

A0 2621

**Chan, Barney, Env. Health**

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**From:** Glenn Leong [gmleong@treadwellrollo.com]  
**Sent:** Tuesday, February 27, 2007 11:27 AM  
**To:** Chan, Barney, Env. Health  
**Subject:** RE: Well Installation Requirements for RO0002621 - Emeryville Industrial Court

Barney,

Some thoughts on the groundwater monitoring:

There is no unequivocal evidence that there was not a release from both sites. However, the well that you are suggesting also won't provide the proof. There is reasonable circumstantial evidence that Unocal/ConocoPhillips is the primary source of subsurface contamination. To date, the Emerystation East Associates have conducted more investigation and soil and groundwater remediation (over 91,000 tons of soil excavated and water extracted from the site from 25 wells over a 4-month period) than Unocal/ConocoPhillips, and have undoubtedly remediated some of Unocal/ConocoPhillips' groundwater contamination in the process.

Although Emerystation East Associates has been proactive with the investigation and remedial activities associated with development activities, further investigation by Emerystation East Associates based on Unocal/ConocoPhillips data needs would appear to be an undue burden. However, if Unocal/ConocoPhillips develops data that indicates that the Emerystation East property has contributed to the groundwater contamination, then additional investigation activities by Emerystation East Associates may be appropriate at that time. According to Emerystation East Associates, they believe that Unocal/ConocoPhillips will not likely volunteer to put in a well in the area of our site without an Alameda County request/requirement.

Emerystation East Associates is interested in assisting Alameda County in their activities. However, further investigation of groundwater following the extent of remedial activities already undertaken appears unreasonable at this time.

Glenn M. Leong, REA  
Senior Associate

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**From:** Chan, Barney, Env. Health [<mailto:barney.chan@acgov.org>]  
**Sent:** Monday, February 26, 2007 3:42 PM  
**To:** Glenn Leong  
**Subject:** RE: Well Installation Requirements for RO0002621 - Emeryville Industrial Court

Glenn: Unless you get concurrence with Conoco Phillips, Thomas Kosel 916-558-7666 or Shelby Lathrop 916-

7/26/2007

558-7609, that they will assume liability and are willing to install monitoring well(s), I don't think there is unequivocal data that says there hasn't been releases from both sites. Also, not enough work has been done on the Unocal site.

Any thoughts?

Barney M. Chan  
Hazardous Materials Specialist  
Alameda County Environmental Health  
510-567-6765

---

**From:** Glenn Leong [mailto:gmleong@treadwellrollo.com]  
**Sent:** Friday, February 23, 2007 11:14 AM  
**To:** Glenn Leong; Chan, Barney, Env. Health  
**Subject:** RE: Well Installation Requirements for RO0002621 - Emeryville Industrial Court

Barney,

Any thoughts on the well installation issue for Emeryville Industrial Court?

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**From:** Glenn Leong  
**Sent:** Friday, February 16, 2007 10:39 AM  
**To:** 'Chan, Barney, Env. Health'  
**Subject:** RE: Well Installation Requirements for RO0002621 - Emeryville Industrial Court

Barney,

Your 22 January 2007 letter regarding the Emeryville Industrial Court requested two items:

1 – Upload electronic copy of documentation from the laboratory data indicating that methylene chloride detections were likely from laboratory contamination. We are having the laboratory issue a letter accordingly and will upload the letter soon.

7/26/2007

2. Monitoring Well Installation Work Plan for southwest corner of the Site – As we noted previously in our SMP and SMP Completion report, the presence of TPHg, TPHd, and BTEX in soil and groundwater samples collected from the southwest corner of the Site prior to soil excavation and dewatering activities may have been due to historical releases from the Site's former Union Oil operations, as well as more recent releases from the Unocal/ConocoPhillips gasoline service station adjacent to the Site. Soil excavation activities across the site resulted in post-excitation soil samples in the area showing concentration in soil no higher than 10 mg/kg TPHd and 2 mg/kg TPHd in the southwest area. Construction dewatering and treatment prior to discharge conducted during foundation installation removed groundwater contamination in the area as a by-product of the water table lowering activities. The groundwater samples collected from dewatering well DW-14 indicated the continuing presence of TPHg, TPHd, benzene, toluene, xylenes, TBA and EDC. The presence of TBA and EDC are indicative of a release from the Unocal/ConocoPhillips gasoline service station adjacent to the Site.

Due to the extent of soil source removal followed by water extraction and treatment at the 5885 Hollis Street site and based chemical content of the dewatering samples, we suspect that the residual groundwater concentrations are indicative of a release from the Unocal/ConocoPhillips gasoline service station. Installation of a groundwater monitoring well on the 5885 Hollis Street property would primarily provide additional information relative to the gasoline service station groundwater releases rather than the continued confirmation of soil source removal from the 5885 Hollis Street property.

Conversations with Emerystation East Associates has indicated that they would be willing to work out Site access issues for a monitoring well to be installed and monitored by Unocal/Conoco Phillips on the 5885 Hollis Street property. Please note that in accordance with the SMP, the new building foundation (which occupies most of the property) is underlain by a membrane-based waterproofing system to preclude water intrusion into the parking garage. Therefore, we would prefer if Unocal/Conoco Phillips install their well outside of the building footprint to preserve the membrane integrity.

Please let me know your thoughts on this issue.

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**From:** Chan, Barney, Env. Health [<mailto:barney.chan@acgov.org>]  
**Sent:** Thursday, February 15, 2007 8:47 AM  
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Glenn: If possible, please e mail me your comments and recommendations and hopefully we can do this without a meeting.

Barney M. Chan

7/26/2007

Hazardous Materials Specialist  
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ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



F

January 22, 2007

Mr. Fillmore Marks  
Marks Management Company  
505 Sansome St., Ste 1400  
San Francisco, CA 94111-3118

Mr. Geoffrey Sears  
Wareham Development  
1120 Nye St., Suite 400  
San Rafael, CA 94901

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

Dear Messrs. Marks and Sears:

Subject: SLIC Site RO0002621, Emeryville Industrial Court, 5885 Hollis St., Emeryville, CA 94608

Alameda County Environmental Health (ACEH) staff has reviewed the files for the subject site including the January 5, 2007 Site Management Completion Report 5885 Hollis Street Emeryville, California by Treadwell and Rollo. This report summarizes soil excavation, post-excavation soil sampling, groundwater dewatering and sampling and site capping in preparation for site development. Our office has the following technical comments and request you submit the following technical reports requested below.

TECHNICAL COMMENTS

1. Previously Identified Areas of Concerns- Prior investigations and observations had identified numerous areas of potential concern. Upon review of the Site Management Completion Report our office has the following observations:
  - The trench area observed impacted soils while widening 59<sup>th</sup> Street on the northern property boundary. This area was over-excavated as part of site preparation and two soil samples (TR-47 and TR-48) collected in this general area. Extraction well, DW-24, was also located in the vicinity of this area. Based upon soil and groundwater results, no further investigation in this area will be required.
  - Numerous businesses were identified which used solvents. Post-excavation samples were collected and analyzed for COCs in these areas. Methylene chloride was reported in the soil samples ranging from 94-220 ppb. These results are suggested to be an artifact from the laboratory and are being discounted. Please upload an electronic copy of the analytical report and have the laboratory issue a comment on the likelihood of these results having come from laboratory contamination.
  - Soil samples were collected in areas where elevated TPHg and TPHmo were detected in shallow soil but not in deeper soils. Based upon post-excavation soil and groundwater samples, no further investigation of these areas is required.
  - Post-excavation soil samples were collected near former waste oil ASTs (5895 and 5850 Peladeau St.) and a former 10,000 gallon UST on 5805 Hollis Street. Based upon these results no further investigation is required in these areas.

- The southwest corner of the property formerly had oil tanks and pumps located on it and it is also located next to a known gasoline station with an on-going UST investigation. Previous soil and groundwater results indicate that releases had occurred on-site and that off-site contamination may have migrated from the adjacent property. The post-excavation results confirm both these observations. The groundwater samples from extraction well DW-14 in this area indicate a significant TPHg, TPHd and BTEX release. The presence of TBA and EDC are indicative of a release from the neighboring gasoline station. We request that you install wells in this area to monitor both releases from your site and that from the neighboring site. We recommend you work with the neighboring site's responsible party, Unocal/ConocoPhillips, to co-ordinate well installations and groundwater monitoring. Please submit a monitoring well installation work plan as requested below.

#### TECHNICAL REPORT REQUEST

Please submit the requested reports according to the following schedule:

- February 23, 2007- Analytical Report submittal to the County ftp site and written comment from analytical laboratory
- February 23, 2007- Work Plan for Monitoring Well Installation

#### ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). Please visit the State Water Resources Control Board for more information at ([http://www.swrcb.ca.gov/ust/cleanup/electronic reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

#### PERJURY STATEMENT

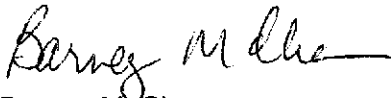
All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this case meet this requirement.

If you have any questions, please call me at (510) 567-6765.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: files, D. Drogos

Mr. Ignacio Dayrit, City of Emeryville, 1333 Park Ave., Emeryville, CA 94608

Mr. Glenn Leong, Treadwell & Rollo, 501 14<sup>th</sup> ST., 3<sup>rd</sup> Floor, Oakland, CA 94612

Ms. Shelby Lathrop, ConocoPhillips, 76 Broadway, Sacramento, CA 95818

1\_22\_07 5885 Hollis St

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



F

January 22, 2007

Mr. Robert Miller  
Allied Land CX  
2421 Blanding Avenue  
Alameda, CA 94501

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

### NOTICE OF VIOLATION

Subject: Fuel Leak Case No. RO0002601, Allied Engineering Corporation, 2421 Blanding Avenue, Alameda, CA

Dear Mr. Miller:

Alameda County Environmental Health (ACEH) staff previously requested in correspondence dated September 19, 2006 (attached) that you submit a Soil and Groundwater Investigation Work Plan (Work Plan) for your site by October 30, 2006. To date, we have not received either a Work Plan or a request for a schedule extension.

Your Work Plan is now late, and your fuel leak site is not in compliance with directives from ACEH. In order for your site to return to compliance, please submit the previously requested Work Plan for Site Assessment **by February 1, 2007**. This date is not an extension of your due date, reports for this site are late and your site is out of compliance. ACEH makes this request pursuant to California Health & Safety Code Section 25296.10. 23 CCR sections 2652 through 2654, and 2721 through 2728 outline the duties of a responsible party in response to a reportable unauthorized release from a petroleum UST system, and require your compliance with this request.

ACEH is concerned about the significant delays that are occurring in submitting reports for this site. Please be informed, if these delays continue we will consider referring your case to the Regional Board or other appropriate agency, including the Alameda County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

#### ELECTRONIC SUBMITTAL OF REPORTS

Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic\\_reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting)).

In order to facilitate electronic correspondence, we request that you provide up to date electronic mail addresses for all responsible and interested parties. Please provide current electronic mail addresses and notify us of future changes to electronic mail addresses by sending an electronic mail message to me at: [steven.plunkett@acgov.org](mailto:steven.plunkett@acgov.org).

#### PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

#### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

#### UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, later reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

#### AGENCY OVERSIGHT

ACEH is concerned about the significant delays that are occurring in submitting reports for this site. Please be informed, if these delays continue we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible

Mr. Robert Miller  
January 19, 2007  
Page 3

enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

If you have any questions, please call me at (510) 383-1767.

