berkeley Farms  
Mr. Rick Montesano, Paradiso Mechanical



**BERKELEY FARMS, Inc.**

P.O. Box 4616 • Hayward • California 94540-4616 • Telephone (510) 265-8600

January 3, 2000

VIA CERTIFIED MAIL

Susan L. Hugo  
Hazardous Materials Specialists  
ALAMEDA COUNTY HEALTH CARE SERVICES  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577

SUBJECT: Notice of Proposed Action Submitted to Local Agency for:  
Former Berkeley Farms Truck Repair Facility  
4575 San Pablo Avenue, Emeryville, CA 94608

Dear Ms. Hugo:

In accordance with Section 25297,15(a) of Chapter 6.7 of the Health & Safety Code, I, James P. Roland, certify that I have notified all responsible landowners of the enclosed proposed action:

- 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,

JAMES P. ROLAND  
Vice President-Finance  
BERKELEY FARMS, INC.

JPR:blh

cc: Karen Bellini  
Harmon Management Corporation  
199 First St, Suite 212  
Los Altos, CA 94022  
Steve Graham



**BERKELEY FARMS, Inc.** P.O. Box 4616 • Hayward • California 94540-4616 • Telephone (510) 265-8600

January 3, 2000

VIA CERTIFIED MAIL

Susan L. Hugo  
Hazardous Materials Specialists  
ALAMEDA COUNTY HEALTH CARE SERVICES  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577

SUBJECT: Certified List of Record Fee Title Owners for:  
Former Berkeley Farms Truck Repair Facility  
4575 San Pablo Avenue, Emeryville, CA 94608

Dear Ms. Hugo:

In accordance with Section 25297,15(a) of Chapter 6.7 of the Health & Safety Code, I, James P. Roland, certify that the following is a complete list of current record fee title owners and their mailing addresses for the above site:

Karen Bellini  
Harmon Management Corporation  
199 First St, Suite 212  
Los Altos, CA 94022

Sincerely,

JAMES P. ROLAND  
Vice President-Finance  
BERKELEY FARMS, INC.

JPR:blh

cc: Karen Bellini  
Steve Graham

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

ENVIRONMENTAL PROTECTION

1131 Harbor Bay Parkway

Alameda, CA 94502-6577

(510) 567-6700

(510) 337-9432

December 27, 1999

Mr. Mitch Fine  
General Manager  
Armstrong Installation Services  
774 Harrison Street  
San Francisco, California 94167

RE: **Former Berkeley Farms Truck Repair Shop and Yard (STID # 6558)**  
**4575 San Pablo Avenue, Emeryville, CA 94608**

Dear Mr. Fine:

This agency has been informed that Armstrong Premier Property, LOC is a prospective purchaser of a portion of the above subject property. I understand that your lender, U.S. Small Business Administration is requesting guidance with respect to groundwater pollution from off-site sources that may potentially impact the subject site. As you know, MW-3, an upgradient well has not detected any petroleum hydrocarbon since groundwater monitoring was initiated in 1998.

Based on the data submitted to date for the site, it does not appear that groundwater pollution from off-site sources has impacted the site, particularly the portion of the property your are currently interested in buying. In general, this agency does not pursue enforcement action against a property owner whose land overlies contaminated groundwater if that contamination is solely the result of the migration of groundwater contaminants from off-site sources. However, this agency may hold such a property owner responsible for investigation or cleanup tasks if he or she refuses to provide reasonable access to an upgradient discharger attempting to investigate and cleanup off-site groundwater pollution.

Please call me at (510) 567-6780 if you have any questions regarding this letter or the subject site.

Sincerely,

Susan L. Hugo  
Hazardous Materials Specialist

c: Ariu Levi, Chief, Hazardous Materials/Household Hazardous Waste Programs  
Chuck Headlee, San Francisco Bay RWQCB  
Nina Sinclair, TMC Development, 611 Front Street, San Francisco, CA 94111  
Karen Bellini, Harmon Management Corp., 199 First St., Suite 212, Los Altos, CA 94022  
Norman Alberts, Berkeley Land Co., 1211 Newell Ave., Suite 120, Walnut Creek, CA 94596  
Philip Smith, Treadwell & Rollo, 555 Montgomery St., Suite 1300, San Francisco, CA 94111  
SH / files



**BERKELEY FARMS, Inc.**

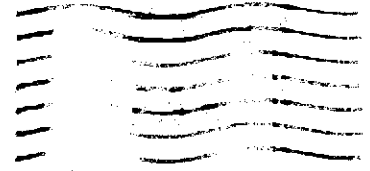
P.O. Box 4616 • Hayward, CA 94540-4616

Fold at line over top of envelope to  
the right of the return address

**CERTIFIED**

Z 165 227 631

**MAIL**



Susan L. Hugo  
Hazardous Materials Specialists  
ALAMEDA COUNTY HEALTH CARE SERVICES  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577

94502-6340 39



Harman Management Corporation



December 17, 1999

199 First Street, Suite 212  
Los Altos, CA 94022-2708  
650 941 5681  
Fax 650 948 7532

Ariu Levi  
Alameda County Health Care Services  
Environmental Health Services  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577

RE: St.ID# 6558, Former Berkeley Farms Truck  
4575 San Pablo Avenue, Emeryville, Ca 94608

Dear Ariu:

In response to your Certified Notice of Responsibility of December 6, 1999, Harman KFC Investment is responding to notify you it is the Fee Owner of the referenced property.

It is our understanding that Berkeley Farms remains the Responsible Party regarding the contamination at this site.

We are in escrow at the present time to sell a portion of this property to Armstrong Installation Service and will advise you when this escrow closes.

Please let me know if you have any questions or require anything further at this time.

Sincerely,

Karen Bellini  
Director of Real Estate

99 DEC 21 AM 10:28

ENVIRONMENTAL  
PROTECTION

# TMC

# DEVELOPMENT

## The Bay Area's #1 CDC

611 Front Street  
San Francisco, CA 94111  
Phone: (415) 989-8855  
Fax: (415) 989-3382

## FAX

**DATE:** 12/16/99

**TO:** SUSAN L. HUGO  
ALAMEDA COUNTY HEALTH DEPARTMENT

**FAX:** 510-337-9335

**SENDER:** NINA SINCLAIR (415) 206 1434 fax X215  
EXECUTIVE VICE PRESIDENT  
CHIEF OPERATING OFFICER

**RE:** 4575 SAN PABLO AVENUE, EMERYVILLE

**# OF PAGES:** 3 INCLUDING THIS COVER SHEET



**T M C** | DEVELOPMENT

Wednesday, February 17, 1999

Dear [REDACTED]

Enclosed please find a sample "comfort letter" per your request to [REDACTED]. The SBA's legal counsel has stated that the following language needs to be included in the letter:

"In general, the Board does not pursue enforcement action against a property owner whose land overlies contaminated groundwater if that contamination is solely the result of the migration of contaminants from an off-site source or sources. Accordingly, the Board will not hold current and future owners, the Small Business Administration (SBA) or the first mortgage lender responsible for investigation or cleanup tasks with respect to groundwater pollution from offsite sources. However, the board may hold such a property owner responsible for investigation or cleanup tasks if he or she refuses to provide reasonable access to an up gradient discharge attempting to investigate and cleanup off-site groundwater pollution".

I have forwarded a copy of this letter to [REDACTED]. We would greatly appreciate his assistance in obtaining a similar letter from the Regional Water Quality Control Board. Thank you for your attention to this matter.

*SAMPLE*



Pete Wilson  
Governor

**CalVEPA**

Date: August 5, 1997

San Francisco Bay  
Regional Water  
Quality Control  
Board

Mr. Richard Jones  
Chief, Finance Division  
U.S. Small Business Administration  
San Francisco District Office  
455 Market Street, 6th Floor  
San Francisco, CA 94105-2445

2101 Webster Street Suite  
500  
Oakland, CA 94612  
(510) 286-1233  
FAX (510) 286-1380

AUG 07 1997

SUBJECT: [REDACTED]

Dear Mr. Jones:

This letter explains the status of the subject property with respect to groundwater pollution in the vicinity. The subject property is located at [REDACTED]. Petroleum hydrocarbons as bunker C oil have been detected in the groundwater both up and down gradient of the subject property. Bunker C oil impact has been recognized by the Board as a regional problem in the vicinity of the site. However, analytical results of soil samples indicate that bunker C oil is not detectable on the site.

Based on information currently available to Board staff, we conclude that no bunker C oil was used at the site and that the subject property did not contribute to the widespread regional groundwater problem. Groundwater pollution detected beneath the subject property is likely the result of the migration of pollutants from up gradient sites. In general, the Board does not pursue enforcement action against a property owner whose land overlies contaminated groundwater if that contamination is solely the result of the migration of contaminants from an off-site source or sources. Accordingly, the Board will not hold current and future owners of the subject properties responsible for investigation or cleanup tasks with respect to groundwater pollution from offsite sources. However, the Board may hold such a property owner responsible for investigation or cleanup tasks if he or she refuses to provide reasonable access to an up gradient discharger attempting to investigate and cleanup off-site groundwater pollution.

If you have any questions, please contact Mr. Vic Pal of my staff at (510) 286-0687.

Sincerely,

*Loretta K. Barsamian*  
Loretta K. Barsamian  
Executive Officer

SAMPLE

cc: [REDACTED] TMC Development



ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700  
(510) 337-9432

December 10, 1999

Mr. Mitch Fine  
General Manager  
Armstrong Installation Services  
774 Harrison Street  
San Francisco, California 94167

**RE: Former Berkeley Farms Truck Repair Shop and Yard (STID # 6558)**  
**4575 San Pablo Avenue, Emeryville, CA 94608**

Dear Mr. Fine:

This agency has been informed that Armstrong Premier Property, LOC is a prospective purchaser of a portion of the above subject property. I understand that the subject site will be split into two parcels. Parcel 1 (the southern portion of the property) is currently occupied by the new KFC Store. Parcel 2 (the northern portion of the site) is occupied by a vacant building and formerly used as repair shop and office. I also understand that you are a potential buyer of Parcel 2 where a former waste oil tank was removed.

Based on the review of all the reports submitted to date for the subject site, no further excavation of soil associated with the former waste oil tank is warranted at the site. In addition, it appears that the extent of the soil and groundwater plume has been adequately characterized. However, quarterly groundwater monitoring of well MW-2 must be continued for at least one more year to show that the plume is stable and the concentration of contaminants in groundwater is decreasing. Monitoring well MW-3 is currently used as a downgradient well for the former Berkeley Farms Dairy Facility located east and directly upgradient of the subject site.

Prior to any redevelopment activities at the subject property, a risk management plan must be prepared and approved by this agency. In addition, if a change in the current land use (commercial/light industrial) is proposed for the subject site to a more conservative scenario (such as residential or day-care facility), then a risk assessment will be necessary to validate that such a conservative scenario is an acceptable use at the site.

Please call me at (510) 567-6780 if you have any questions regarding this letter or the subject site.

