

100 Pine Street, 10th Floor
San Francisco, CA 94111
[415] 434-9400 • FAX [415] 434-1365

ENVIRONMENTAL
PROTECTION



53 FEB 25 PM 4:34

Transmittal

SAC 798A

Sent Via:

Messenger

U.S. Mail

Overnight Mail

Date: February 25, 1999

To: Ms. Susan Hugo
Alameda County Health Services Agency
1131 Harbor Bay Parkway, Suite 250
Alameda, California 94502-6577

From: Brad Job *BJ*
Geomatrix Consultants, Inc.

Project Number: 3095.06

Project Name: Emery Lofts

Item	Description
1	Addendum to Soil Removal Work Plan
2	Site Plan
3	Storm Water Discharge Warning Notice and Stormwater Inspection of Emery Lofts
4	Tier 1 Ecological Risk for TPH Materials

Remarks

As I promised, please call if you have any questions.

Geomatrix Consultants, Inc.

Engineers, Geologists, and Environmental Scientists

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February 25, 1999
Project 3095.06

Mr. Ravi Arulanantham
California Regional Water Quality Control Board – San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, California 94612

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

Subject: Addendum to Soil Removal Work Plan
Former Emeryville Warehouse
Emeryville, California

Dear Mr. Arulanantham and Ms. Hugo:

On behalf of Emery Lofts Development Company (Emery Lofts), Geomatrix Consultants, Inc. (Geomatrix) has prepared this addendum to our Soil Removal Work Plan dated 18 January 1999 describing the removal of metals affected soil at the property located at Emerylofts located at 1500 Park Street in Emeryville, California. The excavation is being performed in order to remove soil that might otherwise require site deed restrictions if left in place.

Previous environmental investigations identified a layer of black sandy fill (black sand) underlying a narrow strip on the western side of the Emeryville Warehouse and a portion of the adjacent parcel at 4226 Halleck Street, at a depth of approximately 2.5 feet. The purpose of this addendum is to expand the area to be excavated to include the parcel located at 4226 Halleck Street in addition to the narrow strip along the west side of the Emeryville Warehouse. The general description of the work required remains unchanged from that in our 18 January 1999 submittal. The aerial extent of the proposed excavation has been increased to an approximately 200-foot by 115-foot area.

SCOPE OF WORK

The black sand area is to be excavated to a depth of three feet, with the material removed from the top two feet stockpiled for backfill and the remaining material removed for disposal. Depending on staging requirements, the excavation may be conducted in two phases to allow onsite storage of construction equipment and stockpiling of soil. The excavated area will be backfilled and roller compacted following removal of the black sand material. Prior to excavation, Geomatrix will contact Underground Service Alert to clear the excavation area for subsurface utilities.

Before backfilling and compaction, 24 samples of native soil will be collected from the base of the excavation and 16 samples from the stockpiled overburden for analysis of total metals concentration.



Mr. Ravi Arulanantham
California Regional Water Quality Control Board – San Francisco Bay Region