Sincerely,



Steven Plunkett  
Hazardous Materials Specialist

Attachment: ACEH Correspondence Dated September 19, 2006

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Sunil Ramdass  
SWRCB Cleanup Fund  
1001 I Street, 17<sup>th</sup> floor,  
Sacramento, CA 95814-2828

Alyce C. Sandbach  
Alameda County District Attorney  
1225 Fallon Street, Suite 800  
Oakland, CA 94612

Donna Drogos, ACEH  
Steven Plunkett, ACEH  
File

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

December 8, 2005

Mr. Fillmore Marks  
Marks Management Company  
505 Sansome St., Ste 1400  
San Francisco, CA 94111-3118

Mr. Geoffrey Sears  
Wareham Development  
1120 Nye St., Suite 400  
San Rafael, CA 94901

Dear Messrs. Marks and Sears:

Subject: SLIC Site [REDACTED] Emeryville Industrial Court, 5885 Hollis St., Emeryville,  
CA 94608

Alameda County Environmental Health (ACEH) staff has reviewed the files for the subject site including the November 30, 2005 *Response to Letter Dated 28 October 2005 and Work Plan for Post-Excavation Soil and Groundwater Sampling 5885 Hollis Street Emeryville, California* by Treadwell and Rollo. The letter report addresses the technical comments in the County's October 28, 2005 letter. We approve of the proposed development and the Site Management Plan with the clarifications in the November 30, 2005 letter report with the following technical comments on the Work Plan Post-Excavation Soil and Groundwater Sampling.

#### TECHNICAL COMMENTS

1. We request that all MTBE analysis on soil and water samples be run by EPA Method 8260 to avoid false positive detections, which potentially occur while using EPA Method 8020. We also request that those samples taken where TPHg is a contaminant of concern also analyze for the other oxygenates, TAME, ETBE, DIPE, TBA and ethanol and the lead scavengers, EDB and EDC.
2. We concur with the proposed locations for the post-excavation soil samples, however, we request that additional samples be taken and analyzed in the following areas; loading rack (at least one) and along the southern border of this property and the current Chevron station (at least four). These are areas of potential and known contaminant releases and where commingle plumes may exist. We also recommend that additional sampling be done in other contaminated areas observed during the excavation.
3. We understand that the groundwater dewatering system will be composed of approximately 30 extraction wells, manifold to a Baker tank and that wells will be able to sample well from specific "areas". This is desirable as this would be useful information to determine where impacted areas are, whether off-site releases have impacted the site and where future monitoring should be located. We recommend, at a minimum, groundwater sampling be done in the southeast, southwest and northern portions of the site where contamination has been identified and any other locations where soil contamination is subsequently identified. As noted previously, analysis should be according to item 1.



### ELECTRONIC SUBMITTAL OF REPORTS

ACEH's Environmental Cleanup Oversight Programs (LOP and SLIC) now request submission of reports in electronic form. The electronic copy is intended to replace the need for a paper copy and is expected to be used for all public information requests,

regulatory review, and compliance/enforcement activities. Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all reports is required in Geotracker (in PDF format). Please visit the State Water

Resources Control Board for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic%20reporting)).

### PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

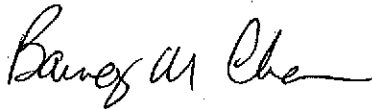
### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this case meet this requirement.

November 8, 2005  
Messrs. Marks and Sears  
Page 3 of 3

If you have any questions, please call me at (510) 567-6765.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

cc: files, D. Drogos

Mr. Ignacio Dayrit, City of Emeryville, 1333 Park Ave., Emeryville, CA 94608

Mr. Glenn Leong, Treadwell & Rollo, 501 14<sup>th</sup> ST., 3<sup>rd</sup> Floor, Oakland, CA 94612

12\_8\_05 5885 Hollis St

Ro 2621

**Chan, Barney, Env. Health**

---

**From:** Elaine Kirk [ekirk.marks@earthlink.net]  
**Sent:** Tuesday, November 08, 2005 3:23 PM  
**To:** Chan, Barney, Env. Health  
**Subject:** FW: 5885 Hollis Street

[We will see if I got your address right this time]

-----Original Message-----

**From:** Elaine Kirk [mailto:ekirk.marks@earthlink.net]  
**Sent:** Tuesday, November 08, 2005 3:08 PM  
**To:** 'barney.chan@acgove.org'  
**Cc:** 'Geoff Sears'  
**Subject:** 5885 Hollis Street

Barney,

1120 Nye St Ste 400  
San Rafael, 94901

As we have discussed, the purchase of 5885 Hollis Street by ES East Associates, LLC, was completed today. Geoff Sears of Wareham Development should be able to tell you whom to contact concerning the property in the future. His telephone numbers is 415.457.4964. I

Elaine Kirk  
Marks Management Co.  
505 Sansome Street, Suite 1400  
San Francisco, CA 94111  
Telephone 415.392.3558  
Facsimile 415.362.7756  
ekirk.marks@earthlink.net

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



out  
1175-830

ENVIRONMENTAL HEALTH SERVICES

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

October 28, 2005

Mr. Fillmore Marks  
Marks Management Company  
505 Sansome St., Ste 1400  
San Francisco, CA 94111-3118

Dear Mr. Marks:

Subject: SLIC Site ~~XXXXXXXXXX~~, Emeryville Industrial Court, 5885 Hollis St., Emeryville,  
CA 94608

Alameda County Environmental Health (ACEH) staff has reviewed the files for the subject site including the July 14, 2005 *Site Management Plan 5885 Hollis St., Emeryville, California* and the October 13, 2005 *Clarification of Site Management Plan* by Treadwell and Rollo. Our understanding is that the site will be sold to Wareham Development and then be developed into a multi-story office building with a sub-grade mechanically ventilated parking garage. The October 13, 2005 clarification letter states that the site will be excavated to approximately 14' below ground surface and that a membrane-based water-proofing will be installed to prevent groundwater intrusion. The clarification letter also proposes no post-excavation soil or groundwater sampling. The development plan is similar to that proposed in 2000, which was responded to in the County's January 16, 2001 letter from Ms. Susan Hugo. Therefore, many of the concerns addressed in the prior letter remain valid. We approve of the proposed development and the Site Management Plan upon the satisfactory addressing of the following technical comments and submittal of the technical reports requested below.

TECHNICAL COMMENTS

1. Please clarify whether our above stated understanding of the development is correct. We assume the entire site will be excavated to the proposed depth and that a sub-surface garage will be beneath the entire site. Please confirm that any areas where elevators, piles, etc are proposed, which require deep excavation, will not cause the migration of contamination vertically. Provide your response as requested below.
2. The January 16, 2001 letter requested that you examine the potential of creating pathways for pollution migration from off-site sources. Please identify all nearby off-site sources and assess their potential for the spread of contamination through the proposed on-site soil excavation and dewatering activities. Provide your response as requested below.
3. Please provide historical aerial photos of the site as requested below.
4. Please provide overlay figure(s) of current site usage and the aerial photos or Sanborn maps. These figure(s) should be used to develop your site characterization work plan requested below.
5. The current site characterization is incomplete. All potential source areas from historical usage and those detected in Phase II investigations have not been thoroughly investigated. Such areas include, but are not limited to, the trench area

observed impacted during the widening of 59<sup>th</sup> St. investigation, the location of the former UST noted on the S. B. Thomas site at 5805 Hollis St., the southwest corner of the property near TR-25 where elevated gasoline was detected, the locations of former oil tanks on the Fleetcare property on Peladeau St. and the other businesses identified in the 3/19/95 Environmental Site Assessment report which used paints, thinner, solvents, mineral spirits, chlorinated solvents, varnish remover and stripper. We recommend that soil and groundwater characterization be performed post-excavation. Please provide a work plan to complete site characterization as requested below. It is believed that the planned dewatering done prior to excavation will remove impacted groundwater. We recommend sampling the extracted groundwater for contaminants of concern (COCs) on a schedule that shows the effects of the remediation and also indicates whether surface releases/sources may have caused groundwater impact. Additional sampling is warranted in the southwest corner of the site to determine if there is significant residual source from the former Tosco service station.

6. Future groundwater monitoring appears necessary. Your completion report should provide an evaluation of groundwater impacts and propose a monitoring program sufficient for site closure evaluation. Please provide your completion report as requested below.
7. A deed restriction may be required to prevent unrestricted use of the property prior to site closure.

#### TECHNICAL REPORT REQUEST

- November 30, 2005-Written response to above items 1&2, aerial photos and figures.
- November 30, 2005-Work plan for post-excavation soil and groundwater sampling, including likely locations of extraction wells and a sampling strategy for them.
- 90 days after completion of excavation and extraction activities- completion report including soil and groundwater disposal documentation, analytical results, groundwater impact evaluation and monitoring recommendation.

#### ELECTRONIC SUBMITTAL OF REPORTS

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October 28, 2005  
Mr. Fillmore Marks  
Page 3 of 3

Resources Control Board for more information on these requirements ([http://www.swrcb.ca.gov/ust/cleanup/electronic reporting](http://www.swrcb.ca.gov/ust/cleanup/electronic%20reporting)).

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 6835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this case meet this requirement.

If you have any questions, please call me at (510) 567-6765.

Sincerely,



Barney M. Chan  
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: files, D. Drogos

Mr. Ignacio Dayrit, City of Emeryville, 1333 Park Ave., Emeryville, CA 94608  
Mr. Glenn Leong, Treadwell & Rollo, 501 14<sup>th</sup> ST., 3<sup>rd</sup> Floor, Oakland, CA 94612

10\_28\_05 5885 Hollis St

21 October 2005  
Project No. 4069.01

Barney Chan  
Hazardous Materials Specialist  
Alameda County Health Care Services Agency  
1131 Harbor Bay Parkway, 2<sup>nd</sup> Floor  
Alameda, CA 94502

Alameda County  
OCT 25 2005  
Environmental Health

Subject: Clarification of Site Management Plan  
5885 Hollis Street  
Emeryville, California

Dear Mr. Chan:

This letter provides clarification of information presented in the Site Management Plan (SMP) dated 14 July 2005 prepared by Treadwell & Rollo on behalf of Wareham Development, the developer of the property. During our telephone call on 13 October 2005, we discussed the following issues related to the proposed development and the SMP that required clarification to enable you to complete your review.

- **Soil Excavation Depth** – According to DPR, Inc., the general contractor for the construction of the proposed building, the approximate soil excavation depth for construction of the foundation is approximately 14 feet below ground surface (bgs). The final excavation depth will vary because the property is not perfectly flat and there are construction features that require slightly deeper excavations, such as elevator pits, thickened sections of the slab for the parking level, and the installation of drain rock beneath the slab. Section 5.2 indicates that soil at the Site may be excavated to 12 feet bgs. This value should be changed to approximately 14 feet bgs, which is below the depth of shallow groundwater, which has been measured at a depth of about 9 feet bgs.
- **Soil Confirmation Sampling** – Section 5.3 of the SMP indicates that confirmatory soil samples will be collected and analyzed. The soil chemical data presented in the SMP indicates metals are less than the 2005 Environmental Screening Levels (ESLs) developed by the San Francisco Bay Regional Water Quality Control Board (used as screening levels in the SMP). Concentrations of total petroleum hydrocarbons in soil above residential ESLs are limited to depths less than 5 feet bgs, with deeper soil samples indicating concentrations below residential ESLs. As noted previously, the soil excavation depth is approximately 14 feet bgs. Therefore, the bottom of the soil excavation will be within depth intervals where residual concentrations of chemicals are less than residential ESLs. Therefore, soil confirmation sampling is no longer proposed.
- **Groundwater Monitoring** – Section 5.3 of the SMP indicates that confirmatory groundwater samples will be collected and analyzed. As noted in Section 4.4 of the SMP, much of the elevated petroleum hydrocarbons, including benzene, is located along the southern portion of the 5885 Hollis Street property and is also likely present at the property to the south. The exact source of the hydrocarbons is not known at this time,

Barney Chan  
Hazardous Materials Specialist  
21 October 2005  
Page 2

although Conoco Phillips has reportedly been considered a responsible party for the potential hydrocarbons release at the service station to the south of the 5885 Hollis Street property. Due to the extent of dewatering and treatment to be conducted (Section 5.5.1 of the SMP) to enable soil excavation activities and foundation construction below the shallow groundwater depth, confirmatory groundwater sampling is not proposed at this time. However, permit-required sampling of the water removed during dewatering will be conducted prior to discharge.