Sincerely,

Susan L. Hugo  
Hazardous Materials Specialist

c: Ariu Levi, Chief, Hazardous Materials/Household Hazardous Waste Programs  
Chuck Headlee, San Francisco Bay RWQCB  
Karen Bellini, Harmon Management Corp., 199 First St., Suite 212, Los Altos, CA 94022  
Norman Alberts, Berkeley Land Co., 1211 Newell Ave., Suite 120, Walnut Creek, CA 94596  
Philip Smith, Treadwell & Rollo, 555 Montgomery St., Suite 1300, San Francisco, CA 94111  
SH / files

LOP - CHANGE RECORD REQUEST FORM

printed:  
12/06/1999

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 : 6558      LOC:  
 SITE NAME: Former Berkeley Farms Truck Re      DATE REPORTED : 11/24/1997  
 ADDRESS : 4575 San Pablo Ave      DATE CONFIRMED: 10/24/1997  
 CITY/ZIP : Emeryville      94608      MULTIPLE RPs : Y

SITE STATUS

CASE TYPE: W CONTRACT STATUS: 3      PRIOR CODE:2B4      EMERGENCY RESP:  
 RP SEARCH: S      DATE COMPLETED: 09/01/1998  
 PRELIMINARY ASMNT: C      DATE UNDERWAY: 09/22/1997      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: 09/24/1998  
 LUFT FIELD MANUAL CONSID: 3HSCAWG  
 CASE CLOSED:      DATE CASE CLOSED:  
 DATE EXCAVATION STARTED : 11/01/1997      REMEDIAL ACTIONS TAKEN: ED,GT

RESPONSIBLE PARTY INFORMATION

RP#1-CONTACT NAME: Ms. Karen Bellini  
 COMPANY NAME: Harmon Management Corporation  
 ADDRESS: 199 First St. Suite #212  
 CITY/STATE: Los Altos, California 94022

RP#2-CONTACT NAME: Mr. Norman Alberts  
 COMPANY NAME: Berkeley Farms  
 ADDRESS: 25500 Clawiter Road  
 CITY/STATE: Hayward, California 94545

INSPECTOR VERIFICATION:			
NAME	SIGNATURE	DATE	
Name/Address Changes Only		Case Progress Changes	
ANNP GMS	LOP	DATE	LOP      DATE

## ALAMEDA COUNTY HAZARDOUS MATERIALS DIVISION

12/06/1999

## UNDERGROUND STORAGE TANK CLEANUP SITE

AGENCY#: 10000 SOURCE OF FUNDS: F-FEDERAL INSPECTOR: SH  
 StID: 6558 SUBSTANCE: 12034 -Diesel  
 SITE NAME: Former Berkeley Farms Truck Re DATE REPORTED : 11/24/1997  
 ADDRESS : 4575 San Pablo Ave DATE CONFIRMED: 10/24/1997  
 CITY/ZIP : Emeryville, CA 94608 MULTIPLE RP's : Y

CASE TYPE: W CONTRACT STATUS: 3 PRIOR:2B4 EMERGENCY RESPONSE: -0-

RP SEARCH	: S		DATE END: 09/01/1998
PRELIM ASSESSMENT	: C	DATE BEGIN: 09/22/1997	DATE END: -0-
REMEDIAL INVESTIG	: -	DATE BEGIN: -0-	DATE END: -0-
REMEDIAL ACTION	: -	DATE BEGIN: -0-	DATE END: -0-
POST REMED MONITOR:	-	DATE BEGIN: -0-	DATE END: -0-

TYPE ENFORCEMENT ACTION TAKEN: 1 DATE OF ENFORC. ACTION: 09/24/1998

## UNDERGROUND STORAGE TANK CLEANUP SITE - SCREEN #2

LUFT FIELD MANUAL CONSIDERATION: 3HSCAWG CASE CLOSED: - on: -0-

DT EXC START: 11/01/1997 REMEDIAL ACTIONS TAKEN: ED,GT

RP #1: CONTACT: Ms. Karen Bellini RP COST: \$0.00  
 RP COMPANY NAME: Harmon Management Corporation Ph: -0-  
 ADDRESS: 199 First St. Suite #212  
 CITY/STATE: Los Altos, California 94022

-0-

SITE ID#: 6558

## ADDITIONAL RP'S

RP #2  
 CONTACT NAME: Mr. Norman Alberts  
 COMPANY NAME: Berkeley Farms RP Ph: -0-  
 ADDRESS: 25500 Clawiter Road  
 CITY/ST/ZIP: Hayward, California 94545

Listing all LOP DAILY activities since 1991 for StID # 6558  
as of 12/06/1999

Act91\_4  
Act92\_1  
-0-  
-0-  
Act92\_2  
-0-  
Act93\_1  
-0-  
Act93\_2  
-0-  
Act94\_1  
-0-  
-0-  
-0-  
Act95\_1  
Act95\_2  
Act95\_3  
Act95\_4  
Act96\_1  
Act96\_2  
Act96\_3  
Act96\_4  
Act97\_1  
Act97\_2  
ACT97\_3  
ACT97\_4  
ACT98\_1  
ACT98\_2  
act98\_3

ActivDat	Insp	ACT	Activ	StID	actcostf	acomment
09/15/1998	SH	200	1.5	6558	\$83.45	Reviewed RMP faex by Cliff Davenport for the site.
09/21/1998	SH	200	1.	6558	\$55.63	Discuss with Cliff Davenport comments on RMP
09/24/1998	SH	200	1.	6558	\$55.63	RP search; NOR mailed out
09/30/1998	SH	200	0.5	6558	\$27.82	Talked to Clif Davenport re: RMP
09/30/1998	SH	200	2.5	6558	\$139.08	On site; drilling three borings downgradient (at AC Transit property).
act98_4						
10/01/1998	SH	200	0.5	6558	\$27.82	Talked to Jim Blaney re:site
10/07/1998	SH	200	0.5	6558	\$27.82	Talked to Joel Greger re: piping trench sampling
10/08/1998	SH	200	1.5	6558	\$83.45	On site ; met with Joel Greger: drilling 3 soil
10/16/1998	SH	200	2.5	6558	\$139.08	Reviewed RMP; letter out
10/19/1998	SH	200	0.3	6558	\$16.69	Talked to Clif Davenport re: RMP
10/20/1998	SH	200	2.	6558	\$111.26	Talked to Clif Davenport re: RMP letter; submitted H&SP; wells will be protected during construction; reviewed H&SP
10/22/1998	SH	200	1.	6558	\$55.63	Reviewed case file; location of borings
11/13/1998	SH	200	1.5	6558	\$83.45	Talked to Karen Bellini re: deed notification; RMP recordable form;

					reviewed last QMR.	
01/11/1999	SH	200	0.5	6558	\$27.82	Talked to Mike Michulach (Berkeley Farms) re: RMP
01/20/1999	SH	200	0.5	6558	\$27.82	Talked to Cliff Davenport (Waterstone) re; vapor migration; vapor barrier placed at bottom of excavation.
02/11/1999	SH	200	1.	6558	\$55.63	Reviewed RMP
02/25/1999	SH	200	0.5	6558	\$27.82	Talked to Cliff Davenport re: Risk assessment
02/26/1999	SH	200	0.5	6558	\$27.82	On site; construction activity at the site; one well damaged and will be replaced
03/11/1999	SH	200	2.	6558	\$111.26	Reviewed Risk Assessment
03/12/1999	SH	200	2.	6558	\$111.26	Reviewed Risk Assessment
03/15/1999	SH	200	0.5	6558	\$27.82	Talked to Cliff Davenport re: Risk Assessment for site
03/23/1999	SH	200	0.5	6558	\$27.82	Talked to Cliff Davenport re: RA
03/24/1999	SH	200	1.5	6558	\$83.45	Talked to Cliff Davenport; continue review of RA
03/25/1999	SH	200	2.5	6558	\$139.08	Continue review of RA; discuss with Cliff Davenport
04/16/1999	SH	200	0.9	6558	\$50.07	Reviewed QMRs; including RA'
04/27/1999	SH	200	0.8	6558	\$44.51	Review QMR
05/17/1999	SH	200	1.	6558	\$55.63	Reviewed GWR; need replacement well
05/19/1999	SH	200	1.	6558	\$55.63	Talked to Cliff Davenport; Risk Assessment report for the site
05/20/1999	SH	200	2.	6558	\$111.26	Letter re: RMP / RA
06/03/1999	SH	200	1.	6558	\$55.63	RP search; land owner notification.
06/14/1999	SH	200	2.	6558	\$111.26	Reviewed Risk Assessment report; addendum; draft letter
06/18/1999	SH	200	1.5	6558	\$83.45	Letter re: RBCA & remedial actions

complete

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES  
ENVIRONMENTAL PROTECTION  
1131 Harbor Bay Parkway  
Alameda, CA 94502-6577  
(510) 567-6700  
(510) 337-9432

December 6, 1999

STID #6558

Berkeley Farms  
Attn: Mr. Norman Alberts  
25500 Clawiter Road  
Hayward, California 94545

Ms. Karen Bellini  
Harmon Management Corporation  
199 First St., Suite 212  
Los Altos, California 94022

**RE: Former Berkeley Farms Truck Repair Facility  
4575 San Pablo Avenue, Emeryville, California 94608**

**\*\*\*\* SECOND NOTICE\*\*\*\***

**LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS**

Dear Mr. Alberts and Ms. Bellini :

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). **The first notice was sent to both of you on June 3, 1999.** 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: 4575 San Pablo Avenue, Emeryville

December 6, 1999

Page 2 of 2

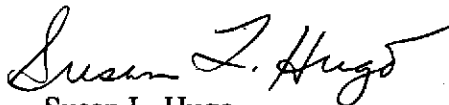
In accordance with Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code, you must certify to the local agency that all current record owners of fee title to the site have been informed of the proposed action before the local agency may do any of the following:

- 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  
SH / files

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

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

STID 6558

ENVIRONMENTAL  
PROTECTION

**Treadwell & Rollo**

2 December 1999  
Project 2708.01

99 DEC -7 AM 10:14

Mr.

Armstrong Premier  
Property LLC

Mitch Fine

Gen. Mgr Installation  
Service  
Armstrong Industries

774 Harrison St  
SF 94167

Ms. Susan L. Hugo  
Alameda County Health Care Services  
Environmental Health Care Services  
1131 Harbor Bay Parkway, Suite 250  
Alameda, California 94502-6577

Subject: Berkeley Farms Truck Repair Shop and Yard  
STID # 6558  
4575 San Pablo Avenue, Emeryville, CA 94608

Dear Ms. Hugo,

Treadwell & Rollo, Inc. has been retained by a prospective purchaser of the above-cited property to assess environmental liability issues associated with potential soil and groundwater contamination at and in proximity to the property. The attached Declaration of Easements indicates the subdivision of the block bounded by 47th and 45th Streets to the north and south, and San Pablo Avenue to the east. Our client is interested in purchasing Parcel 2, only.

We have reviewed several technical reports pertaining to the removal of a 500-gallon waste oil tank that was located north of the former repair shop and office in Parcel 2, and subsequent soil removal actions and groundwater monitoring. We have also reviewed your 16 July 1998 letter to the Berkeley Land Company, in which you: summarized the work done to date, stated that no further soil excavation appeared warranted, and requested that the lateral extent of groundwater be determined, that monitoring wells be installed on the site, and that groundwater was being monitored for fuel hydrocarbons, chlorinated solvents, and specific metals. You also stated that redevelopment of the site would require the preparation and approval of a "risk management plan".

On behalf of our client, we request the following:

- Your assessment of the current site status, including whether you are satisfied with the definition of the extent of soil and groundwater contamination, the completeness of the soil remediation work at the waste oil tank, and the groundwater monitoring program.
- A formal Closure Letter issued to Berkeley Land Co., the current owner, stating that the site has been adequately characterized, that further soil and/or groundwater remediation is not required, and that groundwater monitoring wells on Parcel 2 can be abandoned immediately.
- In the absence of a Closure Letter, issuance of a "comfort letter" to our client, stating that the County is satisfied with the site characterization and groundwater monitoring, that

Ms. Susan L. Hugo  
2 December 1999  
Page 2

groundwater monitoring will cease within a specified period of time, and that additional soil and/or groundwater remediation is not currently contemplated.

Our client has less than one week to finalize their environmental due diligence prior to purchasing Parcel 2. Your immediate attention to this issue would be very much appreciated. Please call me with any questions regarding this request.

Sincerely yours,  
TREADWELL & ROLLO, INC.