Ms. Susan Hugo
Alameda County Health Services Agency
February 25, 1999
Page 2

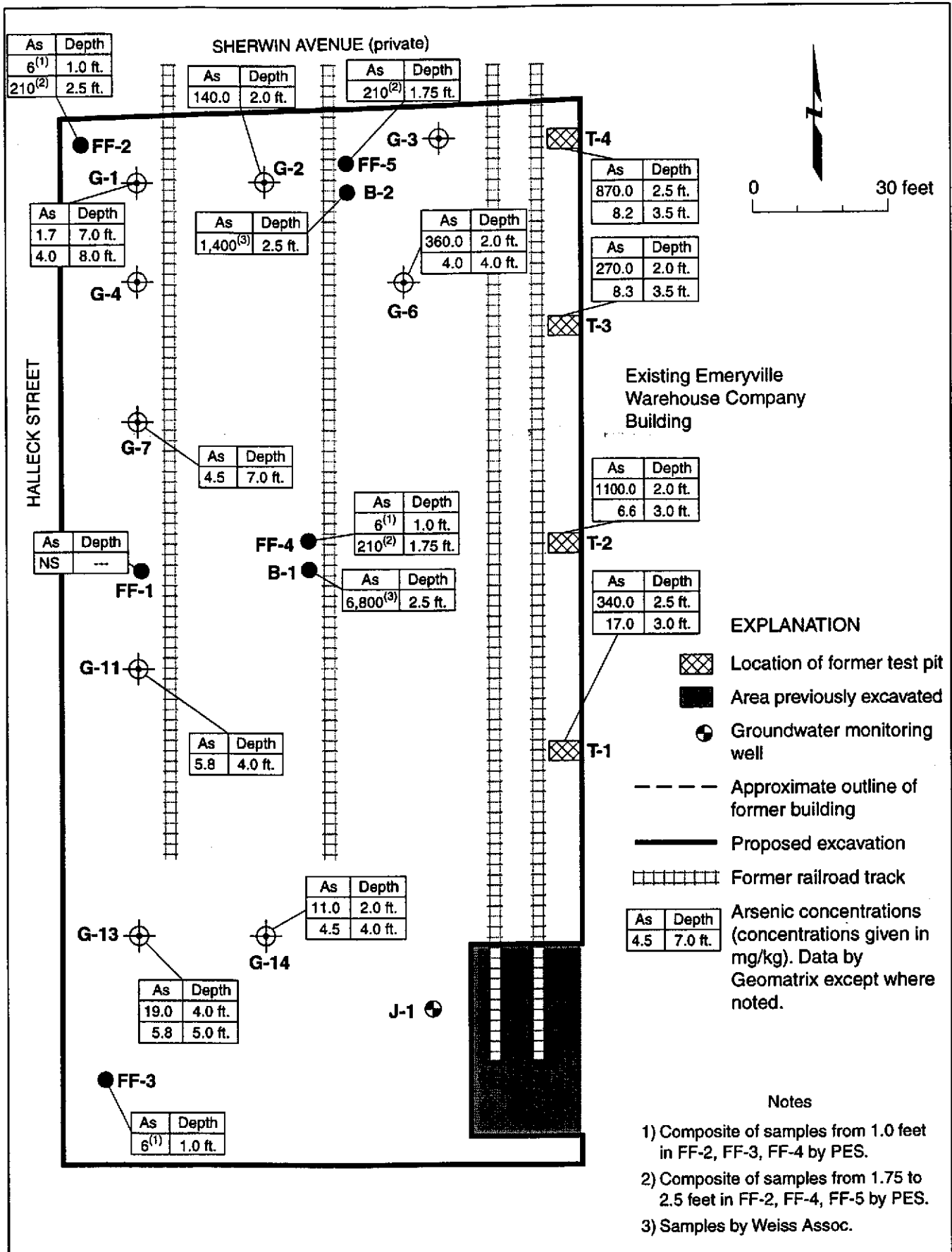
These samples will be analyzed as 10 four-point composites. The metals to be analyzed include arsenic, barium, cadmium, copper, lead, and zinc (EPA Method 6010/7000). The analytical results will be compared with US EPA Region 9 Preliminary Remediation Goals (PRGs) adjusted for background conditions, or other health-based remediation goals as appropriate. Sixteen samples of the stockpiled soil will also be collected for analysis of total and leachable metals concentrations (4 four-point composites). Based on the results of stockpile soil analysis, Geomatrix will identify appropriate disposal alternatives from which Emery Lofts may select.

If you have questions or comments regarding this Work Plan, please contact either of the undersigned.

Sincerely yours,
GEOMATRIX CONSULTANTS, INC.