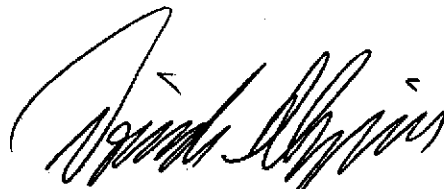
One effect of the dewatering and treatment will be a reduction of petroleum hydrocarbons, including benzene, in the shallow groundwater at the Site and immediately to the south. Because the foundation will be below the water table, a chemically compatible (resistant to degradation) membrane-based waterproofing is also proposed (Section 5.5.2 of the SMP) in lieu of a foundation subdrain system. The installation of a subdrain system could cause local groundwater flow patterns to significantly vary. The membrane and sub-water table foundation system will prevent significant movement of shallow groundwater around the foundation and will likely not impact the transport of residual concentrations of petroleum hydrocarbons to or from the property to the south, which likely includes petroleum-affected groundwater. Although post-construction groundwater monitoring is not proposed at this time, Wareham Development has indicated that they will work cooperatively with Alameda County Health Care Services Agency and Conoco Phillips regarding future groundwater monitoring and property access for the installation of groundwater wells along the southern edge of the 5885 Hollis Street property. There will reportedly be a 20-foot space next to the proposed building that may be suitable for groundwater monitoring wells.

We hope this information allows you to proceed with your evaluation and subsequent approval of the SMP for the 5885 Hollis Street project, assuming implementation of the proposed mitigation measures in the SMP and as clarified in this letter. If you have any questions, please call (Glenn) at (510) 874-4500 at extension 554.

Sincerely yours,  
TREADWELL & ROLLO, INC.



Glenn M. Leong, REA  
Senior Scientist



Dorinda C. Shipman, PG, CHG.  
Principal

40690103.OAK

cc: Geoff Sears, Wareham Development  
Ignacio Dayrit, City of Emeryville



**Chan, Barney, Env. Health**

---

**From:** Ignacio Dayrit [idayrit@ci.emeryville.ca.us]  
**Sent:** Wednesday, September 21, 2005 1:34 PM  
**To:** Chan, Barney, Env. Health  
**Subject:** FW: 5885 Hollis Street

Ignacio Dayrit  
City of Emeryville  
1333 Park Avenue  
Emeryville, CA 94608  
p (510)596-4356  
f (510)596-4389

-----Original Message-----

**From:** Ignacio Dayrit  
**Sent:** Thursday, July 21, 2005 1:21 PM  
**To:** 'Donna Drogos (ddrogos@co.alameda.ca.us)'  
**Subject:** 5885 Hollis Street

Hi Donna,

Checking in again if you've had a chance to see the report from Treadwell & Rollo and/or assign to anyone.

My understanding from the T&R is that the USTs were not formally closed. Contamination is primarily in groundwater along the southern ¼ of the property, and it appears that contamination is likely from the former Union Oil Operations at the property, but may be commingled with potential releases from the old gas station tanks at the former Unocal/Chevron service station. No MTBE was found, so it is not likely a recent release.

An earlier development proposal by Marks Management involved some removal of soil - hence, there were some soil/gw management issues. Wareham is now proposing R&D, including subsurface parking with appropriate waterproofing. (This is similar to the projects that Susan Hugo worked on with Wareham). T&R did additional sampling to further evaluate site conditions, with the presence of the TPH-gasoline and benzene in groundwater at the southern portion of the site being the most relevant piece of information. Since construction-required excavation at the Site will be performed anyway, much of the on-site contamination, down to 10 feet at least, will likely be removed.

Please advice if we can help in any way. Folks here are eager to see how the environmental process will fit into the schedule. Thanks.

Ignacio Dayrit  
City of Emeryville  
1333 Park Avenue  
Emeryville, CA 94608  
p (510)596-4356  
f (510)596-4389

**Chan, Barney, Env. Health**

---

**From:** Ignacio Dayrit [idayrit@ci.emeryville.ca.us]  
**Sent:** Wednesday, September 21, 2005 1:34 PM  
**To:** Chan, Barney, Env. Health  
**Subject:** FW: 5885 Hollis Street

Background info. Please note date this was sent and hope you'll understand why the developer is frustrated...

Ignacio Dayrit  
City of Emeryville  
1333 Park Avenue  
Emeryville, CA 94608  
p (510)596-4356  
f (510)596-4389

-----Original Message-----

**From:** Ignacio Dayrit  
**Sent:** Friday, July 15, 2005 11:56 AM  
**To:** 'Donna Drogos (ddrogos@co.alameda.ca.us)'  
**Subject:** 5885 Hollis Street

Hi Donna – a couple of years ago, a developer had proposed redeveloping this site. That proposal went away, but I understand they had some interaction with and direction from your agency on next steps. Well, that development (Marks Management) did not occur, but we have a fresh proposal by Wareham Development. I believe Treadwell & Rollo sent over a site management plan which follows up on previous reports done for the site. Please take a look at it (or assign to the appropriate person). If you don't mind, I plan to call sometime mid-week next week to see what the next steps are. Thanks.

Ignacio Dayrit  
City of Emeryville  
1333 Park Avenue  
Emeryville, CA 94608  
p (510)596-4356  
f (510)596-4389

**Chan, Barney, Env. Health**

---

**From:** Ignacio Dayrit [idayrit@ci.emeryville.ca.us]  
**Sent:** Wednesday, September 21, 2005 1:32 PM  
**To:** Chan, Barney, Env. Health  
**Subject:** RE: 5885 Hollis St.

Thanks! As you can tell, the documents were prepared in July. I'll be forwarding you info/emails that I had previously send to Donna – it should tell you everything. Essentially, the developer wants to start remediation in November. They are removing all soils to about 12-15 feet, and any groundwater contamination is from off-site sources. We need to get your blessing to start work by then. If case closure has to wait a bit, let us know. Please contact Glenn Leong directly on any technical issues. Look for a few emails I'll be forwarding. Thanks again!

Ignacio Dayrit  
City of Emeryville  
1333 Park Avenue  
Emeryville, CA 94608  
p (510)596-4356  
f (510)596-4389

-----Original Message-----

**From:** Chan, Barney, Env. Health [mailto:barney.chan@acgov.org]  
**Sent:** Wednesday, September 21, 2005 1:25 PM  
**To:** Ignacio Dayrit  
**Subject:** 5885 Hollis St.

Ignacio: I just received this case and wanted to know what you're looking for. What kind of letter, what deadlines, etc.

Thanks

Barney M. Chan  
Hazardous Materials Specialist  
Alameda County Environmental Health  
510-567-6765

**Drogos, Donna, Env. Health**

---

**From:** Ignacio Dayrit [idayrit@ci.emeryville.ca.us]  
**Sent:** Tuesday, August 23, 2005 2:26 PM  
**To:** Drogos, Donna, Env. Health  
**Cc:** Glenn Leong; Geoff Sears  
**Subject:** RE: 5885 Hollis Street

Hi Donna – following up on our call and the documents we sent you ~July 28. Thanks.

Ignacio Dayrit  
City of Emeryville  
1333 Park Avenue  
Emeryville, CA 94608  
p (510)596-4356  
f (510)596-4389

**Drogos, Donna, Env. Health**

---

**From:** Ignacio Dayrit [idayrit@ci.emeryville.ca.us]  
**Sent:** Monday, August 15, 2005 1:21 PM  
**To:** Drogos, Donna, Env. Health  
**Subject:** 5885 Hollis

Hi Donna – have you been able to assign the project to anyone yet? Please advice as the Planning Department and developer are eager to see where the haz mat issues lie. Thanks.

Ignacio Dayrit  
City of Emeryville  
1333 Park Avenue  
Emeryville, CA 94608  
p (510)596-4356  
f (510)596-4389

**Drogos, Donna, Env. Health**

---

**From:** Ignacio Dayrit [idayrit@ci.emeryville.ca.us]  
**Sent:** Thursday, July 28, 2005 9:07 AM  
**To:** Drogos, Donna, Env. Health  
**Cc:** Glenn Leong  
**Subject:** RE: 5885 Hollis Street

Great. I will handle the 3-way connections at this end and call you. Thanks.

Ignacio Dayrit  
City of Emeryville  
1333 Park Avenue  
Emeryville, CA 94608  
p (510)596-4356  
f (510)596-4389

-----Original Message-----

**From:** Drogos, Donna, Env. Health [mailto:donna.drogos@acgov.org]  
**Sent:** Thursday, July 28, 2005 9:05 AM  
**To:** Ignacio Dayrit  
**Subject:** RE: 5885 Hollis Street

okay

---

**From:** Ignacio Dayrit [mailto:idayrit@ci.emeryville.ca.us]  
**Sent:** Thursday, July 28, 2005 9:00 AM  
**To:** Drogos, Donna, Env. Health  
**Subject:** RE: 5885 Hollis Street

Hi Donna – is it OK if Glenn Leong join us on the call, either at the beginning, or toward the middle? He knows a lot more about the site than I do. I can probably patch him in. Thanks.

Ignacio Dayrit  
City of Emeryville  
1333 Park Avenue  
Emeryville, CA 94608  
p (510)596-4356  
f (510)596-4389

-----Original Message-----

**From:** Ignacio Dayrit  
**Sent:** Monday, July 25, 2005 8:20 AM  
**To:** 'Drogos, Donna, Env. Health'  
**Subject:** RE: 5885 Hollis Street

2pm would be great – thanks. Would it be helpful to have someone else on the call, or for someone to join us after we've had a chance to talk a little? I'm thinking Treadwell & Rollo, who's been involved in the site for several years may help move discussions along.

Ignacio Dayrit  
City of Emeryville  
1333 Park Avenue

Emeryville, CA 94608  
p (510)596-4356  
f (510)596-4389

-----Original Message-----

**From:** Drogos, Donna, Env. Health [mailto:[donna.drogos@acgov.org](mailto:donna.drogos@acgov.org)]  
**Sent:** Friday, July 22, 2005 8:33 AM  
**To:** Ignacio Dayrit  
**Subject:** RE: 5885 Hollis Street

okay, 7/28 at 2p or 3p?

---

**From:** Ignacio Dayrit [mailto:[idayrit@ci.emeryville.ca.us](mailto:idayrit@ci.emeryville.ca.us)]  
**Sent:** Thursday, July 21, 2005 9:41 PM  
**To:** Drogos, Donna, Env. Health  
**Subject:** RE: 5885 Hollis Street

Hi - thanks for getting back to me - we're all busy after all. And I'm tied that AM, but am free (for now) most of that PM. The rest of the week isn't too bad either, except for Fridays. Afternoons tend to be better as well. Hope to touch bases soon. Thanks again. Ignacio

-----Original Message-----

**From:** Drogos, Donna, Env. Health [mailto:[donna.drogos@acgov.org](mailto:donna.drogos@acgov.org)]  
**Sent:** Thu 7/21/2005 5:08 PM  
**To:** Ignacio Dayrit  
**Subject:** RE: 5885 Hollis Street

Thanks for the heads up Ignacio. A stack of reports arrived yesterday. We will need to review them. I look forward to discussing your thoughts on including the regulatory process in the current schedule. I have time next week to hear your thoughts on the case. Shall we talk by phone 07/28 at 11a? Donna

-----Original Message-----

**From:** Ignacio Dayrit [mailto:[idayrit@ci.emeryville.ca.us](mailto:idayrit@ci.emeryville.ca.us)]  
**Sent:** Thursday, July 21, 2005 1:21 PM  
**To:** Drogos, Donna, Env. Health  
**Subject:** 5885 Hollis Street

Hi Donna,

Checking in again if you've had a chance to see the report from Treadwell & Rollo and/or assign to anyone.