Philip G. Smith  
Principal

27080101.PGS

cc: James Arnold, Esq.

Attachment

#10

RECORDING REQUESTED BY

*Chanson File*

31

WHEN RECORDED  
RETURN TO:

Herman KFC Investment  
199 First Street, Suite 212  
Los Altos, CA 94022  
Attn: Karen Bellini

Recorded in Official Records of Alameda Co.  
Patrick J. Cornell, Clerk-Recorder

99358776 19.00

99358776 08:30AM 09/21/99

008 938103 38 27 000002  
002 8 7.00 12.00 0.00 0.00 0.00 0.00  
0.00

DECLARATION OF EASEMENTS

THIS DECLARATION OF EASEMENT is entered as of July 8, 1999, by  
HARMAN KFC INVESTMENT ("Declarant").

RECITALS

A. Declarant is the owner of those certain parcels of real property (collectively, the  
"Parcels") located in Emeryville, California, and more particularly described as Parcel 1  
and Parcel 2 as shown on that certain proposed Parcel Map No. 7423 filed  
*September 21*, 1999 in Book *346* of Maps, page *57*, Alameda  
County Records.

B. Declarant desires to subject the above-described Parcel 1 and Parcel 2 to the  
easements set forth herein in furtherance of Declarant's plan for the development of the  
Parcels.

DECLARATIONS

NOW THEREFORE, Declarant, as owner of the Parcels, for itself and its successors and  
assigns does hereby declare as follows:

1. **DECLARANT'S INTENT:** Declarant is the owner of the Parcels and intends to  
develop the Parcels for various uses. The Parcels shall be held, conveyed,  
hypothecated, encumbered, sold, leased, used and improved subject to the  
easements set forth in this Declaration, which are in furtherance of Declarant's  
plan for development of the Parcels. The easements set forth in this Declaration  
shall run with, be binding upon and inure to the benefit of the Parcels and each

99358776

part of the Parcels and shall be binding upon and inure to the benefit of each and every person, including Declarant, having or acquiring any right, title or interest in all or any portion of the Parcels and their successors and assigns.

2. **GRANT OF EASEMENTS.** Declarant hereby grants and establishes for itself, and its successors and assigns, for the mutual benefit of both Parcels 1 and 2 of Parcel Map No 7423, Alameda County Records, A non-exclusive reciprocal easement over Parcels 1 and 2 of Parcel Map. No 7423, for ingress and egress by the property owners, its lessees, customers and invitees over Parcels 1 and 2 at the locations of the driveways and internal drive lanes and road accesses.
3. **MODIFICATIONS OF EASEMENT AREA:** The ingress/egress area, internal drive lanes and road accesses shall include such additional area as reasonably may be necessary to accommodate normal usage of the properties
4. **ENFORCEMENT:** Declarant and all future owners of Parcels 1 and 2 shall have the right to enforce, by proceedings at law or in equity, the terms and conditions of this Declaration. The right to enforce this Declaration shall include, without limitation, the right to maintain a proceeding at law or in equity against any persons who have violated or who are attempting to violate any of the easements granted herein or any of the provisions of this Declaration, to enjoin or prevent them from doing so, to cause the violations to be remedied, and/or to recover damages.
5. **NO EASEMENT IN THE GENERAL PUBLIC:** Nothing herein shall be deemed to create any easement in favor of the general public.
6. **RESERVATION OF RIGHTS:** Declarant reserves the right, on behalf of itself and all future owners of Parcels 1 and 2 to post notices and/or close off portions of Parcels 1 and 2 for such reasonable period or periods of time as may be legally necessary to prevent the acquisition of prescriptive rights by anyone. Declarant, on behalf of itself and all future owners of Parcels 1 and 2, retains any and all rights not specifically granted herein, including without limitation any and all rights which are not directly incompatible with the easements granted herein, and the right to grant easements to other third parties over, under and through Parcels

99358

1 and 2 for any purpose including without limitation, rights-of-way for similar uses and utility easements.

7. **MODIFICATION OF DECLARATION:** This Declaration may be modified only by a written and recorded agreement signed by (i) all of the owners of the Parcels, and (ii) Declarant, for as long as Declarant has an interest in either of the Parcels.
8. **ATTORNEY'S FEES:** In the event of any controversy, claim or dispute between the owner(s) of Parcel 1 and the owner(s) of Parcel 2 relating to this Declaration or the breach thereof, the prevailing party shall be entitled to recover from the losing party its reasonable expenses, including reasonable attorneys' fees and costs.
9. **EXHIBITS:** All exhibits attached to this Declaration are incorporated in and made a part of this Declaration by reference.
10. **GOVERNING LAW:** This Declaration shall be interpreted under and governed by the laws of the State of California.
11. **SEVERABILITY:** Invalidity of any of the covenants set forth herein by judgement or court order will not affect any of the other provisions which will remain in full force and effect.

IN WITNESS WHEREOF, Declarant has executed this Declaration as of the date first set forth above.

HARMAN KFC INVESTMENT, a  
California Limited Partnership  
Harman Capital Corporation,  
General Partner

Leon W. Harman  
Leon W. Harman,  
President

3



99358776

CERTIFICATE OF ACKNOWLEDGEMENT

State of California )SS  
County of Santa Clara)

On JULY 15 1997 before me, Linda v. Bennett, Notary Public,  
personally appeared

LEO W. HARMAN

\_\_\_\_\_, 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/hers/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.

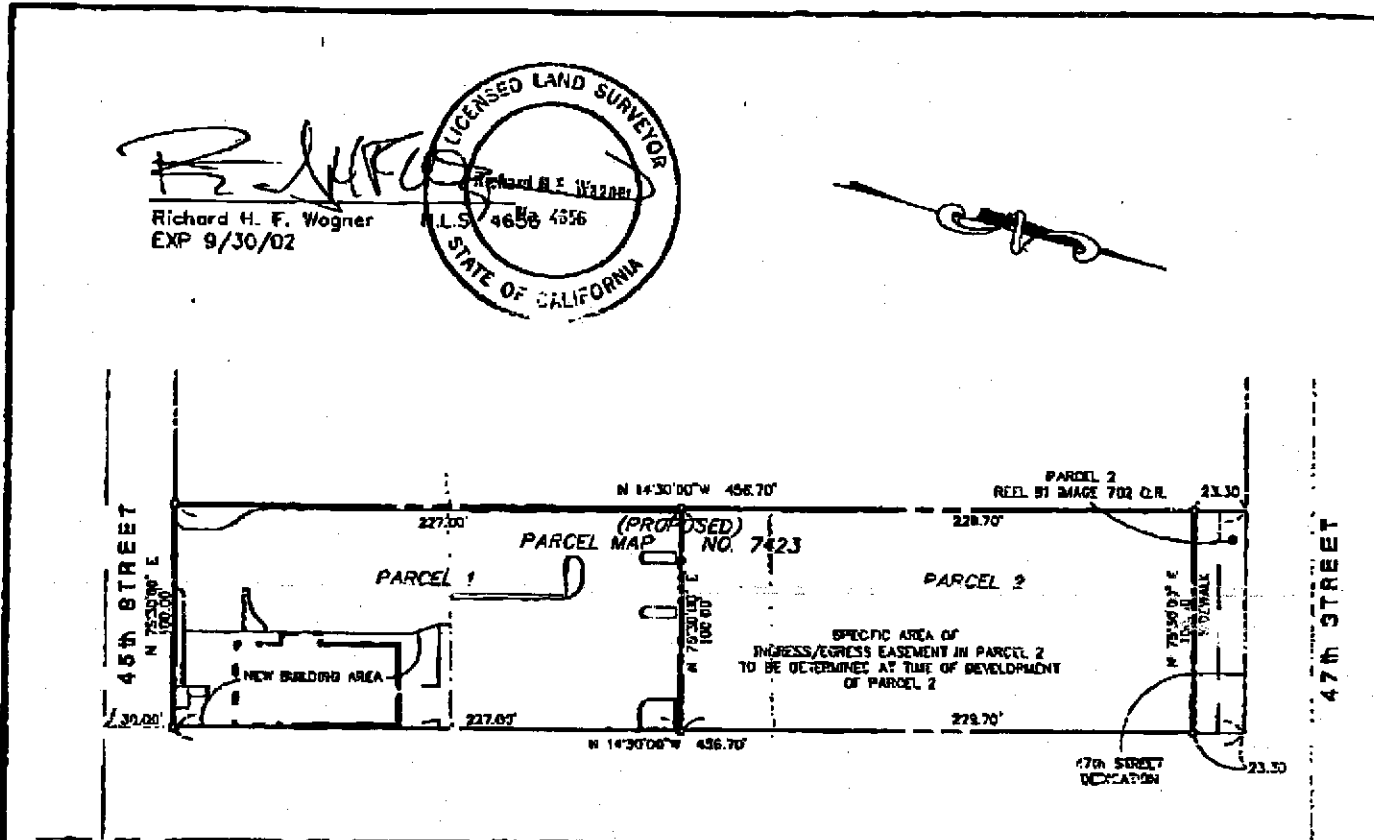
WITNESS my hand and official seal.

Linda v. Bennett  
Notary's Signature



(Seal)

*My Comm expires Feb 16, 2001*



SAN PABLO AVE  
(100' WIDE)

### EXHIBIT "C"

SHOWING RECIPROCAL INGRESS/EGRESS EASEMENT ON PARCELS 1 & 2 OF PROPOSED PARCEL MAP NO. 7423 CITY OF EMERYVILLE-COUNTY OF ALAMEDA	RHL ARCHITECTURE - ENGINEERING - ENVIRONMENTAL SERVICES 1137 N. MADONSEL BLVD. PETALUMA, CA 94954 (707) 765-1860	SCALE: 1"=50'	RHL# 9343.30
			DWN BY: AJS
			DATE: 3/16/89
			SHEET # 10F1

99358776

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



June 15, 1999

ENVIRONMENTAL HEALTH SERVICES

1131 Harbor Bay Parkway, Suite 250

Alameda, CA 94502-6577

(510) 567-6700

(510) 337-9335 (FAX)

Ms. Karen Bellini  
Director of Real Estate  
Harmon Management Corporation  
199 First Street, Suite 212  
Los Altos, CA 94022

Mr. Norman Alberts  
Berkeley Farms  
25500 Clawiter Road  
Hayward, CA 94545

**Subject: Former Berkeley Farms Truck Repair Yard  
4575 San Pablo Avenue, Emeryville, California 94608 (STID #6558)**

Dear Ms. Bellini and Mr. Alberts:

This agency has reviewed the following reports: Risk Based Corrective Action (RBCA) Tier 2 Risk Assessment (April 2, 1999) and Discovery, Sampling and Remediation of Impacted Soils (February 12, 1999), prepared and submitted by Waterstone Environmental for the subject site.

The referenced reports documented the recent work conducted during construction activities at the property and address potential human health risks associated with petroleum hydrocarbons found in soil and/or groundwater at the site.

The risk assessment concluded that the "soil and groundwater to indoor air" exposure pathway for on-site commercial workers is the only exposure route through which the concentrations exceeded the range of acceptable risk threshold levels (10-4 to 10-6) in unabated conditions. However, remedial actions such as three feet of clean soil beneath the building, installation of a vapor barrier and installation of backup vapor collection and exhaust system were conducted at the site. Therefore, the indoor air exposure pathway is not expected as a complete pathway.

In addition, in-situ remediation to reduce the petroleum hydrocarbons found in soil and/or groundwater will be required prior to evaluating the site case for closure. Oxygen releasing compounds (ORCs) were introduced in monitoring wells MW-1 and MW-2. It was also reported that monitoring well MW-1 was destroyed during construction activities at the site. This well must be properly decommissioned and a replacement well must be installed.