Brad Job, P.E.
Project Engineer

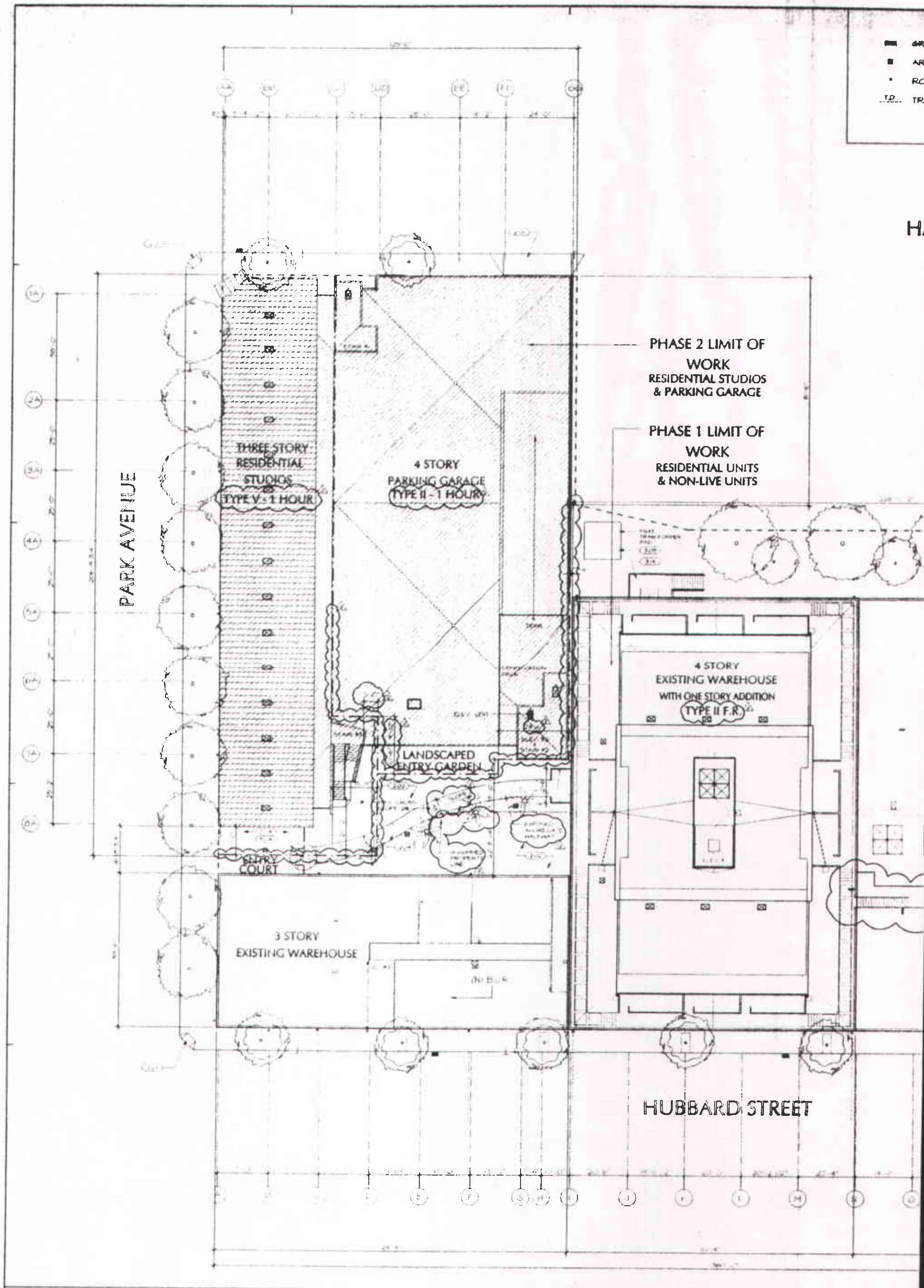

For Tom Graf, P.E.
Principal Engineer



PROPOSED EXCAVATION AREA
Emeryville Lofts
Emeryville, California

Figure
2
Project No.
3095.06

■ GRA
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 .T.D. TRE



PARK AVENUE

PHASE 2 LIMIT OF WORK
RESIDENTIAL STUDIOS
& PARKING GARAGE

PHASE 1 LIMIT OF WORK
RESIDENTIAL UNITS
& NON-LIVE UNITS

THREE STORY
RESIDENTIAL
STUDIOS
TYPE V - 1 HOUR

4 STORY
PARKING GARAGE
TYPE II - 1 HOUR

4 STORY
EXISTING WAREHOUSE
WITH ONE STORY ADDITION
TYPE II F.R.

3 STORY
EXISTING WAREHOUSE

LANDSCAPED
ENTRY GARDEN

HUBBARD STREET

SITE PLAN

01

MEMORANDUM

TO: File **DATE:** February 25, 1999
FROM: Brad Job **Project:** 3095.04
SUBJECT: Stormwater Inspection of Emerylofts

On 10 February I conducted a stormwater inspection of Emerylofts. I performed a site walk with Juan of Nibbi Brothers to inspect storm drain protection measures and general housekeeping. The drain on SW corner of block appears most prone to receiving sediment discharges. All of the drains on the block have been covered with filter fabric and surrounded by hay bales. Although these measures seem likely to be effective at keeping sediment out of the storm drains, it will be important to perform housekeeping on a regular basis (daily at a minimum) to prevent clogging the drains entirely and causing flooding.

I also noted that the Halleck Street entrance to staging area needs sweeping and observed a small area on Park Street where dirt clods need to be removed from street/gutter. A discharge into Halleck Street from a sump pump in the basement appeared to be stormwater that has entered the basement during recent rain— not a “non-stormwater discharge”.