My understanding from the T&R is that the USTs were not formally closed. Contamination is primarily in groundwater along the southern ¼ of the property, and it appears that contamination is likely from the former Union Oil Operations at the property, but may be commingled with potential releases from the old gas station tanks at the former Unocal/Chevron service station. No MTBE was found, so it is not likely a recent release.

An earlier development proposal by Marks Management involved some removal of soil - hence, there were some soil/gw management issues. Wareham is now proposing R&D, including subsurface parking with appropriate waterproofing. (This is similar to the projects that Susan Hugo worked on with Wareham). T&R did additional sampling to further evaluate site conditions, with the presence of the TPH-gasoline and benzene in groundwater at the southern portion of the site being the most relevant piece of information. Since construction-required excavation at the Site will be performed anyway, much of the on-site contamination, down to 10 feet at least, will likely be removed.

Please advice if we can help in any way. Folks here are eager to see how the environmental process will fit into the schedule. Thanks.

7/28/2005

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



January 16, 2001

Mr. Fillmore Marks  
Marks Management Company  
44 Montgomery, Suite 850  
San Francisco, California 94104

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

**RE: Proposed Emeryville Industrial Court (STID# 6687)  
5885 Hollis Street, Emeryville, California 94608**

Dear Mr. Fillmore:

This letter serves to follow up the meeting we had last Friday, January 12, 2001, attended by Marks Management (Elaine Kirk and yourself), City of Emeryville Building and Planning (Barrie Cromarti), Treadwell and Rollo (Donald Treadwell, Christian Divis and Peter Cusack) and your architect for the project. On July 5, 2000, this agency issued a letter approving the proposed development of the subject site for commercial use provided the issues listed in our June 23, 2000 letter are addressed. The submitted development plan included construction of a two-story building and above ground four level parking garage structure. Treadwell and Rollo submitted a letter report dated August 8, 2000 to address those issues.

As you know, the development plan has changed since that time. Treadwell and Rollo submitted a letter dated December 8, 2000 describing the proposed changes to the development plan which included one level of underground parking covering the entire site. It is my understanding that the entire site will be excavated between ten to eleven feet below ground surface. Because of these proposed changes to the previously submitted plan, the following issues (discussed in our meeting) must be addressed prior to development of the site:

1. Potential future groundwater intrusion into the basement of the building must be addressed.
2. Evaluate and demonstrate that the proposed construction activities will not create migration of on-site and off-site contamination during construction and after completion of the development of the site. Potential off-site sources should be identified.
3. Evaluate vapor seepage into the basement / building and identify human health risk to occupants of the building.
4. Site development plan should be revised to incorporate the proposed changes and should include at a minimum the following: description of the project, site map with the location of the proposed building, landscapes, underground parking, known sources or potential sources of contamination, extent of excavation, location of pile drives or elevator shafts if applicable.
5. Site conceptual model (SCM) should be prepared to include the proposed changes, identify sources of releases, chemicals of concern (COCs), routes of exposures and sensitive receptors. This should include evaluation of human health and environmental risk assessment for the proposed use of the site. Issue # 3 should be incorporated in the SCM.



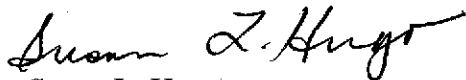
Mr. Fillmore Marks  
RE: 5885 Hollis Street, Emeryville, CA 94608  
January 16, 2001  
Page 2 of 2

6. The short term and long-term risk management plan should be revised to incorporate the proposed changes. The short term (construction) risk management plan should include at a minimum the following elements: acceptable health & safety plan for construction workers, soil management plan, groundwater management plan, dust control, stormwater prevention plan, and preventive measures to not create any vertical conduits for contaminants to migrate from shallow to deeper groundwater. The long-term (future) risk management plan should include at a minimum the following items: health and safety plan for future construction workers such as utility workers who maybe exposed to residual contaminants that will be left at the site, institutional controls such as deed restriction and capping with clean soil cover at least three feet thick to minimize or eliminate exposure of gardeners and routine maintenance personnel (e.g. those who repair landscaping irrigation systems) to affected soil. Sidewalks should have at least three to four feet of clean soil cover.
7. Confirmation soil and groundwater samples should be collected at the site and should include the following chemicals of concern: TPH gasoline, TPH diesel, TPH motor oil, TPH mineral spirits, chlorinated solvents, volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs) and metals.
8. The contingency plan should be revised to include the proposed changes.
9. Future groundwater monitoring plan for the site should include contamination found on 59th Street and Peleadeau.
10. A report should be submitted after completion of the development and should include at a minimum copies of any soil and /or groundwater disposed off site, results of soil and groundwater sampling, site map with location of residual contamination left at the site, etc.

A work plan addressing the above listed issues should be submitted and approved by this agency prior to development of the subject site.

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

Sincerely,



Susan L. Hugo  
Hazardous Materials Specialist

c: Ariu Levi /Thomas Peacock, Environmental Health Services  
Ravi Arulanantham, San Francisco Bay RWQCB  
Barrie Cromartie / Ignacio Dayrit, City of Emeryville, 1333 Park Street, Emeryville, CA 94608  
Peter Cusack, Treadwell & Rollo, 555 Montgomery St., Suite 1300, San Francisco, CA 94111  
SH / files

Listing of HAZMAT - FULL SITE HISTORY since 1987 for StID # 6687  
as of 01/12/2001 .... all Activity Codes

SITE NAME & ADDRESS:  
Emeryville Industrial Court -- 5885 Hollis Street , Emeryville CA 94608

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

Archived Dailies:

Current Dailies:

InspDat Insp Act InspT StID DRPro Comment DailBDat  
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InspDat	Insp Act	InspT	StID	DRPro	Comment	DailBDat
05/17/2000	SH	77	0.3	6687	OB	Called Elaine Kirk (Marks Development) re: need for deposit prior to reviewing Phase 2 reports
05/18/2000	SH	77	0.4	6687	OA	Talked to Elaine Kirk (Marks Development) re: development requirements for 5885 Hollis Street, Emeryville.
05/22/2000	SH	75	2.	6687	OA	Review Phase 1 report; 5885 Hollis Street; Emeryville
05/26/2000	SH	72	1.	6687	OB	On site; observed potential location of tanks; site to be developed; 5885 Hollis Street; Deposit to be mailed by next week
06/06/2000	SH	77	0.3	6687	OA	Talked to Elaine Kirk ( Marks Management Co.) re: Phase 1 & Phase 2 reports; & deposit for \$2,000.
06/13/2000	SH	75	1.5	6687	OB	Review Phase 1 & Phase 2 reports; prepare for on site meeting with developer & owner

InspDat Insp Act InspT StID DRPro Comment DailBDat  
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06/13/2000	SH	77	2.	6687	OB	On site meeting with Fillmore Marks, Elaine Kirk, Deborah Castle, Peter Cusack & Donald Treadwell of Treadwell & Rollo; discuss development plans, RMP, sources of contamination, plan of action
06/14/2000	SH	75	1.5	6687	OB	Review business plan, haz mat data base for operating businesses at the site.
06/19/2000	SH	75	1.	6687	OB	Continue research on histoprical use of the site; hazmat data base; reported UST removal in 1990; no records found in the haz mat data base

06/21/2000	SH	75	0.2	6687	OB	Correct info on dailies
06/23/2000	SH	75	2.	6687	OR	Review Phase 1, Phase 2 report; draft letter
06/26/2000	SH	75	4.	6687	0	Reviewed Phase 1 & Phase 2 Reports; letter out re: redevelopment requirements

InspDat Insp Act InspT StID DRPro Comment DailBDat  
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07/05/2000	SH	75	2.	6687	07	Review files; letter re: hot
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InspDat	Insp	Act	InspT	StID	DRPro	Comment	DailBDat
07/05/2000	SH	77	0.2	6687	07	spots, remediation requirements & submittal of workplan	
07/05/2000	SH	77	0.5	6687	07	Message from Peter Cusack (Treadwell & Rollo) re: letter	
07/05/2000	SH	77	0.5	6687	07	Talked to Deborah Castle & Elaine Kirk re: letter & comments from City of Emeryville Planning Dept.	
07/31/2000	SH	77	0.2	6687	0A	Talked to Barry Cromartie re: site clearance for development ; comments about contents of letter	
08/01/2000	SH	77	0.5	6687	0A	Peter Cusack re: work plan	
08/04/2000	SH	77	0.1	6687	00	Talked to Ignacio Dayrit (City of Emeryville) re: status of site, contaminants other than TPH present at site	
08/07/2000	SH	77	0.2	6687	0A	Phone with Peter Cusack re: work plan	
08/29/2000	SH	75	2.5	6687	2	Message to Peter Cusack (Treadwell & Rollo) re: site	
09/05/2000	SH	75	0.5	6687	0A	Reviewed letter of 8/4/00 and report response of 8/8/00.	
10/30/2000	SH	77	0.4	6687	00	Reviewed response wp by Treadwell & Rollo.	
12/06/2000	SH	77	0.3	6687	0	Talked to Elaine Kirk re: meeting with City of Emeryville Planning ; adding underground parking instead of at grade parking; need to revise RMP; exposure scenario will change with groundwater in the area at 4 to 5 feet bgs.	
12/08/2000	SH	75	0.5	6687	00	Discuss with Peter Cusack Negative Declaration by city (Barrie Cromarti)	
12/08/2000	SH	77	0.5	6687	00	Review case file; development plan submitted for the site.	
12/20/2000	SH	75	0.5	6687	00	Discuss with Peter Cusack : City of emeryville denied building application; wants to incorporate under parking	
12/20/2000	SH	77	0.5	6687	00	garage; City prepared a Neg Dec; wants county to approve neg/dec; told Mark Cusack that with the change of development plan to include underground parking, the RMP will have to be amended; county can not comment on NEG/DEC without looking at the neg/dec.	
12/21/2000	SH	77	0.5	6687	00	Reviewed letter addressing underground parking as required by City of Emeryville	
						Discuss site with Peter Cusack; issues re: underground parking	
						Discuss site with Elaine Kirk;	

InspDat	Insp	Act	InspT	StID	DRPro	Comment	DailBDat
01/08/2001	SH	75	0.8	6687	07	problems that might be encountered with the underground parking Reviewed site data including neighboring sites	
01/09/2001	SH	77	0.5	6687	0A	Talked to Barrie Cromarti,	
-----							-----
						Elaine Kirk , message to Peter Cusack re: meeting for 1/12/01 to discuss under ground parking scenario for the site.	
01/10/2001	SH	75	0.8	6687	0	Reviewed case file; RMP for site; will add under ground parking	
01/11/2001	SH	77	0.3	6687	07	Talked to Elaine Kirk re: site & meeting	
01/11/2001	SH	77	0.4	6687	07	Talked to Barrie Cromarti re: site & meeting	

Complete

**MARKS MANAGEMENT CO.**  
 44 MONTGOMERY STREET, SUITE 850  
 SAN FRANCISCO, CALIFORNIA 94104  
 (415) 392-3558  
 FAX: (415) 956-4775

**To:** Barry Cromartie  
**Fax #:** 510.658.8095  
**From:** Fillmore Marks  
**Subject:** 5885 Hollis Street

**Date:** January 3, 2001  
**Pages:** 1, including this cover sheet.

Post-it® Fax Note	7671	Date	1/4/01	# of pages	1
To	SUSAN HUGO	From	ELAINE KIRK		
Co./Dept.	ACEHS	Co.	MARKS MGMT		
Phone #		Phone #	415/392-3558		
Fax #	510/337-9335	Fax #			

**COMMENTS:**

Barry--

As we have briefly discussed, Emeryville Industrial Court and its consultants are working to resolve concerns expressed by Susan Hugo of Alameda County Environmental Health Services about the "proliferation" of underground parking structures in Emeryville. Given the short time remaining before the Planning Commission's January 25 meeting, we respectfully request that our pending applications be continued until the Commission's February meeting.