Please submit a work plan to address the replacement of the well and the abatement of petroleum hydrocarbons found in soil and /or groundwater at the site.

Your work plan should be submitted to this office no later than August 15, 1999.

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

Sincerely,

Susan L. Hugo  
Hazardous Materials Specialist

c: Ravi Arulanantham, San Francisco Bay RWQCB  
Chuck Headlee, San Francisco Bay RWQCB  
Clif Davenport, Waterstone Environmental, 2712 Rawson St., Oakland, CA 94619  
Joel Greger, Geo-Logic, 1140 5<sup>th</sup> Avenue, Crockett, CA 94525  
SH / files



ENVIRONMENTAL HEALTH SERVICES

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

June 3, 1999

STID #6558

Berkeley Land Company  
Attn: Mr. Norman Alberts  
1211 Newell Avenue, Suite #120  
Walnut Creek, California 94596

**RE: Former Berkeley Farms Truck Repair Facility  
4575 San Pablo Avenue, Emeryville, California 94608**

**LANDOWNER NOTIFICATION AND PARTICIPATION REQUIREMENTS**

Dear Mr. Alberts:

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: 4575 San Pablo Avenue, Emeryville

June 3, 1999

Page 2 of 2

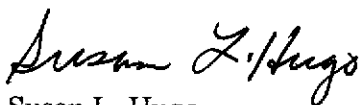
In accordance with Section 25297.15(a) of Ch. 6.7 of the Health & Safety Code, you must certify to the local agency that all current record owners of fee title to the site have been informed of the proposed action before the local agency may do any of the following:

- 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  
Karen Bellini, Harmon Management Corp., 199 First St., Suite 212, Los Gatos, CA 94022  
Clif Davenport, Waterstone Environmental, 2712 Rawson St., Oakland, CA 94619  
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

April 5, 1999

# 56  
12 TFS  
48

Ms. Karen Bellini  
Director of Real Estate  
Harmon Management Corporation  
199 First Street, suite 212  
Los Altos, CA 94022

Dear Ms. Bellini:

RE: APPROVAL OF HUMAN HEALTH RISK ASSESSMENT, FORMER BERKELEY FARMS  
PROPERTY, 4575 SAN PABLO AVENUE, EMERYVILLE (STID #6558)

This agency has reviewed the case file concerning the soil and groundwater investigations at the above-referenced site. We are in receipt of the following documents, submitted on behalf of Harmon Management Corporation by Waterstone Environmental, LLC on February 12, 1999:

- Human Health Risk Assessment- Former Berkeley Farms Property (Final dated April 2, 1999), and
- Discovery, Sampling and Remediation of Impacted Soils, former Berkeley Farms Property

The documents are comprehensive, and address this agency's concerns regarding occupancy of the building by commercial workers at the site. Subject to the following items, the documents are approved and occupancy of the building may proceed.

- 1-
- 2-

If you have any question concerning this letter or the subject site, please call me at (510) 567-6780.

Sincerely,

Susan L. Hugo  
Hazardous Materials Specialist

Cc: Charles Headlee, San Francisco Bay RWQCB  
SH/ files  
Clifton Davenport, Waterstone

40 mil thick  
vapor barrier installed  
at base of excavation





## **WATERSTONE ENVIRONMENTAL, INC**

**Clifton W. Davenport**, *Principal Geohydrologist*  
2712 Rawson Street\* Oakland, CA 94619  
510-533-6710 \* Fax: 510-533-7501  
E-Mail: cdavenport@waterstone-env.com

February 12, 1999

Ms Susan Hugo  
Alameda County Department of Environmental Health  
1131 Harbor Bay Parkway  
Suite 250  
Alameda, CA 94502-6577


Dear Ms Hugo:

**RE: TRANSMITTAL OF HUMAN HEALTH RISK ASSESSMENT (HRA) AND  
FOUNDATION SOIL EXCAVATION/REMEDICATION REPORTS, FORMER  
BERKELEY FARMS PROPERTY, 4575 SAN PABLO AVENUE, EMERYVILLE,  
CALIFORNIA**

Enclosed are the two reports described above. The HRA was recently modified to include residual concentrations of chemicals in soils as well as those previously known to exist in groundwater beneath the property. Discovery and subsequent handling of impacted soils as well as remedial abatement activities are described in the second report, which is being submitted as required by the Risk Management Plan for the property.

Occupancy of the restaurant is scheduled for April 1, 1999. Therefore, an expeditious review and approval of the HRA by ACDEH is respectfully requested. If you have any questions, please contact me at the number listed above.

Sincerely,



Clifton Davenport, CEG/CH  
Principal Geohydrologist

Cc: Karen Bellini

COE  
CONSTRUCTION,  
INCORPORATED



Via Fax

January 28, 1999

Cliff Davenport  
Waterstone Environmental, LLC  
2712 Rawson Street  
Oakland, CA 94619  
Fax: (510) 533-7501

Re: KFC  
4501 San Pablo Ave.  
Emeryville, CA 94608

Dear Cliff:

The report you requested is as follows. The liner at the bottom of excavation of the above referenced project was installed on Tuesday, December 29, 1998 with a "Paraseal" product supplied by "White Cap Supply". The installation started in the excavation 45" deep, 2" to 3" of engineered fill was laid in the bottom of the hole and rolled and compacted with a vibratory roller, the edges were compacted with a tamper. That layer was tight and smooth so no rocks would penetrate the liner. The liner was installed with 60 rolls 4 x 24 each, overlapped 6" to 8" all edges. Next layer consists of two layers of 10 mil. visqueen overlapped 6" and edges taped together. The second layer was alternated so seams were perpendicular to the first layer. Next was 2" of sand then engineered fill brought up in 6" lifts and compacted to 98% plus. At sub grade a 3" perforated flexible pipe mitigation system was installed. It was run in a system that ran around the inside of the foundation walls and snaked through inside of the perimeter walls. A total of 450 feet of perforated pipe was installed. That pipe was brought up inside of the wall to go to the outside of the building at the top of the roof. An Exhaust fan can be added in the future if needed. This should conclude that installation of liner, etc.

If you have any questions please feel free to give me a call in the Colorado office.

Sincerely,

Rick R. Eiam  
Project Manager  
(e-mail: [rieam@coe-const.com](mailto:rieam@coe-const.com))

Cc: Nick Kurz - Superintendent  
Karen Bellini - Harman Management

/tc

# PARAMOUNT

TECHNICAL PRODUCTS, INC.

## PARASEAL GM WATERPROOFING & GAS MEMBRANE™

Pat # 4,893,523

**PRODUCT NAME:**

**Paraseal GM™:** (Pat. # 4,893,523) A composite waterproofing and gas membrane which combines the qualities of the two most effective waterproofing products and Para JT to form a dual membrane which is impervious to both water and gases.

**MANUFACTURER:**

Paramount Technical Products, Inc.  
Spearfish, SD 57783  
(800) 658-5600  
FAX (216) 752-5005

**PRODUCT DESCRIPTION:**

**Basic Use:** Paraseal GM is a product used to gas proof and water proof structures below grade. It is excellent for use on poured and block foundation walls. It has outstanding performance when used under conditions of high water head and with the presence of aliphatic gases. It may be installed prior to the concrete pour such as lagging, under floor slabs, elevator pits, etc.

**Materials:** Paraseal GM is a laminate of the two longest lived waterproofing products in common use. It is composed of a layer of 20 mil thick tough high density polyethylene laminated to an approximately one pound per sq. ft. layer of quality bentonite. These two materials, acting in harmony, produce a self-sealing product which will, in the presence of water, seal tightly to itself and any surface it touches.

A gas and waterproof joint is created between the Paraseal GM sheets by use of Para JT joint seal-

**TECHNICAL DATA:**

Physical Properties:	Value	Test Method
Color	gray/black	
Flexibility: 180° bend over 1" mandra @ -25°F	10,000	ASTM D146
Tensile Strength: Membrane (PSI)	4,000 PSI	ASTM D412
Resistance to micro organisms (bacteria, fungi, mold, yeast)	unaffected	
Mill thickness of HDPE	20 ± .1 mil	
% Elongation-ultimate failure of membrane	700%	D638 Type 4 Dumbbell
Puncture resistance	95 lbs.	FTMS 101B
Resistance to hydrostatic head (ft of water)	150 ft	ASTM D751 Method A Footnote #4
Resistance to water migration under membrane	150 ft/head zero leakage	Footnote #1
Water migration at or through joint	Instant seal/ no penetration	Footnote #5
Permeance: coefficient of permeability	2.7 x 10 <sup>-13</sup> cm <sup>2</sup> / cm <sup>2</sup> / sec	Footnote #4
Cycling over 1 1/2" joint	No deterioration 2000 cyc.	Footnote #2
Cycling over 1/4" crack	No deterioration 250 cyc.	Footnote #3
Installation temperatures	40°F to 130°F	
Non-toxic	Do not ingest	
Freeze/thaw cycles: No effect before or after installation.		
Gas transmission rate of the composite, mL (aSTP) / d.m <sup>2</sup> .atm	11.98	
Permeability of HDPE and Para JT in "Barrier" b	0.50	
10-10 mL (aSTP) / cm <sup>2</sup> .sec.cm Hg		
Life Expectancy: Both high density polyethylene and bentonite have life expectancy measurable in the thousands of years.		

**FOOTNOTES FOR TECHNICAL DATA:**

1. A 1" diameter hole was cut in the middle of a 3 1/2" diameter sample of Paraseal. Sample clamped 3" diameter permeameter, 150" water head applied.
2. Membrane placed between 2 clamps 1 1/2" apart. Temperature reduced to -25°F and clamps are pulled apart to 2 1/2". Cycle repeated between 1 1/2" and 2 1/2" - 2000 times.
3. Membrane placed between 2 bottling clamps. Clamps spread 1/4" at -25°F. Cycle repeated 250 times.
4. Membrane applied to porous stone and placed in permeameter. Pressure increased to equivalent of 150 ft. water head.
5. Test same as in entry performed at joint.

aSTP = Standard temperature and pressure.

bA unit of permeability normally used for homogeneous materials. The unit probably can be used to reflect the permeability of composite itself if the ratio of the thickness of the two materials is kept constant.

The determination was made at 25°C and 40 psi methane pressure, the difference in the two sets of values probably reflects the difference and irregularity in thickness.

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



October 16, 1998

Ms. Karen Bellini  
Director of Real Estate  
Harmon Management Corporation  
199 First Street, Suite 212  
Los Altos, California 94022

ENVIRONMENTAL HEALTH SERVICES

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

**Subject: Risk Management Plan for the Former Berkeley Farms Property  
4575 San Pablo Avenue, Emeryville, California 94608 (STID #6558)**

Dear Ms. Bellini:

This agency has reviewed the Risk Management Plan dated September 22, 1998, prepared and submitted by your consultant, Waterstone Environmental for the above-referenced site. We are also in receipt of the site map for the proposed development of the property as KFC Restaurant.

The Risk Management Plan (RMP) is comprehensive and addresses this agency's concern regarding future redevelopment at the site. The RMP is approved and construction activities may proceed on the southern half of the property where the restaurant is to be built subject to the following conditions:

- 1) Proof of recordation of the RMP should be submitted to this office. Please send the copy to my attention.
- 2) Prior to any construction activities at the site, a comprehensive site management plan which should include the health and safety plan for construction workers, soil and groundwater management plan, storm water prevention plan and dust control measures must be prepared and submitted to this office.
- 3) A Risk Based Corrective Action (RBCA) Evaluation must be prepared and submitted to this agency. RBCA evaluation must be approved by this office prior to occupancy of the building.
- 4) Three shallow groundwater monitoring wells are present at the site. These wells should be adequately protected during construction activities at the subject site.
- 5) A report should be submitted to this agency following completion of construction activities at the site. At a minimum, the report should include if applicable, results of soil and/or groundwater samples, site map indicating location of where samples were taken, and copies of records for soil and groundwater disposed off-site.