I discussed my findings with Rob Selig of Nibbi Brothers. He indicated that the street is swept every two weeks and that the sweeper would be there in two days. I expressed my concerns that although the measures they have implemented will likely be effective for small runoff events, there is potential for failure or flooding to occur in the event of a significant rain. Mr. Selig stated that Nibbi Brothers would police the improvements frequently and assured me that blockage of the drain inlets would be prevented.

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100 Pine Street, 10th Floor
San Francisco, CA 94111
(415) 434-8400 • FAX (415) 434-1365

ENVIRONMENTAL
PROTECTION



January 18, 1999
Project 3095.06

99 JAN 19 PM 3:41

ST 10 798

Mr. Ravi Arulanantham
California Regional Water Quality Control Board – San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, California 94612

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

Subject: Soil Removal Work Plan
Former Emeryville Warehouse
Emeryville, California

Dear Mr. Arulanantham and Ms. Hugo:

Geomatrix Consultants, Inc. (Geomatrix) has prepared this Soil Removal Work Plan on behalf of Emery Lofts Development Company (Emery Lofts) to remove metals-affected soil at the property located at 4226 Halleck Street in Emeryville, California (Site). This excavation is being performed in order to remove soil that might otherwise require site deed restrictions if left in place.

The site is the former location of the Emeryville Warehouse Company and is in an industrial portion of Emeryville, California. A portion of the Site was reportedly used for railroad freight loading and unloading from 1906 until some time before 1975. Subsequent to 1975, the Site was reportedly used as a material storage and parking area. The former warehouse is the only existing structure and is currently being renovated for use as a multi-family residence.

Previous environmental investigations identified a thin (less than 1' thick) layer of black sandy fill (black sand) underlying a narrow strip on the western side of the Emeryville Warehouse at a depth of approximately 2.5 feet. Analysis of black sand samples showed elevated concentrations of arsenic, barium, cadmium, copper, lead, and zinc. Organic constituents were either not detected or were detected at very low concentrations in the samples. In addition, groundwater samples showed low (below MCLs) or non-detectable concentrations of metals and organics.

In 1997 and 1998 Geomatrix personnel conducted additional soil sampling activities at the Site. Continuous cores were collected from 11 borings using a direct-push technique and 4 test pits were excavated to better define the vertical extent of the black sand. Geomatrix collected a total of 19 samples from 6 borings and 4 test pits to characterize the distribution of metal concentrations in and below the black sand. Arsenic, barium, calcium, copper, lead, and zinc were detected in all samples; however, concentrations appeared to be elevated only in samples containing black sand. The

Geomatrix Consultants, Inc.
Engineers, Geologists, and Environmental Scientists

Need:
- storm water management plan
- copy of site development plan
- how TSPF facility will be addressed w/c is directly across property on Halleck
- copies of reports from previous investigations
- more \$ found at Technical

Mr. Ravi Arulanantham
California Regional Water Quality Control Board – San Francisco Bay Region
January 18, 1999
Page 2

maximum detected concentration of arsenic on the Emery Lofts parcel was 1100 milligrams per kilogram (mg/kg). Based on analytical results, it is possible that the black sand may be classified as a California hazardous waste, but will likely not be classified as a hazardous waste under federal regulations.

SCOPE OF WORK

The black sand area is to be excavated to a depth of three feet, with the material removed from the top two feet stockpiled for backfill and the remaining material removed for disposal. The excavated area is to be backfilled and compacted following removal of the black sand material. Prior to excavation, Geomatrix will contact Underground Service Alert to clear the excavation area for subsurface utilities.

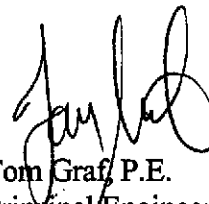
Following backfilling and compaction, 8 samples of native soil will be collected from the base of the excavation and 4 samples from the stockpiled overburden for analysis of total metals concentration. These samples will be analyzed as 3 four-point composites. The metals to be analyzed include arsenic, barium, cadmium, copper, lead, and zinc (EPA Method 6010/7000). The analytical results will be compared with US EPA Region 9 Preliminary Remediation Goals (PRGs) adjusted for background conditions, or other health-based remediation goals as appropriate. Sixteen samples of the stockpiled soil will also be collected for analysis of total metals concentration (4 four-point composites). Based on the results of stockpile soil analysis, Geomatrix will identify disposal alternatives from which Emery Lofts may select.

If you have questions or comments regarding this Work Plan, please contact either of the undersigned.

Sincerely yours,
GEOMATRIX CONSULTANTS, INC.



