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PK

# 2855 Mandela Property, LLC

204 Ramona Ave.  
Piedmont, CA 94611  
510-658-7818

January 28, 2008

**Alameda County**

Mr. William Ryan  
Branch Chief  
Department of Toxic Substances Control  
Office of Pollution Prevention and Technology Development  
P.O. Box 806  
Sacramento, CA 95812-0806

JAN 30 2008

**Environmental Health**

Subject: Exemption from Hazardous Waste Source Reduction and Management Review Act of 1989 (SB14) – ID#CAR000058040

Dear Mr. Ryan:

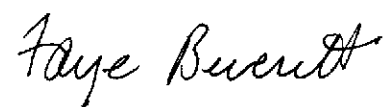
This letter is in response to the Notice of Noncompliance dated January 22, 2008 from the Department of Toxic Substances Control, Office of Pollution Prevention and Technology Development to 2855 Mandela Property regarding requirements of the Hazardous Waste Source Reduction and Management Review Act of 1989 (SB14). The notice indicated that a Summary Progress Report was required for the 15,020 tons of hazardous waste generated in 2006 by 2855 Mandela Property (Generator ID#CAR000058040).

As noted in the December 2006 Guidance Manual for Complying with the Hazardous Waste Source Reduction and Management Review Act of 1989, waste from site cleanup and mitigation activities are categorically exempt from the requirements of SB14. The hazardous waste generated for the 2855 Mandela Property under ID#CAR000058040 was solely derived from environmental cleanup activities at the property (*i.e.*, a mixture of petroleum and water extracted from the ground). The property is under the oversight by the Alameda County Health Care Services Agency (Fuel Leak Case #RO0000378) and is in the middle of implementation of an approved Interim Corrective Action Plan. The cleanup costs are being reimbursed by the California Underground Storage Tank Cleanup Fund (Claim #017160).

Mr. Glenn Leong of Treadwell & Rollo, Inc. (the environmental consultant for the cleanup) contacted the Office of Pollution Prevention and Technology Development on January 24, 2008 and was told by a staff person that a letter to DTSC verifying that the hazardous waste generated was from environmental cleanup would be sufficient to alleviate the SB14 requirements. This letter is intended to serve as the verification.

If you have any questions, please call me at (510)658-7818.

Sincerely,



Faye Beverett

Mr. William Ryan  
January 28, 2008  
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✓ cc: Don Hwang  
Alameda County Health Care Services Agency  
1131 Harbor Bay Parkway, 2<sup>nd</sup> Floor  
Alameda, CA 94502

Oakland Fire Department  
1605 Martin Luther King Jr. Way  
Oakland, CA 94612

Glenn Leong  
Treadwell & Rollo, Inc.  
501 14<sup>th</sup> Street  
Oakland, CA 94612