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

Sincerely,



Susan L. Hugo  
Hazardous Materials Specialist

- c: Mee Ling Tung, Director, Environmental Health  
Chuck Headlee, San Francisco Bay RWQCB  
Norman Albert, Berkeley Farms, 25500 Clawiter Road, Hayward, CA 94545  
Mary Ortendahl, EDAB, 1221 Oak Street, Suite 555, Oakland, CA 94612  
Claudia Cappio, City of Emeryville Planning & Building Dept., 2200 Powell St., #1200, Emeryville, CA 94608  
Clif Davenport, Waterstone Environmental, 2712 Rawson St., Oakland, CA 94619  
Joel Greger, Geo-Logic, 1140 5<sup>th</sup> Avenue, Crockett, CA 94525  
SH / files

white -env.health  
 yellow -facility  
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

1131 Harbor Bay Pkwy  
 Alameda CA 94502  
 510/567-6700

Hazardous Materials Inspection Form

II, III

Site ID # 6558 Site Name Former Berkeley Farms Truck yard Today's Date 10/8/98  
 Site Address 4875 San Pablo Blvd.  
 City Emeryville Zip 94608 Phone \_\_\_\_\_

\_\_\_\_ MAX AMT stored > 500 lbs, 55 gal., 200 cft.?  
**Inspection Categories:**  
 \_\_\_\_ I. Haz. Mat/Waste GENERATOR/TRANSPORTER  
 II. Hazardous Materials Business Plan, Acutely Hazardous Materials  
 \_\_\_\_ III. Under ground Storage Tanks

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

**Comments:**

On site: Met Soil Sweeper at the site.  
 Drilling 6 air borings @ AC Transit property  
 to delineate extent of plume (waste oil & gasoline release)  
 One soil sample must be collected from each  
 boring. Sample must be analyzed for TPH as motor  
 oil, TPHd, TPHg, BTEX & MTBE. If TPH motor oil is  
 detected > 100 ppm then chlorinated solvents & metals  
 must be included as target compounds

Contact \_\_\_\_\_  
 Title \_\_\_\_\_  
 Signature \_\_\_\_\_  
 Inspector \_\_\_\_\_  
 Signature Marian F. King

II, III

Harman Management Corporation

ENVIRONMENTAL  
PROTECTION  
98 SEP 25 AM 11:45



September 24, 1998

VIA EXPRESS MAIL

199 First Street, Suite 212  
Los Altos, CA 94022-2708  
650 941 5681  
Fax 650 948 7532

Ms. Susan Hugo  
Alameda County Department of Environmental Health  
1131 Harbor Bay Parkway  
Suite 250  
Alameda, CA 94502-6577

RE: Former Berkeley Farms Property, Emeryville, CA

Dear Ms. Hugo,

Per Clif Davenport's letter of September 22, 1998, enclosed is a copy of the property development site map.

We hope this will sufficiently address your plan request. Please call if there are questions or you need anything further.

Sincerely,

A handwritten signature in black ink, appearing to read "Janette Judd". The signature is fluid and cursive, with the first and last names being the most prominent parts.

Janette Judd  
Real Estate Coordinator

cc:  
Clif Davenport, Principal Geohydrologist  
Ronald Hufft, Lawyer  
Karen Bellini, Director of Real Estate

LOP RECORD CHANGE REQUEST FORM

printed:  
09/24/98

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

Insp: SH

AGENCY # : 10000      SOURCE OF FUNDS: F      SUBSTANCE: 12034  
 StID : 6558      LOC: -0-  
 SITE NAME: Former Berkeley Farms Truck Re      DATE REPORTED : 11/24/97  
 ADDRESS : 4575 -0 San Pablo Ave      DATE CONFIRMED: 10/24/97  
 CITY/ZIP : Emeryville      94608      MULTIPLE RPs : N

SITE STATUS

-----  
 CASE TYPE: W      CONTRACT STATUS: 3      PRIOR CODE:2B4      EMERGENCY RESP: -0-  
 RP SEARCH: S      DATE COMPLETED: 09/01/98  
 PRELIMINARY ASMNT: C      DATE UNDERWAY: 09/22/97      DATE COMPLETED: -0-  
 REM INVESTIGATION: -      DATE UNDERWAY: -0-      DATE COMPLETED: -0-  
 REMEDIAL ACTION: -      DATE UNDERWAY: -0-      DATE COMPLETED: -0-  
 POST REMED ACT MON:-      DATE UNDERWAY: -0-      DATE COMPLETED: -0-

ENFORCEMENT ACTION TYPE: 1      DATE ENFORCEMENT ACTION TAKEN: 09/24/98  
 LUFT FIELD MANUAL CONSID: 3HSCAWG  
 CASE CLOSED: -      DATE CASE CLOSED: -0-  
 DATE EXCAVATION STARTED : 11/01/97      REMEDIAL ACTIONS TAKEN: ED,GT

RESPONSIBLE PARTY INFORMATION

-----  
 RP#1-CONTACT NAME: Mr. Norman Albert  
 COMPANY NAME: Berkeley Land Company, Inc.  
 ADDRESS: 1211 Newell Avenue, #120  
 CITY/STATE: Walnut Creek, California 94596

INSPECTOR VERIFICATION:

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

DATA ENTRY INPUT:

Name/Address Changes Only      Case Progress Changes

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

# Transfer of Eligible Local Oversight Case

STID 6558 Date of input/By: 9/16/98  
NO

Date: 9/14/98 From: SUSAN

Site Name: FORMER BERKELEY FARMS TRUCK REPAIR SHOP

Address: 4575 SAN PABLO City: EMERYVILLE Zip: 94608

To be eligible for LOP, case must meet 3 qualifications:

1.  N Tanks Removed? # of removed? unknown Date removed: only 80's
2.  N Samples received? Contamination level: 8200 ppm TPH diesel  
 Type of test \_\_\_\_\_  
 Contamination should be over 100 ppm TPH to qualify for LOP
3.  N Petroleum? Circle Type(s): • Avgas • leaded • unleaded • fuel oil • jet  
 • diesel • waste oil • kerosene • solvents

Procedure to follow should your site meet all the above qualifications:

1.
  - a. \_\_\_\_\_ Close the deposit refund case.
  - b. \_\_\_\_\_ Account for **ALL** time you have spent on the case.
  - c. \_\_\_\_\_ Turn in account sheet to Leslie.  
 If there are funds still remaining it is still better to transfer the case to LOP as the rate for LOP allows more overhead. **DO NOT** attempt to continue to oversee the site simply because there are funds remaining!  
 Remaining DepRef \$'s: \_\_\_\_\_  
 DepRef Case Closed with Candyce/Leslie? **Y N** (If no, explain why below.)
2. Submit the completed **A** and **B** permit application forms to **NORMA**.
3. Give the entire case to the proper LOP staff.



State of California  
Department of Water Resources  
Central District  
3251 K Street  
Sacramento, CA 95810-2017

WELL DRILLER'S REPORTS  
INSPECTION REQUEST AND AGREEMENT

Project: Former Berkeley Farms Tractor Shop + Repair Yard  
Location: 4575 San Pablo Avenue, Emeryville  
County: Alameda Contract Number: \_\_\_\_\_

Request is made pursuant to Section 13751 of the California Water Code for permission to inspect or copy Water Well Driller's Reports which are on file in your office.

In accordance with the requirements of Section 13752 of the Water Code, it is stipulated and agreed that such reports, or any copy or copies made thereof, will not be made available for inspection by the public but will be used solely by this governmental agency for making studies. If copies are made or taken, each copy will be stamped "CONFIDENTIAL" or "FOR OFFICIAL USE ONLY" and will be kept in a restricted file, access to which is limited to the staff of this governmental agency or to its contracted agents. Any copies furnished to contracted agents must be returned to the Department of Water Resources, Central District upon completion of work by the contracted agent.

No information contained in these reports can be disseminated or published without the written permission of the owner of the well.

<u>Geo-Logic</u> Contracted Agent	<u>Alameda Co. Environmental</u> Governmental Agency <u>Health Svcs.</u>
<u>1140 - 5th Ave.</u> Address	<u>1131 Harbor Bay Parkway</u> Address <u>2nd Floor</u>
<u>Crockett CA 94525</u> City, State, & Zip Code	<u>Alameda CA 94502</u> City, State, & Zip Code
By <u>Joel G. Greger</u> Officer	By <u>Ms. Susan Hugo</u> Officer
<u>Certified Engineering Geologist</u> Title	 Title
<u>510 7876867</u> Telephone	<u>510 5676780</u> Telephone
<u>9/8/98</u> Date	 Date

(For Departmental Information: \_\_\_\_\_ copies sent)

Post-it\* Fax Note 7671 Date 9/8/98 # of pages 1

510 5676780 510 7876867

WORK LOG INFORMATION FROM DAILIES ( after date:01/01/87 )

#	Act Date	--INSPECTOR--				-PROJECT TOTALS-		Error Code or Billing Date	**
		Initial	Time	\$ Rate	CHARGE	Time	Charge		
8	07/16/98	SH	2.60	100.00	260.00	12.20	1,162.40	08/04/98	
	Activity Code: 75-Review Plans/Reports Comment: Reviewed reports submitted by Geo-Logic.								
9	07/21/98	SH	3.00	100.00	300.00	15.20	1,462.40	08/04/98	
	Activity Code: 75-Review Plans/Reports Comment: Continue review of reports; draft letter								
10	08/12/98	SH	0.70	100.00	\$70.00	15.90	1,532.40		
	Activity Code: 77-Meetings, Consultations Comment: Talked to Mary Orthendal (EDAB) & Norm Albert (Berkeley Farms) re: status & developability of the site.								
11	08/13/98	SH	0.50	100.00	\$50.00	16.40	1,582.40		
	Activity Code: 77-Meetings, Consultations Comment: Talked to Norm Albert re: meeting								

- - SUBTOTAL CURRENT DAILIES, PROJECT 6120A 16.40 \$1,582.40 - -

Running Total for proj: 6120A is 16.4 hours for \$1,582.40 pag 2

\* ERROR CODE OR BILLING DATE LEGEND:

- 1/1/97 and beyond: Already or nearly Debited
- 1/1/87: Ineligible for Debit: either no deposit or neg. closing balance.
- 1/\*/86: Error codes: need fixing before debiting.
- 1/1/85: Pre 1997 DepRef work marked as Available for Debiting.