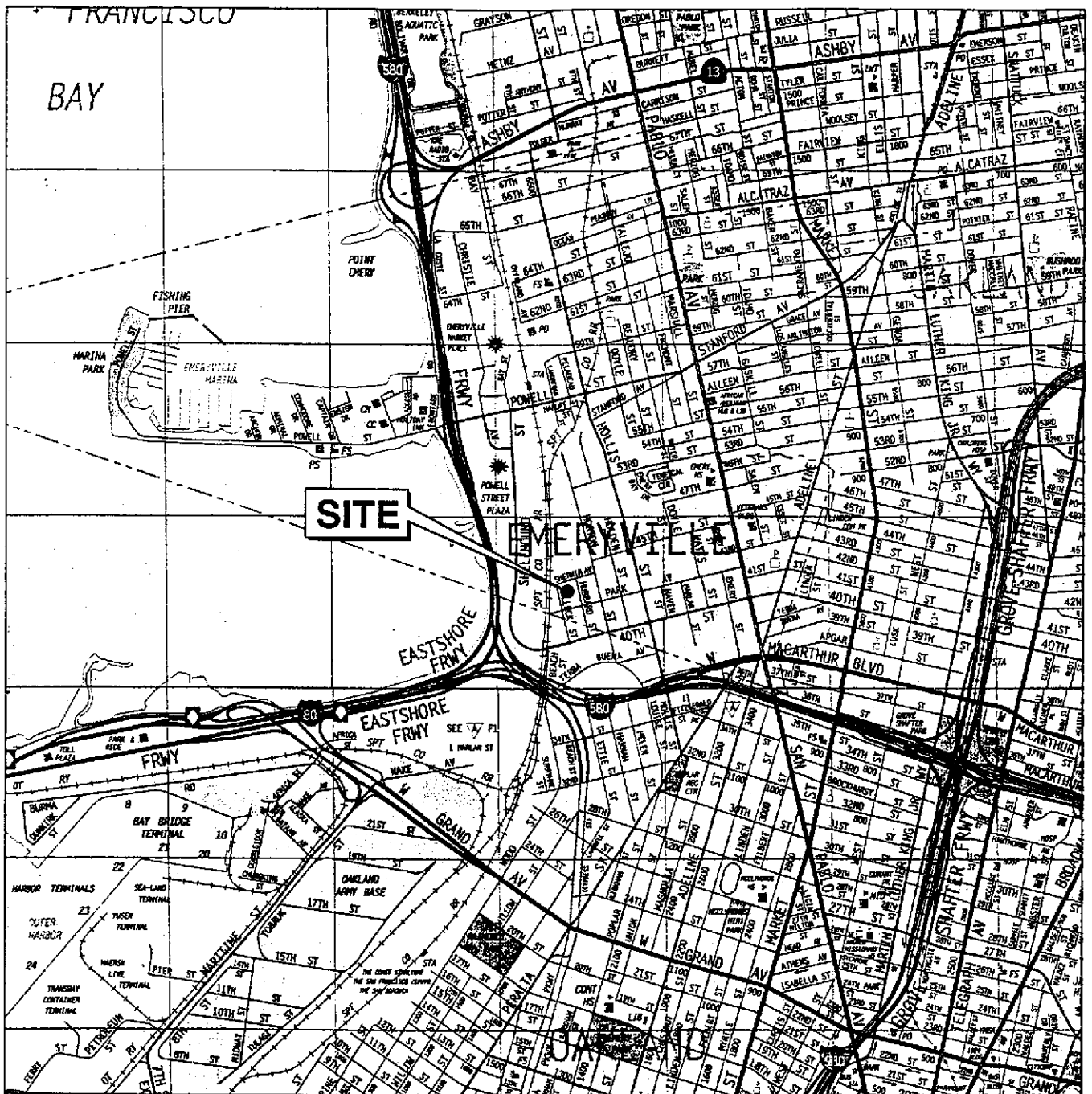
Brad Job, P.E.
Project Engineer



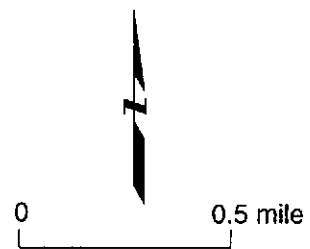
Tom Graf, P.E.
Principal Engineer

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ATTACHMENTS



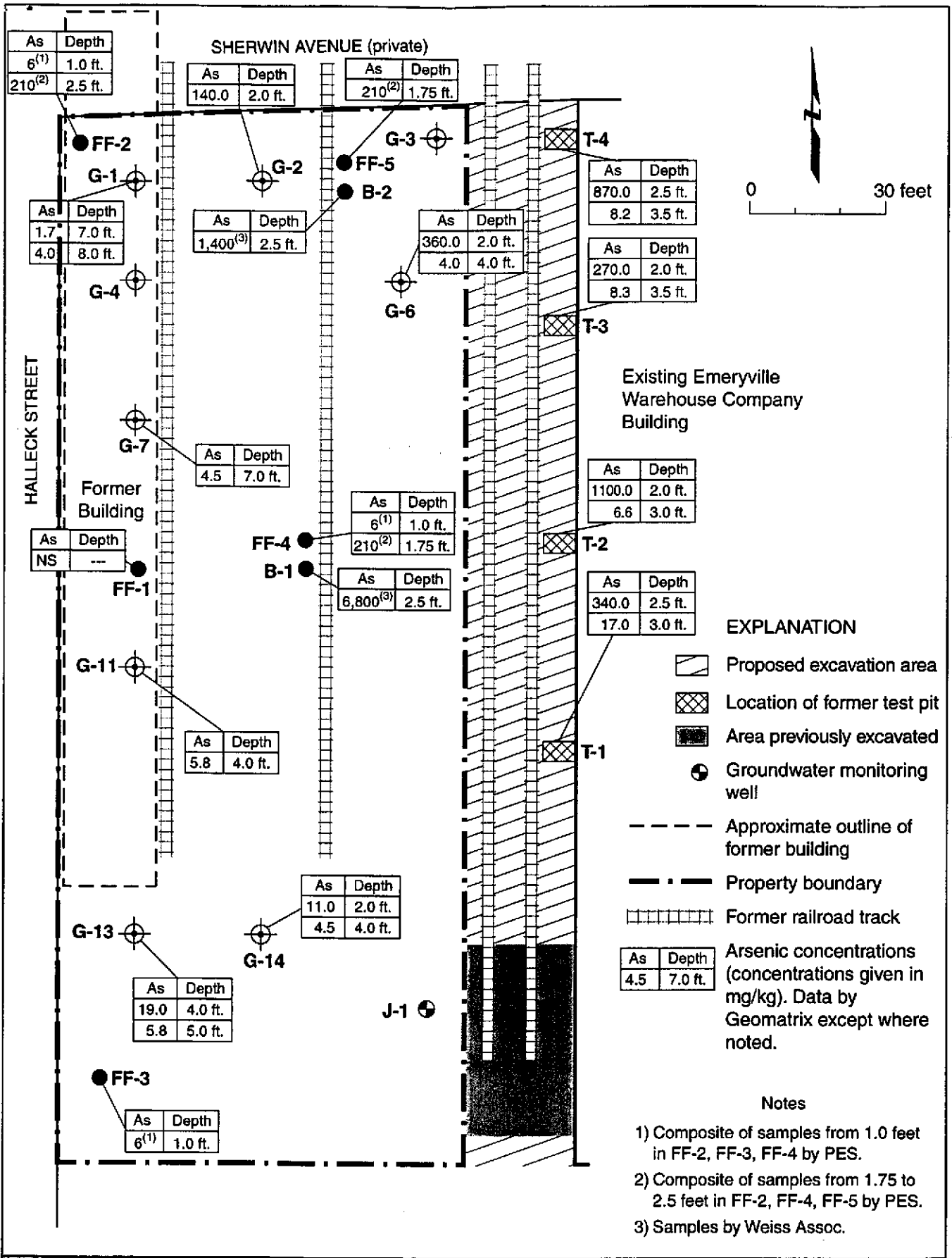
Base map from The Thomas Guide, 1997 Alameda/Contra Costa County Edition. Reproduced with permission granted by THOMAS BROS. MAPS. This map is copyrighted by THOMAS BROS. MAPS. It is unlawful to copy or reproduce all or any part thereof, whether for personal use or resale, without permission. All rights reserved.