Thank you for your patience and understanding.



# Treadwell & Rollo

Environmental and Geotechnical Consultants

555 Montgomery Street, Suite 1300

San Francisco, California 94111

Phone: 415/955-9040

Fax: 415/955-9041

## FAX TRANSMITTAL

Date: 12/19/00

Send to fax # 1-510-~~549-76~~ 337-9335

To: Ms. Susan Hugo - ACHCS

From: Peter Cusack

Project name: EMERYVILLE Industrial Court

Project number: 2808.01

Number of pages, including this cover: 1

Notes: Ms. Hugo,

Based on our letter to you dated 8 December 2000  
and the VOICE ~~MSG~~ MESSAGES to you, Mr Barry  
Cromartie is requesting a letter stating that  
the ENVIRONMENTAL ISSUES will be addressed  
during construction and ~~per~~ ACHCS, ~~and~~ based  
on Treadwell & Rollo's submittals, APPROVE the proposed  
PROJECT. PLEASE CALL TO DISCUSS.

PETER CUSACK

CC: Ms Elaine Kirk - Marks Management 956-4725

This document will also be mailed to you:  Yes  No

Should you encounter any difficulties with this fax, please call 415/955-9040

SAC 6687 A

ENVIRONMENTAL PROTECTION

00 DEC 11 PM 4: 17

1) site conceptual model  
2) depth of excavation  
3) how soil will be handled  
4) dewatering might cause contamination from nearby well  
5) more soil will be excavated  
6) radon air vapor (seepage)  
7) need revised development plans  
8) no conduits should be created  
9) depth of excavation

8 December 2000  
Project 2808.01

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

Subject: Emeryville Industrial Court  
5885 Hollis Street  
Emeryville, California

Dear Ms. Hugo:

We have prepared this letter in response to your recent request regarding the proposed Emeryville Industrial Court project in Emeryville, California (Figure 1). For the project, we previously performed an Environmental Site Characterization (report dated 12 May 2000) and a Geotechnical Investigation (report dated 27 July 2000). We also prepared a letter report dated 8 August 2000, in response to your letters dated 23 June 2000 and 5 July 2000.

Since our letter dated 8 August 2000, development plans have changed to include one level of below ground parking. In our previous letter report, excavation plans were to remove approximately the top 5 feet of soil for the building and garage foundation construction. This soil was to be excavated, stockpiled, and recompactd throughout the site.

Based on current development plans, including the below ground parking, new soil handling procedures will be followed. The proposed below ground parking area will include the entire site. All of the excavated soil will be properly stockpiled and soil samples will be collected and tested. Based on our review of the analytical results, the soil will be properly disposed at a licensed landfill.

Once the excavation has been completed, confirmatory soil samples will be collected and analyzed. Based on these analytical results, a deed restriction and/or additional soil management procedures may be required for the property.

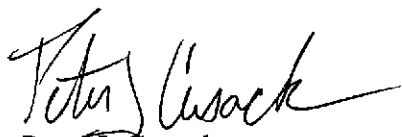
We will be providing construction observation services to Mark Management Company. The Short and Long Term Risk Management Plan, Contingency Plan, Health and Safety Issues, Maintenance Requirements, and Certification Report presented in our 8 August 2000 letter report will be followed as part of the site development activities.

# Treadwell&Rollo

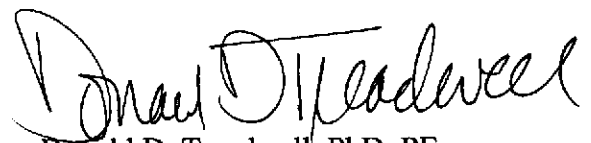
Susan L. Hugo  
Alameda County Health Care Services  
Environmental Health Services  
8 December 2000  
Page 2

We trust this letter provides the information that you require. If you have any questions, please call either of us.

Sincerely yours,  
TREADWELL & ROLLO, INC.



Peter J. Cusack  
Senior Project Scientist



Donald D. Treadwell, PhD, PE  
Principal Engineer

cc: Elaine Kirk – Mark Management Company

28080104.PJC



**MARKS MANAGEMENT CO.**

44 MONTGOMERY STREET, SUITE 850

SAN FRANCISCO, CALIFORNIA 94104

CONFIDENTIAL  
PROTECTION

TELEPHONE (415) 392-3558  
FAX (415) 956-4775

REAL ESTATE INVESTMENTS  
COMMERCIAL PROPERTY MANAGEMENT

00 AUG -7 AM 10: 53

August 4, 2000

SLIC 6687A

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

Re: 5885 Hollis Street, Emeryville, California 94608  
STID #6687

Dear Ms. Hugo:

Your letters of June 23, 2000, and July 5, 2000, request additional information concerning three issues to which we are able to respond. They are (using paragraph numbers from your June 23 letter):

1. *Verification of the removal in 1990 of a 10,000-gallon underground storage tank from 5805 Hollis Street.* Enclosed is a copy of pertinent provisions concerning the fuel storage tank from the S.B. Thomas lease of 5805 Hollis Street, which commenced July 1, 1980. Also enclosed is a copy of a letter dated September 14, 1989, from S.B. Thomas's parent, CPC International Inc., stating its intention to begin work for the tank removal before the end of 1989.

CPC International was acquired by Bestfoods Baking in 1988. Bestfoods Baking renewed the S.B. Thomas lease under the name Entenmann's, Inc., in 1998. According to Maria Giordano at Bestfoods Baking (telephone 323.725.2601), and Dermot O'Connor at Kraft Baking Company (telephone 323.720.6038) corporate people remember the tank being removed, and a file is supposed to exist back east, but no one could find it. The people who worked on the matter are no longer with the company. The supposed file is believed to have been put into storage, but there is no record of a box number, and therefore there is little hope of finding it.

8. *Location and usage of sump identified at site, and its evaluation as potential source of contamination.* The "sump" was bermed secondary containment for an outdoor, above-ground waste oil storage tank used by tenant Fleetcare Repair, who leased the property from October 1974 through September 1994.

The storage tank was located where indicated on the enclosed site plan of Emeryville Industrial Court. The tank received waste oil by a pump system from Fleetcare company vans; and tank was pumped out weekly by Artesian Oil Company, which removed the oil from the site. Weiss & Associates' 1995 site inspection confirmed only small quantities of potential hazardous materials at this business and no recognized environmental conditions observed at this business.

9. *Type of business operated by Cook Midwest at 5862 Peladeau Street.* 5862 Peladeau Street is an interior closet of approximately 84 square feet, used by Cook Midwest from September 1976 to April 1995 for quiet storage of business papers and small office supplies.

We hope this information is of help in addressing the concerns you raised, and we should be pleased to provide you with any other information or materials at our disposal.

Very truly yours,

  
Fillmore C. Marks

Enclosures  
fcm\ek  
eic\EnvirIssues.ltr

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



July 5, 2000

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

Mr. Fillmore Marks  
Marks Management Company  
44 Montgomery, Suite 850  
San Francisco, California 94104

**RE: Proposed Emeryville Industrial Court (STID# 6687)  
5885 Hollis Street, Emeryville, California 94608**

Dear Mr. Fillmore:

This letter serves to follow up the June 23, 2000 letter from this agency concerning the proposed development of the subject site. The proposed development of a two-story office building and a four-level parking garage is acceptable provided the eleven issues listed in the referenced letter of June 23, 2000 are addressed. A work plan addressing the eleven issues must be submitted for the site.

At this time, it appears that hot spot removal of contaminated soil and groundwater monitoring is required for the site. However, evaluation of soil and groundwater data that will be collected at the site may require active remedial measures. Please include in your work plan other remediation alternatives that will be proposed for the site. The work plan should be submitted to this office no later than August 7, 2000.

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

Sincerely,

Susan L. Hugo  
Hazardous Materials Specialist

c: Ariu Levi / Thomas Peacock, Environmental Health Services  
Betty Graham, San Francisco Bay RWQCB  
Barrie Cromartie / Ignacio Dayrit, City of Emeryville, 2200 Powell St., 12<sup>th</sup> Floor, Emeryville, CA 4608  
Peter Cusack, Treadwell & Rollo, 555 Montgomery St., Suite 1300, San Francisco, CA 94111  
SH / files

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



June 23, 2000

Mr. Fillmore Marks  
Marks Management Company  
44 Montgomery, Suite 850  
San Francisco, California 94104

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

**RE: Proposed Emeryville Industrial Court (STID# 6687)  
5885 Hollis Street, Emeryville, California 94608**

Dear Mr. Fillmore:

The Alameda County Environmental Health Services (ACEHS) has reviewed the following reports submitted for the above referenced site:

- Environmental Site Assessment (March 15, 1995) prepared by Weiss Associates
- Environmental Site Characterization (May 12, 2000) prepared by Treadwell & Rollo

The subject site has four buildings and currently occupied by tenants. The proposed development for the site consists of demolishing the existing buildings and construction of a two-story office building and a four-level parking garage.

Results of the soil samples collected from seventeen exploratory borings (TR-1 to TR-18) drilled at the site in April 2000 indicated the presence of the following contaminants: 9,900 parts per million (ppm) Total Recoverable Petroleum Hydrocarbons (TRPH), 160 ppm Total Petroleum Hydrocarbon (TPH) as gasoline, 360 ppm TPH diesel, 6600 ppm TPH motor oil, 600 ppm benzo[a] pyrene, 17 parts per billion (ppb) carbon disulfide and metals (97 ppm chromium, 150 ppm lead, 110 ppm nickel, 110 ppm zinc). Groundwater samples were collected from four borings (TR-1, TR-6, TR-9 and TR-12) and found up to 9900 ppb TRPH, 3300 ppb TPH gasoline, 700 ppb TPH diesel, 1400 ppb TPH motor oil, 20 ppb 1,4-dichlorobenzene, 18 ppb chloroform, 42 ppb chromium, 32 ppb lead, 400 ppb nickel and 650 ppb zinc.

Based on the review of the referenced reports, the following issues must be addressed prior to development of the subject site:

1. A 10,000-gallon underground storage tank was reportedly removed in 1990 at 5805 Hollis Street which is occupied by S.B. Thomas, one of the tenants at the site. The presence or absence of the tank must be verified. The tank's location must be identified. Records of the disposal of the tank and any stockpiled soil generated during the removal action should be submitted. Results of any soil and /or groundwater samples collected during the removal of the tank should also be submitted.