RECORDS BETWEEN REPRINTS:

PROJ#:	StID:					Total	Total
Date	Action Taken	Init	Time	\$Rate	Charge	Time	Charges
-----							
-----							
-----							
-----							
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-----							

*Need to transfer to log*

Current HazMat Dailies Statement Complete

TOTAL COUNTS: #Current Dailies: 2 Both Archived & Current: 2

Listing of HAZMAT - FULL SITE HISTORY since 1987 for StID # 6558  
as of 08/26/98 .... all Activity Codes

SITE NAME & ADDRESS:

Berkeley Farms Truck Repair -- 4575 San Pablo Ave , Emeryville CA 94608

InspDat	Insp Act	InspT	StID	Proj#	COMMENTS	DailBDat
=====	=====	=====	=====	=====	=====	=====

Archived Dailies:

Current Dailies:

InspDat	Insp Act	InspT	StID	DRPro	Comment	DailBDat
11/24/97	SH 77	1.2	6558	6120A	Meeting with Joel Gregor & Rick Montesano re: status of work at site, fast rack due to property transfer, Kentucky Fried Chicken is the buyer	12/17/97
11/25/97	SH 75	0.5	6558	6120A	Review work plan & report	12/17/97
01/13/98	SH 77	0.4	6558	6120A	Talked to Joel Gregor re: overexcavation, dewatering, & need to backfill asap.	02/18/98
01/14/98	SH 70	1.5	6558	6120A	On site visit, view the extent of overexcavation, discuss with Joel Greger sampling locations, report will follow, wants closure for this former waste oil tank area due to property transfer	02/18/98
05/27/98	SH 75	1.	6558	6120A	Reviewed reports re: waste oil removal/remediation	07/17/98
05/29/98	SH 75	2.5	6558	6120A	Reviewed case file, waste oil removal, well installation	07/17/98
06/01/98	SH 77	2.5	6558	6120A	On site meeting with Joel Greger, observed the extent of overexcavation, well locations, soil sampling locations etc.	07/17/98
07/16/98	SH 75	2.6	6558	6120A	Reviewed reports submitted by Geo-Logic.	08/04/98
07/21/98	SH 75	3.	6558	6120A	Continue review of reports; draft letter	08/04/98
08/12/98	SH 77	0.7	6558	6120A	Talked to Mary Orthendal (EDAB) & Norm Albert (Berkeley Farms) re: status & developability of the site.	
08/13/98	SH 77	0.5	6558	6120A	Talked to Norm Albert re: meeting	

Complete

ALAMEDA COUNTY ENVIRONMENTAL HEALTH - HAZARDOUS MATERIALS PROGRAM  
INFORMATION PER SITE ON ALL DEPOSITS FROM ALL PAYORS

as of 08/26/98

DATABASE: DEPREF  
~~~~~

===== SITE INFORMATION from DepRef DB =====

Berkeley Farms Truck Repair  
4575 San Pablo Ave  
Emeryville CA 94608

StID: 6558 Site#: 6120  
Site Complete?

===== ALL PAYORS ON SITE =====

> Project# 6120A for Payor# 64 Paradiso Construction Co  
P O Box 1836  
San Leandro CA 94577

DR:WkShtPay

===== DEPOSIT INFORMATION =====

| Project# | Rcpt#            | DepDate  | DepAmount                  | Proj<br>Type | Deposit<br>Complete | Insp<br>Init | Collect<br>Fees? |
|----------|------------------|----------|----------------------------|--------------|---------------------|--------------|------------------|
| 6120A    | <-----<br>804820 | 11/24/97 | \$2,000.00                 | M            |                     | SH           |                  |
|          |                  |          | Total Deposit for Project: | \$2,000.00   |                     |              |                  |
|          |                  |          | -----                      |              |                     |              |                  |
|          |                  |          | Total Deps for all Sites : | \$2,000.00   |                     |              |                  |

Report WkShtDep Complete; 3/97

LAST WORK DATE FROM BILLING ON THIS SITE:

6558

\*\*\*\*\* Alameda County Department of Environmental Health \*\*\*\*\*  
BILLING's WORKLOG: Total Deposit/Refund History for All Accounts at Site  
~~~~~

\*\* SITE INFORMATION \*\*

Site#: 6120 -- StID: 6558 BERKELEY FARMS TRUCK REPAIR  
Date Open: 11/24/97 4575 SAN PABLO AVENUE  
Date Closed: EMERYVILLE CA 94608

\*\* PAYOR INFORMATION \*\*

> Project # --6120A for Payor # 64 Paradiso Construction Co.  
2600 WILLIAMS STREET  
SAN LEANDRO CA 94577

\*\* DEPOSIT HISTORY \*\*

Proj#	Deposit Date	Receipt#	Amount Received
--6120A	11/24/97	804820	\$ 2,000.00
			=====
			\$ 2,000.00

\*\* WORKLOG HISTORY \*\*

Proj#	Work Date	Activity Description	Insp	Time (hrs)	Amount Charged
--6120A	11/24/97	Meetings, Consultations	SH	1.2	\$112.80
--6120a	11/24/97	administrative charge	adm	1.	\$94.00
--6120A	11/25/97	Review Plans/Reports	SH	0.5	\$47.00
--6120A	01/13/98	Meetings, Consultations	SH	0.4	\$37.60
--6120A	01/14/98	Initial Site Visit	SH	1.5	\$141.00
--6120A	05/27/98	Review Plans/Reports	SH	1.	\$94.00
--6120A	05/29/98	Review Plans/Reports	SH	2.5	\$235.00
--6120A	06/01/98	Meetings, Consultations	SH	2.5	\$235.00
					-----
					\$996.40

Balance: \$1,003.60 Amount Refunded:

ALAMEDA COUNTY ENVIRONMENTAL HEALTH - HAZARDOUS MATERIALS PROGRAM  
 DEPOSIT / REFUND ARCHIVED DAILIES STATEMENT FOR WORK AFTER 01/01/87

database = DAILY ARCHIVES  
 ~~~~~

=====  
 SITE INFORMATION  
 =====

Berkeley Farms Truck Repair --- 4575 San Pablo Ave  
 StID: 6558 Site#: Emeryville CA 94608

=====  
 ARCHIVED DAILY - DEPREF STATEMENT  
 ===== as of 08/26/98

--INSPECTOR--

| Act Date | Initial | Time  | \$ Rate | CHARGE | Time  | Charge | Billing Date |
|----------|---------|-------|---------|--------|-------|--------|--------------|
| =====    | =====   | ===== | =====   | =====  | ===== | =====  | =====        |

No Dailies from Archives for this case

ALAMEDA COUNTY ENVIRONMENTAL HEALTH - HAZARDOUS MATERIALS PROGRAM  
 DEPOSIT / REFUND ACCOUNT STATEMENT FOR WORK AFTER 01/01/87

as of 08/26/98

database = HAZMAT DAILIES  
 ~~~~~

=====  
 SITE INFORMATION  
 =====

Berkeley Farms Truck Repair  
 4575 San Pablo Ave  
 Emeryville CA 94608  
 StID: 6558

\* IF Site name from HazMat (central) DB  
 differs from DepRef's Site Name,  
 PLEASE RECTIFY WITH LPETERS/CMATYS. \*