SITE LOCATION MAP
Emeryville Lofts
Emeryville, California

Figure
 1

Project No.
 3095.06



PROPOSED EXCAVATION AREA
Emeryville Lofts
Emeryville, California

Figure
2
Project No.
3095.06



January 22, 1999
Project 3095.05

Mr. Dan McNevin
Emerylofts Development Company
100 Bush Street, 26th Floor
San Francisco, CA 94104

Subject: Storm Water Discharge Warning Notice
Emeryville Warehouse/Emery Lofts
Emeryville, CA

Dear Mr. McNevin:

On 21 January 1999, Ms. Susan Hugo of Alameda County Health Services Agency (ACSA) notified me via telephone that she had that morning conducted an inspection of the Emery Lofts area (the site) and was concerned by the lack of winterization at the site. Ms. Hugo stated that she had observed discharges of sediment-laden storm water into storm drains resulting from poor housekeeping and lack of storm water controls. She was concerned about potential impacts to water quality due to surface water runoff, especially in consideration of metals detected in localized areas of soil at the site.

Ms. Hugo stated that her call should be considered a courtesy notice of a potential violation and that ACHSA is not the enforcing agency in this matter. It should be noted that, in the recent past, the Regional Water Quality Control Board (RWQCB) has levied significant penalties in association with discharges of sediment-laden storm water from construction sites.

On 22 January 1999, as you requested, I inspected the site and observed several areas where sediment could potentially be discharged into storm drains. Specifically, I noted that measures should be taken in the following areas to limit mobilization of sediments from the site:

- The storm drains in and adjacent to the site (especially on the corner of Park and Halleck Streets) should be protected using hay bails or sand bags and filter fabric.
- Grading in unpaved areas of the site should be maintained so that storm water runoff flows to an area where it can collect and settle before ultimately discharging to storm drains through storm water controls such as hay bails or sand bags and filter fabric.
- Mud has been tracked onto Halleck Street from the equipment staging area located on the former UP Parcel. Management measures for this area might include placement of gravel on surfaces where equipment tires are likely to collect mud, mandatory cleaning of equipment tires immediately before leaving the staging area, and/or frequent sweeping of the street in this area.



Mr. Dan McNevin
Emerylofts Development Company
January 22, 1999
Page 2

Implementation of these measures will reduce the potential for the RWQCB to issue a notice for this site. Geomatrix would be happy to meet with you and your contractors to discuss any questions that might exist regarding storm water management measures and their implementation at the site.

If you have any questions regarding this matter, please call me.

Sincerely,
GEOMATRIX CONSULTANTS, INC.

A handwritten signature in black ink, appearing to read 'B. Job'.

Brad Job, P.E.
Project Engineer

A handwritten signature in black ink, appearing to read 'E. Nian for'.

Tom Graf, P.E.
Principal Engineer

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COMPLAINT INSPECTION REPORT

I. GENERAL INFORMATION

Company Name: Trident Trucking Company
 Facility Address: 23420 Clawiter Road Hayward CA 94545 and 23831 Saklan Road Hayward CA
 Telephone Number: (510) 783-2881
 EPA ID Number: CAD982484370
 Facility Type: Transporter
 Regulated Units: none
 Waste Streams: various
 Regulatory Status: Registered by DTSC as hazardous waste hauler until 6/30/99
 Inspected by: Susan JunFish
 Date of Inspection: No site visit conducted; began investigation on 2/6/98.
 Type of Inspection: CEI Complaint X O&M Focused Limited
 Complaint log# 02-0198-0153 (Attachment O)
 Facility Rep.: Mr. Bobbie Senna
 Type of Business: Hazardous waste hauler, particularly excavated underground storage tanks.

II. CONSENT

Consent given by (name and title): n/a: no site visit conducted for Transporter

III. NARRATIVE OF OBSERVATIONS/DISCUSSION WITH OPERATOR

During a compliance evaluation inspection at Erickson, Inc. at 255 Parr Boulevard in Richmond on December 31, 1997 I observed a trident labeled truck leaking substance from its flat-bed which contained an excavated underground storage tank. Several men were working to absorb the spill with an absorbent material, 'Ultrator.' I asked the Facility Manager of Erickson, Mr. Forrester, to provide me with a copy of the documents that came with the truck. I observed brownish, somewhat viscous material spilled onto the ground and onto the truck bed which the men were working to cover with the absorbent material (Attachment P, photos #1, #2). Of additional concern was the evidence of leaking from the truck bed onto the bar and perhaps mudflaps that hang behind the rear tires. In addition, I observed the manner in which the underground storage tank (UST) was covered with a plastic sheeting. I observed welling of brown liquid in pockets of the folded plastic sheeting near the floor of the truck. It was clear that the hauler did not take precautions to fully contain potential

Inspection Report

leaking from the tank.