Mr. Fillmore Marks

RE: 5885 Hollis Street, Emeryville, CA 94608

June 23, 2000

Page 2 of 3

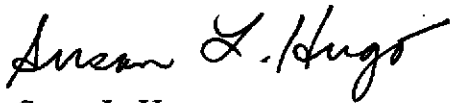
2. As you are aware, City of Emeryville acquired a portion of the subject site located on the corner of 59<sup>th</sup> Street and Peladeau (the former coffee roasters building). During the widening of 59<sup>th</sup> Street, petroleum hydrocarbon contamination (up to 13,000 ppm TPH diesel and 15,000 ppm TPH motor oil) was detected at the site. These data should be included in evaluating future groundwater monitoring requirements at the site.
3. A site conceptual model should be prepared which will identify sources of releases, chemicals of concern (COCs), routes of exposures, and sensitive receptors. This should include evaluation of the human and environmental risk assessment for the proposed use of the site.
4. A short term and long term risk management plan should be submitted for the site. The short term (construction) risk management plan should include at a minimum, the following elements: acceptable health & safety plans for construction workers, soil management plan, groundwater management plan, dust control, stormwater prevention plan and preventive measures to not create any vertical conduits for contaminants to migrate from shallow to deeper groundwater. The long term (future) risk management plan should include health and safety plan for future construction workers such as utility workers who maybe exposed to residual contaminants that will be left at the site and institutional controls such as capping and deed restrictions that may be required at the site.
5. Any reuse of soil at the site should have prior approval from this agency.
6. Confirmation soil and groundwater samples will be required at the site and should include the following chemicals of concern: TPH gasoline, TPH diesel, TPH motor oil, TPH as mineral spirits, chlorinated solvents, volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs) and metals.
7. A site development plan should be submitted and should include at a minimum the following: description of the project; site map with the location of the proposed buildings, landscapes, basements, underground parking garages, known sources or potential sources of contamination and extent of any excavation associated with construction activities at the site.
8. A sump was identified at the site. Please provide more information about the location and usage of the reported sump and evaluate if the sump is a potential source of contamination.
9. Please provide us with the information of the type of business Cook Midwest, one of the tenants, used to operate at the site.

Mr. Fillmore Marks  
RE: 5885 Hollis Street, Emeryville, CA 94608  
June 23, 2000  
Page 3 of 3

10. A contingency plan should be prepared for the site. The plan should include steps to be taken in the event that any unexpected or unusual condition is encountered during construction activities at the site. This may include uncovering abandoned tanks and associated pipings, hot spots and/ or contamination. Please include a flowchart of steps to be taken as part of the contingency plan.
11. A report should be submitted after completion of the development and should include at a minimum copies of any soil and /or groundwater disposed off site, results of soil and groundwater sampling, etc.

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

Sincerely,



Susan L. Hugo  
Hazardous Materials Specialist

c: Ariu Levi /Thomas Peacock, Environmental Health Services  
Betty Graham, San Francisco Bay RWQCB  
Barrie Cromartie / Ignacio Dayrit, City of Emeryville, 2200 Powell St., 12<sup>th</sup> Floor, Emeryville, CA 4608  
Peter Cusack, Treadwell & Rollo, 555 Montgomery St., Suite 1300, San Francisco, CA 94111  
✓SH / files

HAZARDOUS MATERIALS

\*GENERATOR - HMBP - UST - LOP\*  
 Site List as of 06/19/2000  
 City of Emeryville

ALAMEDA COUNTY  
 page 1

StID	Name of Site	Site Address	Zip	STATUS PER PROG.							LastInsp
				G	H	U	St	W	D/R	L-PBR	
787	Atlas Pacific Engine	67th & Hollis	608	I							08/08/198
4428	U.S. Postal Service	6121 Hollis St	608		R				A		08/10/199
4453	Brown & Caldwell	6121 Hollis St	608	I							10/05/199
794	Grove Valve & Regula	6521 29 Hollis St	608	I		Y					11/25/199
5269	The Home Depot #627	3838 Hollis St	608		C	Y					05/14/199
4861	Hawk Intermodal Serv	3900 Hollis St	608	I		Y					05/14/199
1851	Bay Area Warehouse	4001 Hollis St	608	I	R				A		01/08/199
4251	Bashland, Inc.	4015 Hollis St	608	I					A		05/21/199
1667	Ransome Company	4030 Hollis St	608	I	R				A		01/25/199
6277	Industrial Safety Su	4041 Hollis St	608	N							01/28/199
390	United Stamping Comp	4060 Hollis St	608	C	C	Y					05/28/199
6278	Publishers Group Wes	4065 Hollis St	608	N							01/28/199
359	Morehouse Foods, Inc	4221 Hollis St	608	I	R						03/10/199
355	PG&E - Electric Shop	4227 Hollis St	608	Q		Y			A		01/15/199
5473	Custom Woodcraft & P	4514 Hollis St	608	C		Y					06/12/199
65	PG&E - Emeryville Re	4525 Hollis St	608	C	C	R	Y	R			01/28/199
4706	PG&E	4527 Hollis St	608	Q		Y					05/22/199
1666	A&L Trucking Co.	4530 Hollis St	608	I							05/13/199
4379	Rainin Instrument Co	5400 Hollis St	608	C	C	Y					03/31/199
1454	Westvaco Co.	5650 Hollis St	608	I	I	Y					06/19/199
309	Bel Aire Displays, I	5710 Hollis St	608	C	M	Y					06/19/199
49	Hydraulic Electro Se	5812 Hollis St	608	C	M	R	Y		A		05/15/199
316	Canova Marble	5835 Hollis St	608	C	M	Y					06/12/199
338	Graphic Traffic	5845 Hollis St	608	C	C	Y					06/03/199
5082	Avantos Performance	5900 Hollis St	608	I		Y					01/27/199
3792	Hollis Street Projec	6050 Hollis St	608	I					I		01/20/192
6279	Gasket Specialties I	6200 Hollis St	608	C	M						04/29/199
326	Devoe Marine Coating	6251 Hollis St	608	I	I	Y					01/08/199
3998	Emeryville Fire Depa	6303 Hollis St	608	C	M	R	Y		A		05/28/199
134	Graphic Coating Co.	6355 Hollis St	608	I	I	Y					01/09/199
6893	Supergen, Inc.	6450 Hollis St	608						M		01/20/192
376	RIX Industries	6460 Hollis St	608	I	I	R	Y		A		10/16/199
5162	Grove Valve & Regula	6529 Hollis St	608	I	I	Y		M			02/26/199
329	E E. Richter & Son,	6598 Hollis St	608	I		Y					10/27/199
1207	Motorola Service Cen	6613 Hollis St	608	I	R						03/10/199
378	Roller Press, Inc.	6647 Hollis St	608	C		Y					01/05/199
789	McGrath Steel Co.	6655 Hollis St	608	I	I	R	Y	R	A		05/15/199
6687	Emeryville Industria	5885 Hollis Street	608								

Running Count:

**NOTE: A file exists for each program category if there is a letter beneath it.**

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G ... GEN: C = Current I = Inactive N = Non Generator Q = Need Insp/Fac. Survey R = Returned Mail  
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 U ... UGT: C = UGT Forms Submitted E = Exempt N = No UGT Present F = Need UGT Application R = Removed UST  
 StW ..Storm: Y = Storm Inspection by this office I = Inactive R = Returned Mail  
 D/R .DepRef: R = Tank Removal M = Site Mitigation MOD = Modification  
 L ... LOP: A = Active I = Inactive

End of Report Total Count =

StBrief1





HAZARDOUS MATERIALS

\*GENERATOR - HMBP - UST - LOP\*  
 Site List as of 06/19/2000  
 City of Emeryville

ALAMEDA COUNTY  
 page 1

StID	Name of Site	Site Address	Zip	STATUS PER PROG.							LastInsp
				G	H	U	StW	D/R	L	PBR	
342	Industrial Ladder	1212 Powell St	608	C	P	Y					07/22/199
6360	Carter Building	1240 Powell St	608						R		01/20/192
816	Boyd's Body Shop	1245 Powell St	608	C		Y					06/10/199
5087	European Motorcar Fo	1245 Powell St	608								01/20/192
1860	Brown & Caldwell Ana	1255 Powell St	608	I							12/15/199
895	Marble & Tile Import	1290 Powell St	608	I		Y					02/23/199
322	Construction Service	1300 Powell St	608	C	C	Y		M7			06/17/199
300	Albany Press, Inc.	1343 Powell St	608	I							07/16/198
324	Curtis Pacific Co.	1345 Powell St	608	I							07/16/198
5080	Bay Airgas	1350 Powell St	608		C	Y					07/03/199
367	Emeryville Chevron	1400 Powell St	608	C	C	C	Y	MOD	A		06/04/199
4315	Chevron Asphalt Faci	1520 Powell St	608	I							04/27/199
5826	Days Inn Hotel	1603 Powell St	608		P			MU	A		12/29/199
4050	Circle K Store Site	1700 Powell St	608		C	C	Y		A		12/21/199
814	Emeryville Shell	1800 Powell St	608	I	C	C	Y	Mod	A		11/20/199
4051	Watergate Towers III	2000 Powell St	608		I	R	Y				02/20/199
5021	Emeryville Fire Depa	2333 Powell St	608	C	C		Y				06/20/199
5310	City of Emeryville	2449 Powell St	608		E						02/20/199
6547	Emery Cove Yacht Har	3300 Powell St	608	C							09/18/199
4043	Emeryville Fuel Dock	3310 Powell St	608		C	C	Y		A		01/05/199
6546	Stan Lewellen Marine	3310 Powell St	608	C							09/10/199
6365	Another Tree Develop	Shellmound & Powell	608						M		01/20/192

Running Count:

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End of Report Total Count =

StBrief1

Print out sent by: SH

HAZARDOUS MATERIALS

\*GENERATOR - HMBP - UST - LOP\*  
Site List as of 06/19/2000  
City of Emeryville

ALAMEDA COUNTY  
page 1

StID	Name of Site	Site Address	Zip	STATUS PER PROG.				LastInsp
				G	H	U	StW-D/R-L-PBR	
397	Whitney Research Too	5679 Landregan St	608	C	C	Y		06/10/199
5470	AMTRAC Train Station	5885 Landregan St	608			Y		08/28/199

Running Count:

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L ... LOP: A = Active I = Inactive

End of Report Total Count =

StBrief1

Listing of HAZMAT - FULL SITE HISTORY since 1987 for StID # 2054  
as of 06/19/2000 .... all Activity Codes

SITE NAME & ADDRESS:

Fleetcare -- 5850 Peladeau St , Emeryville CA 94608

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

Archived Dailies:

InspDat	Insp	Activi	Categ	InspT	StID		
06/13/1988	DB	I	13	4.	2054		
07/08/1988	DB	F	13	1.	2054		
04/28/1992	BO	17	0.75	2054	-0-	-0-	-0-
05/05/1992	BO	12	1.	2054	-0-	-0-	-0-
06/23/1993	RO	120	2.	2054	-0-	There are 3 large single walled baker tanks inside the building storing oil that do not have secondary containment. There are several out of service trucks (disabled-junk) now used to store parts and equipment. One is leaking oil from the bottom and from an old engine stored inside. This must be repaired or removed as soon as possible. There are also brake parts and several empty & full waste drums stored outside that should be removed or stored inside. There were several spills of waste oil that also needed to be cleaned up ASAP.	-0-
06/24/1993	RO	124	0.5	2054	-0-	NPDES inspection report	-0-

Current Dailies:

InspDat	Insp	Act	InspT	StID	DRPro	Comment	DailBDat
03/06/1995	BO	93	0.75	2054		no one at site will return	
03/07/1995	BO	15	0.5	2054		file review prior to inspection	
03/09/1995	BO	93	0.75	2054		not open, will return	
04/24/1995	BO	11	1.	2054			
04/24/1995	BO	51	1.	2054			
10/04/1995	BO	15	0.75	2054		recieved document/ billing adjustmetn form done	
10/24/1995	BO	55	0.75	2054			
02/01/1996	BO	54	1.	2054		wrote letter to owner re hmbp	
07/05/1996	BO	93	0.5	2054		attempted inspection	
07/17/1996	BO	93	1.	2054		attepted inspection	
08/14/1996	BO	11	1.	2054		facility closed but inspection completed due to abandoned materials/wastes	
08/14/1996	BO	51	0.75	2054		see comments from generator inspection thisday	
08/15/1996	BO	16	2.	2054		da work on case of abandoned haz waste alsocontacted RP, follow-up on case to be done	
09/05/1996	BO	16	1.	2054		in office investigation	
InspDat	Insp	Act	InspT	StID	DRPro	Comment	DailBDat