=====  
 WORK LOG INFORMATION FROM DAILIES ( after date:01/01/87 )  
 =====

--INSPECTOR--

-PROJECT TOTALS-

Error Code or

#	Act Date	Initial	Time	\$ Rate	CHARGE	Time	Charge	Billing Date	
===	=====	=====	=====	=====	=====	=====	=====	=====	**

Proj#: 6120A  
 ~~~~~

- 1 11/24/97 SH 1.20 94.00 112.80 | 1.20 \$112.80 | 12/17/97  
 Activity Code: 77-Meetings, Consultations  
 Comment: Meeting with Joel Gregor & Rick Montesano re: status of  
 work at site, fast track due to property transfer,  
 Kentucky Fried Chicken is the buyer.
- 2 11/25/97 SH 0.50 94.00 \$47.00 | 1.70 \$159.80 | 12/17/97  
 Activity Code: 75-Review Plans/Reports  
 Comment: Review work plan & report
- 3 01/13/98 SH 0.40 94.00 \$37.60 | 2.10 \$197.40 | 02/18/98  
 Activity Code: 77-Meetings, Consultations  
 Comment: Talked to Joel Gregor re: overexcavation, dewatering, &  
 need to backfill asap.
- 4 01/14/98 SH 1.50 94.00 141.00 | 3.60 \$338.40 | 02/18/98  
 Activity Code: 70-Initial Site Visit  
 Comment: On site visit, view the extent of overexcavation, discuss  
 with Joel Greger sampling locations, report will follow,  
 wants closure for this former waste oil tank area due to  
 property transfer

|   |                                                                                                                                |    |      |       |         |  |      |          |  |          |
|---|--------------------------------------------------------------------------------------------------------------------------------|----|------|-------|---------|--|------|----------|--|----------|
| 5 | 05/27/98                                                                                                                       | SH | 1.00 | 94.00 | \$94.00 |  | 4.60 | \$432.40 |  | 07/17/98 |
|   | Activity Code: 75-Review Plans/Reports                                                                                         |    |      |       |         |  |      |          |  |          |
|   | Comment: Reviewed reports re: waste oil removal/remediation                                                                    |    |      |       |         |  |      |          |  |          |
| 6 | 05/29/98                                                                                                                       | SH | 2.50 | 94.00 | 235.00  |  | 7.10 | \$667.40 |  | 07/17/98 |
|   | Activity Code: 75-Review Plans/Reports                                                                                         |    |      |       |         |  |      |          |  |          |
|   | Comment: Reviewed case file, waste oil removal, well installation                                                              |    |      |       |         |  |      |          |  |          |
| 7 | 06/01/98                                                                                                                       | SH | 2.50 | 94.00 | 235.00  |  | 9.60 | \$902.40 |  | 07/17/98 |
|   | Activity Code: 77-Meetings, Consultations                                                                                      |    |      |       |         |  |      |          |  |          |
|   | Comment: On site meeting with Joel Greger, observed the extent of overexcavation, well locations, soil sampling locations etc. |    |      |       |         |  |      |          |  |          |

Running Total for proj: 6120A is      9.6 hours for      \$902.40      pag 1

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



Post-It™ brand fax transmittal memo 7671

# of pages ▶ 2

July 16, 1998

Mr. Norman Albert  
Berkeley Land Company, Inc.  
1211 Newell Avenue, Suite #120  
Walnut Creek, CA 94596

|       |                   |         |                |
|-------|-------------------|---------|----------------|
| To    | CLIFF DRAVEN PORT | From    | SUSAN HUGO     |
| Co.   |                   | Co.     | ACDEH          |
| Dept. |                   | Phone # |                |
| Fax # | (570) 533-7501    | Fax #   | (570) 337-9835 |

**Subject: Berkeley Farms Truck Repair Shop and Yard (STID # 6558)  
4575 San Pablo Avenue, Emeryville, CA 94608**

Dear Mr., Albert:

This agency has reviewed the case file concerning the soil and groundwater investigations at the above referenced site. We are in receipt of the following reports submitted by Geo-logic:

- Phase 2 Soil and Groundwater Investigation Results (10/24/97) prepared by D & A
- Work Plan Proposal for Installation of Monitoring Well (11/15/97) prepared by Geo-Logic
- Waste Oil Stockpiled Soil Sampling, Groundwater Disposal, & Overexcavation at Former Waste Oil Tank Pit (2/10/98) prepared by Geo-Logic
- Soil and Groundwater Sampling Report (February 10, 1998) prepared by Geo-Logic
- Monitoring Well Installation Report (3/7/98) prepared by Geo-Logic
- Overexcavation of Former Waste Oil tank Pit (4/4/98) prepared by Geo-Logic
- Soil Sampling Report for Overexcavation of Former Fuel Storage Tank Pit & Second Quarterly Monitoring & Sampling (6/9/98) prepared by Geo-Logic

The subject site used to be a truck repair shop and yard for Berkely Farms. Prior to that, a service station used to operate at the site. In 1997, a Phase 2 soil and groundwater investigation was conducted to determine the presence of contamination related to past land usage of the subject property. Nine soil borings were placed near potential source of releases such as former underground storage tanks (USTs), above-ground storage tanks, storm drain access, former hydraulic hoist and other heavily stained areas. Results of grab water sample collected from boring SB-2 (possible location of former USTs) found up to 48,000 ppb TPH gasoline. Water sample from boring SB-7 (location of former waste oil UST) found up to 10,000 ppb TPH diesel, 21,000 ppb TPH motor oil, 4200 ppb TPH gasoline and low levels of chlorinated VOCs. Methyl tertiary butyl ether at 69 ppb was identified in the water sample from boring SB-9, which appears to be an up-gradient boring. Soil samples collected from boring SB-7 detected up to 810 ppm TPH gasoline, 8200 ppm TPH diesel, 25,000 ppm TPH motor oil and 11 ppm 1,2 dichlorobenzene.

On February 20, 1998, three shallow groundwater monitoring wells were installed at the site. Groundwater sample collected from well MW-1 which is down-gradient of the former waste oil tank found up to 81,000 ppb TPH diesel, 27,000 ppb TPH gasoline, 2,200 ppb benzene, 910 ppb toluene, 1,700 ppb ethyl benzene and 2,700 ppb xylenes. Monitoring well MW-2 which is downgradient of the former USTs detected up to 14,000 ppb TPH diesel, 120 ppb toluene, 460 ppb ethyl benzene, 730 ppb xylenes and 20,000 ppb TRPH. Soil sample collected from MW-1 at 7.5 feet bgs found up to 2,800 ppm TPH gasoline, 8 ppm benzene, 9 ppm toluene, 37 ppm ethyl benzene, and 220 ppm xylenes.

Between November 1997 and January 1998, approximately 195 tons of soil was overexcavated from the former waste oil tank pit and approximately 21,600 gallons of groundwater was pumped from the pit.



Mr. Norman Albert  
RE: 4575 San Pablo Avenue, Emeryville, CA 94608  
July 16, 1998  
Page 2 of 2

Confirmation soil samples collected from the sidewalls and bottom of the excavation pit showed low levels of TRPH (31 ppm), cadmium (0.74 ppm), chromium (29 ppm), lead (9.7), nickel (44 ppm) and zinc (43 ppm). TPH diesel, TPH gasoline, benzene, toluene, ethyl benzene and xylenes were not detected. Grab water sample collected from the excavation found TPH diesel (27,000 ppb), TRPH (40,000 ppb), benzene (37 ppb), toluene (12 ppb) ethyl benzene (56 ppb), xylene (110 ppb), cadmium (26 ppb), chromium (380 ppb), lead (1,200 ppb), nickel (1,700 ppb) and zinc (3,400 ppb).

On April 30, 1998, the former fuel storage tank pit (location of boring SB-2) was over-excavated to a depth of 7.5 feet below grade on the eastern half and 11.5 feet below grade on the western half. Approximately 400 yards of soil was removed and 15,000 gallons of water had been purged from the pit. Verification soil samples collected from the sidewalls and bottom of the excavation found low levels of TPH diesel (60 ppm) and no detectable level of TPH gasoline, benzene, toluene, ethyl benzene and xylenes.

The three wells were sampled on 2/27/98 and 6/2/98. Results indicated the presence of elevated concentration of petroleum hydrocarbons in two down-gradient wells (MW-1 and MW-2) up to 105,000 ppb TPH diesel, 34,000 ppb TPH gasoline, 1,900 ppb benzene, 1,600 ppb toluene, 2,400 ppb ethyl benzene, 3,500 ppb xylenes and 80,000 ppb TEPH.

Based on the review of all the reports submitted for the subject site, no further excavation of soil associated with the former waste oil tank and former fuel tanks leaks appears to be warranted at the site. However, the following issues must be addressed:

- 1) The extent of the groundwater contamination at the site has not been completely delineated. Both down-gradient wells showed elevated concentrations of petroleum hydrocarbons.
- 2) Groundwater monitoring wells must be sampled on a quarterly basis.
- 3) Monitoring wells must be sampled for the following target compounds: TPH gasoline, TPH diesel, TPH motor oil, benzene, toluene, ethyl benzene, xylene, MTBE, chlorinated solvents, lead, cadmium, chromium, nickel, and zinc.

Please submit a work plan which should address the items listed above no later than August 28, 1998.

It is my understanding that soil removal and groundwater purging were conducted at the site to facilitate pending property transfer. Prior to any redevelopment activities at the subject site, a risk management plan must be prepared and approved by this agency.

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

Sincerely,

  
Susan L. Hugo  
Hazardous Materials Specialist

cc: Charles Headlee, San Francisco Bay RWQCB  
Joel Greger, Geo-Logic, 1140 5<sup>th</sup> Avenue, Crockett, CA 94525  
SH/ files

white -env.health  
yellow -facility  
pink -files

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

1131 Harbor Bay Pkwy  
Alameda CA 94502  
510/567-6700

II, III

Site ID # 6558 Site Name Berkeley Farms Today's Date 1/14/98

Site Address 4575 SAN PABLO AVE

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

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

**Inspection Categories:**

- I. Haz. Mat/Waste GENERATOR/TRANSPORTER  
 II. Hazardous Materials Business Plan, Acutely Hazardous Materials  
 III. Under ground Storage Tanks

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

**Comments:**

*On site - visit - met Joel Degan  
- env. excavation performed in the former waste  
oil tank area, vertical & lateral; confirmation  
soil samples collected. Groundwater dewatering  
has been conducted to remove sheen. I  
will dewater tomorrow; recharge H<sub>2</sub>O sample  
will be collected & backfilling with clean  
fill to be done.  
- wants closure for this former waste oil tank.*

Contact \_\_\_\_\_

Title \_\_\_\_\_

Signature \_\_\_\_\_

Inspector \_\_\_\_\_

Signature Susan L. Aug

II, III

ALAMEDA COUNTY HAZARDOUS MATERIALS DIVISION  
DEPOSIT / REFUND ACCOUNT SHEET

printed 11/25/97

SITE INFORMATION

Berkeley Farms Truck Repair  
4575 San Pablo Ave  
Emeryville 94608  
Site Contact:  
Site Phone :

StID: 6558 Site#: 6120  
PROJECT#: 6120A  
PROJECT TYPE: \*\*\* M \*\*\*  
INSP: Susan Hugo  
ACCT. SHEET PG #: \_\_\_\_\_

PROPERTY OWNER INFORMATION

Owner Contact:  
Owner Phone :

PAYOR INFORMATION

Paradiso Construction Co  
P O Box 1836  
San Leandro CA 94577 # 64  
Payor Contact: Ms Linda Martin  
Payor Phone : 510/614-8390

| Date     | Action Taken                                                        | Time |     | Hours Spent/<br>Depstd | Hour Balnce | Money              |                  |
|----------|---------------------------------------------------------------------|------|-----|------------------------|-------------|--------------------|------------------|
|          |                                                                     | In   | Out |                        |             | Spent/<br>Depositd | Money<br>Balance |
| 11/24/97 | Rcpt# 804820<br>Deposit of \$2,000.00 @ \$94/hour                   |      |     | +21.27                 | +21.27      | 2,000.00           | 2,000.00         |
| 11/24/97 | Admin. Charge: 1 hour                                               |      |     | 1.00                   | 20.27       | 94.00              | 1,906.00         |
| 11/24/97 | Meeting to discuss status<br>of site (Chad Dreyer, Rick<br>Montana) |      |     | 1.2                    |             |                    |                  |
| 11/25/97 | Review work plan & report                                           |      |     | 0.5                    |             |                    |                  |
|          |                                                                     |      |     |                        |             |                    |                  |
|          |                                                                     |      |     |                        |             |                    |                  |
|          |                                                                     |      |     |                        |             |                    |                  |
|          |                                                                     |      |     |                        |             |                    |                  |
|          |                                                                     |      |     |                        |             |                    |                  |
|          |                                                                     |      |     |                        |             |                    |                  |

UPON COMPLETION OF PROJECT

PROJ COMPLETED BY : \_\_\_\_\_ ATTACH:  State Forms A, B & C  
 Billing Adjustment\*  
DATE OF COMPLETION : \_\_\_\_\_ DATE SENT TO BILLING: \_\_\_\_\_  
TOTAL COST OF PROJECT: \_\_\_\_\_ REFUND AMOUNT: \_\_\_\_\_ Rev. 7/96

\* Billing adjustment forms needed when site is in our UST program.

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

|                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             |  |
|----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|--|
| EMERGENCY<br><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | HAS STATE OFFICE OF EMERGENCY SERVICES REPORT BEEN FILED?<br><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |                                                                                                                                                                                                                                                                                                                                                                                                                                 | FOR LOCAL AGENCY USE ONLY<br>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. |                                                             |  |
| REPORT DATE<br>1 / 24 / 97                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | CASE #                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                 | SIGNED: <i>Susan Hugo</i> DATE: 11/25/97                                                                                                                                           |                                                             |  |
| REPORTED BY                                                                      | NAME OF INDIVIDUAL FILING REPORT<br><b>Eric Montesano</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                  | PHONE<br>(510) 614-8390                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                    | SIGNATURE<br><i>E.V. Montesano</i> Agent for Berkeley Farms |  |
|                                                                                  | REPRESENTING<br><input checked="" type="checkbox"/> OWNER/OPERATOR <input type="checkbox"/> REGIONAL BOARD<br><input type="checkbox"/> LOCAL AGENCY <input type="checkbox"/> OTHER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                  | COMPANY OR AGENCY NAME<br><b>PARADISO Mach.</b>                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             |  |
|                                                                                  | ADDRESS<br><b>2600 Williams St. San Leandro CA. 94577</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             |  |
| RESPONSIBLE PARTY                                                                | NAME<br><b>Berkeley Farms</b> <input type="checkbox"/> UNKNOWN                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                  | CONTACT PERSON<br><b>Norm Albert</b>                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                    | PHONE<br>(510) 420-5659                                     |  |
|                                                                                  | ADDRESS<br><b>4550 San Pablo Ave. Emeryville CA</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             |  |
| SITE LOCATION                                                                    | FACILITY NAME (IF APPLICABLE)<br><b>Berkeley Farms Truck Shop &amp; Yard</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                  | OPERATOR<br><b>Berkeley Farms</b>                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                    | PHONE<br>( )                                                |  |
|                                                                                  | ADDRESS<br><b>4575 San Pablo Ave. Emeryville Alameda</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             |  |
|                                                                                  | CROSS STREET<br><b>47th St.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             |  |