09/11/1996 BO	13	2.	2054	re-inspection/investigation on site'
09/12/1996 BO	14	1.5	2054	partially wrote NOV letter for site
09/12/1996 BO	16	1.5	2054	DA time re case
09/18/1996 BO	17	0.75	2054	evidence gather and review of file
10/01/1996 BO	16	1.	2054	DA time on site
10/08/1996 BO	16	1.	2054	on site for DA investigation
10/22/1996 BO	17	0.75	2054	PHOTOGRAPHIC EVIDENCE TO FILE RE ABANDONMENT OF HAZ WASTE
11/01/1996 BO	16	2.	2054	case preparation
12/17/1996 BO	16	1.	2054	survellance of facility (for compliance)

=====

LEGEND FOR 'OLD' DAILY ENTRIES

Category: ( Program )

-----

O - Office  
L - Legal  
P - Program  
T - Training  
A - Advice / consult.  
E - Environ. study

I - regular Inspection  
F - Follow up inspection  
S - Spill / release  
Q - reQuest / complaint

Activity:

-----

1 - Generators  
2 - UG Tanks  
3 - Business Plans  
4 - Haz.Waste Hauler  
5 - Emerg. Resp.  
6 - Contam. Site  
7 - Public Lands  
8 - Residential

Valid for Dailies in 1987 --> 1989

-----

Complete

Listing of HAZMAT - FULL SITE HISTORY since 1987 for SCID # 338  
 as of 06/19/2000 .... all Activity Codes

SITE NAME & ADDRESS:

Graphic Traffic -- 5845 Hollis St , Emeryville CA 94608

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

Archived Dailies:

InspDat	Insp Act	InspT	StID	DRPro	Comment	DailBDat
02/03/1993	BO	11	1.	338	-0-	-0-
02/03/1993	BO	50	0.5	338	-0-	-0-
12/21/1993	BO	120	2.	338	-0-	-0-

Remove dumpster to covered area.  
 Comments: Steps are being taken to minimize the discharge of potential pollutants at the site.

Current Dailies:

InspDat	Insp Act	InspT	StID	DRPro	Comment	DailBDat
06/03/1996	BO	11	0.75	338		
06/03/1996	BO	51	0.75	338		
08/04/1999	SOS	15	1.	338	B	
08/04/1999	RW	151	0.8	338	0	
04/20/2000	RW	151	0.5	338		

co-inspection w/ RW  
 owner agreed to pay invoice and gave me a check for the total amount.  
 site no longer stores 55 gallons of solvent void invoice for hmbp, printed sent to billing

Complete

ALAMEDA COUNTY HAZARDOUS MATERIALS DIVISION  
DEPOSIT / REFUND ACCOUNT SHEET

printed\*\*\*\*\*

SITE INFORMATION

Emeryville Industrial Crt. ✓  
5885 Hollist Street  
Emeryville 94608  
Site Contact: Elaine Kirk  
Site Phone : (415)392-3558

StID: 6687	Site#: 114
PROJECT#: 114A	
PROJECT TYPE: *** M ***	
INSP: Susan Hugo	
ACCT. SHEET PG #:	

PROPERTY OWNER INFORMATION

Marrks Management Co.  
44 Montgomery Street, Ste 850  
San Francisco, Ca 94104  
Owner Contact: Elaine Kirk  
Owner Phone : (415)392-3558

PAYOR INFORMATION

Marks Management Co.  
44 Montgomery St. ste. #850  
San Francisco CA 94104 #1213  
Payor Contact: Elaine Kirk  
Payor Phone : (415)392-3558

*rec'd 6/1/00*

Date	Action Taken	Time		Hours Spent/ Depstd	Hour Balnce	Money Spent/ Depositd	Money Balance
		In	Out				
06/01/2000	Rcpt# 847039 Deposit \$2,000.00 @\$100.Hour			+20.	+20.	2,000.00	2,000.00
06/01/2000	Admin Charge: 1 hour	.....	.....	1.00	19.	100.00	1,900.00

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.

**MARKS MANAGEMENT CO.**

44 MONTGOMERY STREET, SUITE 850  
SAN FRANCISCO, CALIFORNIA 94104

REAL ESTATE INVESTMENTS  
COMMERCIAL PROPERTY MANAGEMENT

TELEPHONE (415) 392-3558  
FAX (415) 956-4775

May 15, 2000

Via UPS Overnight

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

Re: 5885 Hollis Street, Emeryville, California  
APN 41-1327-1-1

Dear Ms. Hugo:

In connection with our planned redevelopment of the referenced industrial warehouse property to office use, Emeryville City Planner Barry Cromartie has instructed us to deliver to you copies of an Environmental Site Assessment and Environmental Site Characterization. We plan to construct a two-story office building with a gross area of approximately 95,500 square feet, and an above-grade parking structure containing approximately 298 parking spaces. We have understood that we may be permitted to mitigate environmental concerns, at least in part, by capping the site and implementing appropriate health and safety plans for the construction period.

We intend to submit our project to the Emeryville Planning Commission by June 5, and hope to be on the Commission's agenda for its July 27 meeting. Please let me know what other information I may provide for your review of this project.

Very truly yours,

*Elaine Kirk*

Elaine Kirk

Enclosures

eic\suehugo1.ltr

cc: Barry Cromartie

STID 316

City Council meeting - 7/27/00  
7/7/00



Environmental and Geotechnical Consultants  
555 Montgomery Street, Suite 1300  
San Francisco, California 94111  
Phone: 415/955-9040  
Fax: 415/955-9041

SHIC 6687

# FAX TRANSMITTAL

Date: 1/24/00 Send to fax # 1-510-337-9335  
1-415-956-4775

To: SUSAN HUGO / ELAINE KIRK

From: PETER CUSACK

Project name: EMERYVILLE INDUSTRIAL Project number: 2808.01

Number of pages, including this cover: 10

Notes: SUSAN & ELAINE,  
HERE IS OUR DRAFT RESPONSE TO THE  
LETTER AND OUR MEETING. PLEASE CALL IF YOU  
HAVE ANY QUESTIONS OR COMMENTS

Thanks  
PETER

1/24/01  
Left message  
for

This document will also be mailed to you:  Yes  Not yet

Should you encounter any difficulties with this fax, please call 415/955-9040



23 January 2001 (DRAFT FOR DISCUSSION ONLY)  
Project 2808.01

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

Subject: Emeryville Industrial Court  
5885 Hollis Street  
Emeryville, California

Dear Ms. Hugo:

At our meeting with you and others at the City of Emeryville offices on 12 January 2001, you requested additional information prior to the construction of the proposed Emeryville Industrial Court project (Figures 1). This report incorporates the requested information and describes the relevant aspects of the revised project plans. Previous work by Treadwell & Rollo at the site is documented in two reports: *Environmental Site Characterization* (report dated 12 May 2000) and *Geotechnical Investigation* (report dated 27 July 2000).

### EXISTING CONDITIONS

The project site is approximately 220 feet by 550 feet in plan dimension and is bounded by Hollis Street to the east, 59th Street to the north, Peladeau Street to the west, and a Chevron Service Station and Powell Street to the south (Figure 1). The site is currently occupied with four buildings: a one-story concrete building that occupies 5805 through 5885 Hollis Street, a one-story concrete building that occupies 5810 through 5890 Peladeau Street, and two one-story metal framed buildings that occupy 5805 Hollis Street. The remaining area of the site is used for at-grade parking and is paved with asphalt and concrete.

### PROJECT DESCRIPTION

We understand the proposed development for the Emeryville Industrial Court project site will consist of demolishing the existing buildings and the construction of a three-story office building with one level of below ground parking. The parking structure will encompass the entire property, with the office building built over the garage.

Susan Hugo  
Alameda County Health Care Services  
23 January 2001  
Page 2

Current excavation plans are to remove approximately the top 10 to 11 feet of soil for the building and garage foundation construction. The entirety of this soil will be excavated, stockpiled, chemically tested, and properly disposed of off-site. No excavated soil will be re-used on-site.

## BACKGROUND INFORMATION

Previously, we reviewed the Environmental Site Assessment (ESA) of Emeryville Industrial Court, Emeryville, California dated 14 March 1995, prepared by Weiss Associates. We also reviewed historical Sanborn Fire Insurance Maps for the subject property.

Prior to 1917, the site and vicinity appeared to be vacant land. Union Oil Company of California occupied the site from 1917 to 1964. Intermountain Terminal Company, an affiliate of Pacific Intermountain Express Company owned the property from 1964 to 1974. In 1974, the current owners of the property purchased the property and the current buildings, with the exception of the 5806-5808 Peladeau Street building, which was constructed in 1985.

Union Oil Company of California reportedly used the property as a distribution facility, which contained many above- and underground petroleum storage tanks, a garage along Hollis Street, and an auto repair shop along Peladeau Street. Along the southeastern portion of the subject property, a total of 40,000 gallons of lubricating oil were reportedly stored in aboveground tanks.

On the basis of our review of historical maps, Intermountain Terminal Company used the property as a truck storage area and parts warehouses. From 1974, the property has been used as office/warehouse space.

During the remodeling of one of the buildings in 1985 and more recently during the widening of 59th Street and the replacement of an underground utility in 1999, petroleum hydrocarbons were discovered in the soil. Diesel was detected at a maximum concentration of 13,000 parts per million and motor oil at 15,000 ppm. The excavated soil was transported and disposed of at a regulated landfill.

In 1990, an unknown 10,000-gallon underground gasoline storage tank was reportedly located and removed from the 5805 Hollis Street property (S. B. Thomas). No records were found in regards to the removal of the underground storage tank. However, according to the property owners, soil contamination was noted during the tank removal and the affected soil was disposed at a regulated landfill. The records for the underground storage tank removal have been requested from the corporate headquarters of S. B. Thomas. When these records are received, a copy will be forwarded to Alameda County Health Care Services.

Susan Hugo  
Alameda County Health Care Services  
23 January 2001  
Page 3

In April 2000, we performed a subsurface investigation that included collection of soil samples from 17 exploratory borings and collection of four groundwater grab samples from 4 exploratory borings. The locations of the exploratory boring are presented on Figure 4. Analytical results are summarized on Tables 1 through 3.

### Soil Analytical Results

A total of 59 soil samples were analyzed for gasoline, diesel, motor oil, TRPH, VOCs, SVOCs, and LUFT 5 metals. Low levels of gasoline were detected above method reporting limits in 11 of the 59 samples at concentrations ranging from 1.0 to 160 milligrams per kilograms (mg/kg) or parts per million (ppm). Diesel was detected above method reporting limits in 10 of the 59 soil samples analyzed in concentrations ranging from 1.3 to 360 ppm.

Motor oil was detected above method reporting limits in 11 of the 59 samples at concentrations ranging from 15 to 6,600 ppm. TRPH were detected above method reporting limits in 11 of the 59 samples at concentrations ranging from 30 to 9,900 ppm. The maximum concentrations of TRPH, TPH as gasoline, and TRP as motor oil were detected in sample TR-1-4.0. When encountered elsewhere, these contaminants were generally one order of magnitude lower.