| IMPLEMENTING AGENCIES                                                            | LOCAL AGENCY    AGENCY NAME<br><b>Alameda Co Health Care Svcs. Agency</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                  | CONTACT PERSON<br><b>Susan Hugo</b>                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                    | PHONE<br>(510) 567-6780                                     |  |
|                                                                                  | REGIONAL BOARD<br><b>SF Bay Region</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                  | CONTACT PERSON<br><b>KEVIN GRAVES</b>                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                    | PHONE<br>(510) 286-0435                                     |  |
| SUBSTANCES INVOLVED                                                              | (1)    NAME    QUANTITY LOST (GALLONS)<br><b>TPH - G</b> <input checked="" type="checkbox"/> UNKNOWN                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             |  |
|                                                                                  | (2)    NAME    QUANTITY LOST (GALLONS)<br><b>TPH - D, TPH - M.O.</b> <input checked="" type="checkbox"/> UNKNOWN                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             |  |
| DISCOVERY/ABATEMENT                                                              | DATE DISCOVERED<br>1 / 0 / 24 / 97                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                  | HOW DISCOVERED<br><input type="checkbox"/> TANK TEST <input type="checkbox"/> TANK REMOVAL <input checked="" type="checkbox"/> OTHER <b>Geoprobe investigation</b>                                                                                                                                                                                                                                                              |                                                                                                                                                                                    |                                                             |  |
|                                                                                  | DATE DISCHARGE BEGAN<br><input checked="" type="checkbox"/> UNKNOWN                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                  | METHOD USED TO STOP DISCHARGE (CHECK ALL THAT APPLY)<br><input type="checkbox"/> REMOVE CONTENTS <input type="checkbox"/> CLOSE TANK & REMOVE <input type="checkbox"/> REPAIR PIPING<br><input type="checkbox"/> REPAIR TANK <input type="checkbox"/> CLOSE TANK & FILL IN PLACE <input type="checkbox"/> CHANGE PROCEDURE<br><input type="checkbox"/> REPLACE TANK <input checked="" type="checkbox"/> OTHER <b>excavation</b> |                                                                                                                                                                                    |                                                             |  |
|                                                                                  | HAS DISCHARGE BEEN STOPPED?<br><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO    IF YES, DATE: <b>excav tank removal date unknown</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             |  |
| SOURCE/ CAUSE                                                                    | SOURCE OF DISCHARGE<br><input type="checkbox"/> TANK LEAK <input checked="" type="checkbox"/> UNKNOWN<br><input type="checkbox"/> PIPING LEAK <input type="checkbox"/> OTHER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                  | CAUSE(S)<br><input type="checkbox"/> OVERFILL <input type="checkbox"/> RUPTURE/FAILURE <input type="checkbox"/> SPILL<br><input type="checkbox"/> CORROSION <input type="checkbox"/> UNKNOWN <input type="checkbox"/> OTHER                                                                                                                                                                                                     |                                                                                                                                                                                    |                                                             |  |
|                                                                                  | CASE TYPE<br><input checked="" type="checkbox"/> UNDETERMINED <input type="checkbox"/> SOIL ONLY <input type="checkbox"/> GROUNDWATER <input type="checkbox"/> DRINKING WATER - (CHECK ONLY IF WATER WELLS HAVE ACTUALLY BEEN AFFECTED)                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             |  |
| CURRENT STATUS                                                                   | CHECK ONE ONLY<br><input type="checkbox"/> NO ACTION TAKEN <input checked="" type="checkbox"/> PRELIMINARY SITE ASSESSMENT WORKPLAN SUBMITTED <input type="checkbox"/> POLLUTION CHARACTERIZATION<br><input type="checkbox"/> LEAK BEING CONFIRMED <input type="checkbox"/> PRELIMINARY SITE ASSESSMENT UNDERWAY <input type="checkbox"/> POST CLEANUP MONITORING IN PROGRESS<br><input type="checkbox"/> REMEDIATION PLAN <input type="checkbox"/> CASE CLOSED (CLEANUP COMPLETED OR UNNECESSARY) <input checked="" type="checkbox"/> CLEANUP UNDERWAY                                                                                                                              |                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             |  |
|                                                                                  | CHECK APPROPRIATE ACTION(S)<br><input checked="" type="checkbox"/> EXCAVATE & DISPOSE (ED) <input type="checkbox"/> REMOVE FREE PRODUCT (FP) <input type="checkbox"/> ENHANCED BIO DEGRADATION (IT)<br><input type="checkbox"/> CAP SITE (CD) <input type="checkbox"/> EXCAVATE & TREAT (ET) <input type="checkbox"/> PUMP & TREAT GROUNDWATER (GT) <input type="checkbox"/> REPLACE SUPPLY (RS)<br><input type="checkbox"/> CONTAINMENT BARRIER (CB) <input type="checkbox"/> NO ACTION REQUIRED (NA) <input type="checkbox"/> TREATMENT AT HOOKUP (HU) <input type="checkbox"/> VENT SOIL (VS)<br><input type="checkbox"/> VACUUM EXTRACT (VE) <input type="checkbox"/> OTHER (OT) |                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             |  |
| COMMENTS                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             |  |
|                                                                                  | CATERED 12-9-97                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                    |                                                             |  |

## 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 spring-take. 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 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.

Exclusion 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 has 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 contaminants.

Excavate and Dispose - remove contaminated soil and dispose in approved site.

Excavate and Treat - remove contaminated soil and treat (includes spreading on 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 vacuum blowers to draw air through soil.

Well Seal - port sealed to allow volatilization of contaminants.

No Action Required - incident is minor, requiring no remedial action.

COMMENTS - Use this space to elaborate on any aspect 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 original 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 95834-2120
3. Regional Water Quality Control Board
4. Local Health Officer and County Board of Supervisors on their respective remote reproduction of notifications.
5. Owner/responsible party.

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

|                                                                                  |                                                                                                                                  |                                                                                                                                                                                                                                          |
|----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| EMERGENCY<br><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | HAS STATE OFFICE OF EMERGENCY SERVICES REPORT BEEN FILED?<br><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | FOR LOCAL AGENCY USE ONLY<br>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.<br>SIGNED: <u>Susan J. Hugo</u> DATE: <u>11/25/97</u> |
| REPORT DATE<br><u>1/12/97</u>                                                    | CASE #                                                                                                                           |                                                                                                                                                                                                                                          |

|             |                                                                                                                                                                                    |                                                 |                                                                 |  |
|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|-----------------------------------------------------------------|--|
| REPORTED BY | NAME OF INDIVIDUAL FILING REPORT<br><u>Eric Montesano</u>                                                                                                                          | PHONE<br><u>(510) 614-8390</u>                  | SIGNATURE<br><u>E.V. Montesano</u> <i>Agent for Berke Farms</i> |  |
|             | REPRESENTING<br><input checked="" type="checkbox"/> OWNER/OPERATOR <input type="checkbox"/> REGIONAL BOARD<br><input type="checkbox"/> LOCAL AGENCY <input type="checkbox"/> OTHER | COMPANY OR AGENCY NAME<br><u>PARADISO Mech.</u> |                                                                 |  |
|             | ADDRESS<br><u>2600 Williams St. San Leandro CA. 94577</u>                                                                                                                          |                                                 |                                                                 |  |

|                   |                                                                |                                      |                               |
|-------------------|----------------------------------------------------------------|--------------------------------------|-------------------------------|
| RESPONSIBLE PARTY | NAME<br><u>Berkeley Farms</u> <input type="checkbox"/> UNKNOWN | CONTACT PERSON<br><u>Norm Albert</u> | PHONE<br><u>(510) 420-659</u> |
|                   | ADDRESS<br><u>4550 San Pablo Ave. Emeryville CA</u>            |                                      |                               |

|               |                                                                              |                                   |              |  |
|---------------|------------------------------------------------------------------------------|-----------------------------------|--------------|--|
| SITE LOCATION | FACILITY NAME (IF APPLICABLE)<br><u>Berkeley Farms Truck Shop &amp; Yard</u> | OPERATOR<br><u>Berkeley Farms</u> | PHONE<br>( ) |  |
|               | ADDRESS<br><u>4575 San Pablo Ave. Emeryville Alameda</u>                     |                                   |              |  |
|               | CROSS STREET<br><u>47th St.</u>                                              |                                   |              |  |

|                       |                                                                            |                                       |                                |
|-----------------------|----------------------------------------------------------------------------|---------------------------------------|--------------------------------|
| IMPLEMENTING AGENCIES | LOCAL AGENCY    AGENCY NAME<br><u>Alameda Co. Health Care Svcs. Agency</u> | CONTACT PERSON<br><u>Susan Hugo</u>   | PHONE<br><u>(510) 567-6780</u> |
|                       | REGIONAL BOARD<br><u>SF Bay Region</u>                                     | CONTACT PERSON<br><u>KEVIN GRAVES</u> | PHONE<br><u>(510) 286-0435</u> |

|                     |                                        |                                                                        |
|---------------------|----------------------------------------|------------------------------------------------------------------------|
| SUBSTANCES INVOLVED | (1) NAME<br><u>TPH - G</u>             | QUANTITY LOST (GALLONS)<br><input checked="" type="checkbox"/> UNKNOWN |
|                     | (2) NAME<br><u>TPH - D, TPH - M.O.</u> | QUANTITY LOST (GALLONS)<br><input checked="" type="checkbox"/> UNKNOWN |

|                     |                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DISCOVERY/ABATEMENT | DATE DISCOVERED<br><u>1/10/97</u>                                                                                                                      | HOW DISCOVERED<br><input type="checkbox"/> INVENTORY CONTROL <input type="checkbox"/> SUBSURFACE MONITORING <input type="checkbox"/> NUISANCE CONDITIONS<br><input type="checkbox"/> TANK TEST <input type="checkbox"/> TANK REMOVAL <input checked="" type="checkbox"/> OTHER <u>Geoprobe investigation</u>                                                                                                                    |
|                     | DATE DISCHARGE BEGAN<br><input checked="" type="checkbox"/> UNKNOWN                                                                                    | METHOD USED TO STOP DISCHARGE (CHECK ALL THAT APPLY)<br><input type="checkbox"/> REMOVE CONTENTS <input type="checkbox"/> CLOSE TANK & REMOVE <input type="checkbox"/> REPAIR PIPING<br><input type="checkbox"/> REPAIR TANK <input type="checkbox"/> CLOSE TANK & FILL IN PLACE <input type="checkbox"/> CHANGE PROCEDURE<br><input type="checkbox"/> REPLACE TANK <input checked="" type="checkbox"/> OTHER <u>excavation</u> |
|                     | HAS DISCHARGE BEEN STOPPED?<br><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, DATE <u>exact tank removal date unknown</u> |                                                                                                                                                                                                                                                                                                                                                                                                                                 |

|              |                                                                                                                                                                              |                                                                                                                                                                                                                             |
|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SOURCE/CAUSE | SOURCE OF DISCHARGE<br><input type="checkbox"/> TANK LEAK <input checked="" type="checkbox"/> UNKNOWN<br><input type="checkbox"/> PIPING LEAK <input type="checkbox"/> OTHER | CAUSE(S)<br><input type="checkbox"/> OVERFILL <input type="checkbox"/> RUPTURE/FAILURE <input type="checkbox"/> SPILL<br><input type="checkbox"/> CORROSION <input type="checkbox"/> UNKNOWN <input type="checkbox"/> OTHER |
|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|           |                                                                                                                                                                                                                                              |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CASE TYPE | CHECK ONE ONLY<br><input checked="" type="checkbox"/> UNDETERMINED <input type="checkbox"/> SOIL ONLY <input type="checkbox"/> GROUNDWATER <input type="checkbox"/> DRINKING WATER - (CHECK ONLY IF WATER WELLS HAVE ACTUALLY BEEN AFFECTED) |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CURRENT STATUS | CHECK ONE ONLY<br><input type="checkbox"/> NO ACTION TAKEN <input checked="" type="checkbox"/> PRELIMINARY SITE ASSESSMENT WORKPLAN SUBMITTED <input type="checkbox"/> POLLUTION CHARACTERIZATION<br><input type="checkbox"/> LEAK BEING CONFIRMED <input type="checkbox"/> PRELIMINARY SITE ASSESSMENT UNDERWAY <input type="checkbox"/> POST CLEANUP MONITORING IN PROGRESS<br><input type="checkbox"/> REMEDIATION PLAN <input type="checkbox"/> CASE CLOSED (CLEANUP COMPLETED OR UNNECESSARY) <input checked="" type="checkbox"/> CLEANUP UNDERWAY |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| REMEDIAL ACTION | CHECK APPROPRIATE ACTION(S)<br><input checked="" type="checkbox"/> EXCAVATE & DISPOSE (ED) <input type="checkbox"/> REMOVE FREE PRODUCT (FP) <input type="checkbox"/> ENHANCED BIO DEGRADATION (IT)<br><input type="checkbox"/> CAP SITE (CD) <input type="checkbox"/> EXCAVATE & TREAT (ET) <input type="checkbox"/> PUMP & TREAT GROUNDWATER (GT) <input type="checkbox"/> REPLACE SUPPLY (RS)<br><input type="checkbox"/> CONTAINMENT BARRIER (CB) <input type="checkbox"/> NO ACTION REQUIRED (NA) <input type="checkbox"/> TREATMENT AT HOOKUP (HU) <input type="checkbox"/> VENT SOIL (VS)<br><input type="checkbox"/> VACUUM EXTRACT (VE) <input type="checkbox"/> OTHER (OT) |
|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|          |                                    |
|----------|------------------------------------|
| COMMENTS | (Empty space for additional notes) |
|----------|------------------------------------|