The only volatile organic compounds (VOCs) detected at or above the method reporting limits in the soil samples analyzed was carbon disulfide in sample TR-18-15 at a concentration of 17 micrograms per kilograms (ug/kg) or parts per billion (ppb). Benzo(a)pyrene was the only semi-volatile organic compound (SVOC) detected; it was detected in 5 of the 9 soil samples analyzed in concentrations ranging from 540 to 600 ppb.

With two exceptions, the metal concentrations were within normal<sup>1</sup> background ranges found in the western United States. Elevated concentrations (150 ppm) of total lead were found in samples TR-1-4.0 and TR-6-3.0.

### Groundwater Analytical Results

Groundwater grab samples were collected from borings TR-1, TR-6, TR-9, and TR-12 contained detectable concentrations of total recoverable petroleum hydrocarbons (TRPH), total petroleum hydrocarbons as gasoline, diesel, and motor oil, the metal concentrations detected were within

<sup>1</sup> "U.S.G.S. Professional Paper 1270, Element Concentrations in Soils and Other Surficial Materials of the Conterminous United States," 1984

Susan Hugo  
Alameda County Health Care Services  
23 January 2001  
Page 4

generally accepted background levels. No volatile organic compounds (VOCs) were detected in the groundwater samples.

Gasoline was detected in the groundwater collected from boring TR-1 and TR-12 at concentrations of 98 and 3,300 micrograms per liter (ug/L) or parts per billion (ppb), respectively. Diesel was also detected in groundwater samples from these borings at concentrations of 130 and 700 ppb, respectively.

TRPH and motor oil were TRPH was detected in the groundwater samples collected from borings TR-6 and TR-12 at concentrations of 6,600 and 9,900 ppb, respectively. Motor oil was detected in the groundwater samples collected from borings TR-6 and TR-9 at concentrations of 1,400 and 420 ppb.

#### **SHORT TERM AND LONG TERM RISK MANAGEMENT PLAN**

This risk management plan (RMP) presents the measures recommended by Treadwell & Rollo to mitigate worker and site user and neighbor risks associated with the presence of certain constituents in the soil and groundwater at the 5885 Hollis Street project site both during and after construction. Current plans are to excavate about 10 to 11 feet of soil across the entire site, stockpile the excavated soil, chemically test the soil, and properly dispose of all the soil at the proper off-site locations.

The presence of organic and inorganic compounds in the native soil was identified by soil sample analyses, as described in our *Environmental Site Characterization* report dated 12 May 2000. Regulations stipulate that the disturbance or excavation of soil with these constituents must include special soil handling procedures and specific worker health and safety measures. In addition, provisions for long-term maintenance and management practices will be necessary to minimize exposure to future site users. A description of the findings of previous environmental studies and our recommendations for further action are presented in the remainder of this plan.

#### **Subsurface Conditions**

Subsurface information from test borings indicates the site is blanketed by approximately 2 to 4 feet of fill. The fill consists of clayey sand and clayey gravel and is underlain by medium stiff to very stiff clay to maximum depths explored. Previous investigations reported encountering groundwater at various depths (from 6 to 14 feet) below existing grade. Groundwater levels are expected to fluctuate depending on rainfall and seasonal conditions, as well as manmade obstructions and possible tidal influences from the Bay.

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The results of the laboratory analyses for soil and groundwater samples have detected concentrations of total recoverable petroleum hydrocarbons (TRPH), gasoline, diesel, volatile and semi-volatile organic compounds (VOCs and SVOCs), and heavy metals. Our recommended risk management procedures, including contingencies for undiscovered contamination, possible underground storage tanks and associated piping are described in the remainder of this report.

## RECOMMENDATIONS FOR MITIGATIVE ACTIONS

The results of the environmental investigation indicate the soil and groundwater at the site contains elevated concentrations of primarily petroleum hydrocarbons. The presence of these and other compounds poses soil management and potential health and safety issues to be addressed as part of the site development activities. The soil management objectives for the site are to minimize exposure to construction workers at the site, nearby residents, workers and/or pedestrians, and future users of the site to constituents in the soil.

### Soil Management

The soil management objectives for the site are to minimize exposure to construction workers at the site, nearby residents, workers and/or pedestrians, and future users of the site to constituents in the soil. The soil that is disturbed during construction activities will be stockpiled at locations to be determined prior to any site activities. It is anticipated that the stockpiles will contain at a maximum about 500 cubic yards of soil and will be placed to a height of about 7 feet. The stockpiled soil will be placed on plastic sheeting, covered with anchored plastic sheeting and kept moist at all times. The site will be secured by fencing at all times and temporary fencing will also be placed around the stockpiles.

The excavation contractor should establish appropriate soil stockpile locations on the site to properly segregate, cover, moisture control, and profile the excavated soil. Soil profiling criteria depends on the proposed landfill location. These procedures should be established by the excavation contractor and coordinated with the proposed landfills prior to initiating soil excavation.

### Groundwater Management

The proposed construction activities will most likely encounter groundwater in quantities that will require its removal from the subsurface. With the low permeability of the native soil, which is primarily a clayey material, migration of groundwater on-site and off-site would most likely be minimal. The groundwater will be pumped into appropriate aboveground containers and

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groundwater samples will be obtained for chemical analyses. The groundwater will be tested for parameters established by the East Bay Municipal Utility District (EBMUD) for discharge of groundwater into the sanitary sewer system. If contamination is detected in the groundwater, the groundwater will be properly treated, i.e. carbon units prior to disposal.

### **Groundwater Intrusion and Waterproofing**

It is expected that the below grade garage will include a two foot thick concrete floor slab and that the exterior walls will be about one foot of concrete. The slab and wall will both be waterproofed, so no water intrusion is expected. Once the building and waterproofing design has been completed, copies will be provided to ACHCS and the City of Emeryville with copies.

### **CONTINGENCY PLAN**

If underground storage tanks, sumps, and/or associated piping are uncovered during the excavation activities; the following contingency plan will be followed. ACHCS and the City of Emeryville will be notified and the underground storage tank, sump, and/or associated piping will be removed and properly disposed. The removals will be performed by a licensed contractor in accordance with current Federal and State regulations. In addition, soil and groundwater samples will be collected accordingly. A tank closure report will be prepared and submitted to ACHCS and the City of Emeryville.

If unknown areas of suspected petroleum hydrocarbons or other hazardous materials are discovered during the excavation activities, the following contingency plan will be followed. The impacted areas will be excavated, stockpiled on and covered with plastic sheeting, soil samples will be collected and tested for appropriate chemical constituents (petroleum hydrocarbons, HVOCS, SVOCs, metals), and reported to ACHCS and City of Emeryville. Based on the results of the testing, the soil will be properly disposed of off-site.

### **HEALTH AND SAFETY ISSUES**

Based on our experience on similar sites, there are potential health and safety issues associated with the compounds detected at the site. We judge there may be the potential for these compounds to affect construction workers at the site, nearby residents, workers and/or pedestrians, and future users of the site. The routes of potential exposure to these compounds will be through three pathways: (1) dermal (skin) contact with the soil, (2) inhalation of dusts and/or vapors, and (3) ingestion of the soil.

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The most likely potential for human exposure to the compounds in the soil will be during soil excavation operations. Because on-site materials may contain petroleum hydrocarbons and other concentrations in excess of the Proposition 65 guidelines, we recommend that proper health and safety procedures, as well as warning requirements be implemented during construction. The potential health risk to on-site construction workers and the public will be minimized by developing and implementing a comprehensive health and safety plan (HSP). This plan will be prepared for the contractor by a certified industrial hygienist and will be submitted to ACHCS and City of Emeryville for review and approval prior to the start of any construction activities.

The site contractor shall be responsible for establishing and maintaining proper health and safety procedures to minimize worker and public exposure to site contaminants during construction. The HSP describes the health and safety training requirements, i.e. trained in accordance with Section 1910.120 of 29 Code of Federal Regulations (Haz Woper training), specific personal hygiene, and monitoring equipment that will be used during construction to protect and verify the health and safety of the construction workers and the general public from exposure to constituents in the soil. It may also be necessary to conduct air monitoring to evaluate the amount of airborne particles during excavation and grading. A site health and safety officer (HSO) will be on site at all times during excavation activities to ensure that all health and safety measures are maintained. The HSO will have authority to direct and stop (if necessary) all construction activities in order to ensure compliance with the HSP.

#### **Confirmation Soil and Groundwater Sampling**

Once the excavation has been completed, confirmatory soil and groundwater samples will be collected and analyzed. The soil and groundwater samples will be analyzed for the following: total petroleum hydrocarbons as gasoline, diesel, motor oil, and mineral spirits by EPA Method 8015M, volatile organic compounds (VOCs) by EPA Method 8260, semi-volatile organic compounds by EPA Method 8270, and California Title 22 metals. The analytical results of the confirmation sampling will be presented in our certification report.

#### **Site Encapsulation**

The risk of direct contact with the soil by future site users will be mitigated by encapsulating the soil with the concrete floor slab and exterior walls of the garage and the waterproofing. The concrete floor slab and exterior walls will be considered the cap above the soil. The encapsulation will sufficiently reduce the health risk through dermal contact and ingestion by providing a physical barrier, thereby eliminating the exposure pathway between the contaminants and site users.

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## **MAINTENANCE REQUIREMENTS**

The objective of these maintenance requirements is to ensure that the long-term risk management plan measures, specifically encapsulating soil beneath the floor slab will remain effective during the building's and garage's use and occupancy period. The owner and operator will maintain this risk management plan, maintenance work plans, and maintenance records in a readily accessible on-site location and shall be responsible for informing any employee or contractor, who will perform below grade construction, of the environmental conditions, soil management concerns, and health and safety requirements stipulated in this risk management plan.

These measures will also be enforced during any post-development construction activities such as utility line repair, building expansion, and other activities that may disturb the underlying contaminated soil. To maintain the integrity of the encapsulation layer and to protect future site workers, who may disturb the encapsulation layer, the following procedures must be adhered to by the owner and/or operator of the site:

- Notify the ACHCS and City of Emeryville of any proposed activity expected to disturb the integrity of the encapsulating layer or soil, thirty (30) calendar days before work commences. In cases of emergency, the ACHCS and City of Emeryville shall be notified within 24 hours and the work should commence in accordance with the mitigation measures described in this risk management plan.
- Prepare a specific work plan that includes a description of the proposed construction activities, soil management plan, and health and safety plan.
- Direct any contractor or employee who disturbs the encapsulating layer and is engaged in any excavation or earth movement at the property to comply with the appropriate local, State, and Federal regulations.
- Direct any contractor or employee engaged in any activities that involve penetrating the encapsulating layer to repair the disturbed area as soon as is practical.
- Control dust by wetting and protect exposed or excavated soil from storm run-on and run-off during the period of excavation, soil movement, or exposure.
- Determine by appropriate testing whether any excess material removed from the site is hazardous pursuant to State or Federal hazardous criteria. This material must be managed in accordance with all appropriate regulations.



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- Provide the ACHCS and the City of Emeryville with a report that describes the maintenance activities related to the encapsulating layer or excavation of soil.

### **CERTIFICATION REPORT**

Upon completion of the soil management activities, a Certification Report will be prepared by a third party (other than the contractor). This report will present a chronology of the construction events, a summary of analytical data, and a description of all mitigation activities at the site. It will also include a certification statement that indicates the mitigation activities have been performed in accordance with this risk management plan. The Certification Report will be submitted to the Alameda County Health Care Services (ACHCS) for review and approval within 60 days of the completion of all earthwork performed as part of the Emeryville Industrial Court project.

We trust this report provides the required information. If you have any questions, please call either of us at 415-955-9040.

Sincerely yours,  
TREADWELL & ROLLO, INC.

Peter J. Cusack  
Senior Project Scientist

Donald D. Treadwell, PhD, PE  
Principal Engineer

Enclosures

**DRAFT**