Upon my repeated request to see a copy of the manifest, Mr. Forrester brought back a copy of the manifest from the truck driver but said he could not show me who the generator was and would not let me see the manifest. Mr. Forrester proceeded to place his hands into the wet adsorbent, held it to his nose and said it was only water. I informed him that Department has access to the manifest database and that we are authorized to be informed of who the generator of a manifest is. Mr. Forrester declined to show me the manifest however stated that the tank came from Emery Lofts Development Company. The hauler was Trident Transportation Company. I was able to obtain a copy of the manifest from Mr. Sato of Erickson, Inc. at a later time (Attachment Q) and manifest documentation showing that the released material and adsorbents were manifested and disposed as hazardous waste.

On February 2, 1997 I left a message for Mr. Dan Nevin of Emery Bay Lofts to ask for a copy of their operational plan for exhuming UST's and other procedures for coordinating with transporters. On February 6, 1997 Mr. McNab asked me to contact Mr. Tom Graff of Geometrics (415) 434-9400, their consultant. I called Mr. Graff on February 6, and left a message asking him for the same information.

On February 10, 1998 I contacted Ms. Susan Hugo of the Alameda County Environmental Health Services (510) 567-6780 and was informed that the County had no jurisdiction of Trident Trucking Company, and that the County has issued a permit for the Trumpp Brothers contractors who excavated the UST. On February 11, 1998 I spoke with Mr. Gary Trumpp of Trumpp Brothers (408) 292-0820. Mr. Trumpp explained that they were contracted by the Erickson facility in Richmond for the excavation of the tank which also included a hauler. Erickson apparently coordinated with Trident directly after that.

On February 11, 1998 I contacted Ms. Hugo and asked her what repercussion may be encountered for holding excavated UST's for a number of days prior to dismantling. She stated that UST's have been known to explode if they are not properly inerted and this was the first incident she's seen where a UST was not taken to a TSDF immediately. I asked Ms. Hugo if Trident Trucking Company was required to have a permit from the County to store UST's.

On March 27, 1998 I contacted Mr. Tom Peacock of the Alameda County Environmental Health Services (510) 567-6782 to get information on County requirements because Ms. Hugo was on vacation. Second, I contacted Mr. Julio Gaitan who confirmed that Trident Trucking Company was allowed to store the UST on site for up to 10 days in accordance to state law. In addition Mr. Gaitan confirmed registration until 6/30/98.

On March 27, 1998 Mr. Tom Graff of Geomatrix returned my call and confirmed that the address in which the UST was excavated is owned by Emery Lofts Development Company. The address is 1500 Park Avenue in Emeryville. The UST had once contained bunker oil for generators. Erickson, Inc. Had subcontracted to Trident to haul the UST to their facility.

On April 3, 1998 I contacted Mr. Tom Graff of Geomatrix to inquire again about their

Inspection Report

operational plans and procedures. He stated that Mr. Brad Jobe who was present during the UST removal would call me on April 9, 1998. On April 7, 1998 I left a message for Ms. Susan Hugo of the Alameda County Environmental Health Services if she witnessed any contractors cleaning out the UST prior to loading it onto the flat-bed of the truck. On April 7, Mr. Dan McNevin (415) 441-4400 called to ask if I got all the information I needed from Tom Graff. I called back stating that I will be working with Tom Graff and the County.

On April 7, Ms. Hugo of the County sent a facsimile of the report of the December 21 and 22, 1998 UST excavations at the Emery Lofts Development Company.

On April 9, 1998 I left a message for Mr. Tom Graff to provide me information on 1) volume of material pumped out from each UST, if any. 2) Any steam cleaning done on site? If so, manifest for the steam cleaning. 3) For all soil sample analyses, which agency was this sent to.

On April 9, 1998 I spoke with Mr. Gary Trumpp, who had actually dug up the UST. He hired Nibbi Brothers for the backhoe operation which began on December 18, 1998. The operation began with first digging up the tanks, then pumping out the liquid, placing the UST on the truck bed, and backfilling the hole. A vacuum truck was used to remove most of the liquid in two UST's just prior to lifting them out that day. The second tank took almost all day to vacuum out oil. They had to return the next day to vacuum out the pit and tank. Some ground water had infiltrated into the hole. The tank which was removed on the second day, or the 22 of December was hot pressure washed for about half an hour while the vacuum truck was pumping out the rinsate. The first tank was full of groundwater. Mr. Trumpp thought that the driver was taking the UST directly to Erickson, Inc. And didn't understand why it was held for numerous days. Mr. Trumpp stated that they had placed dry ice in the tank to inert the tank, but if Trident Trucking transported the tanks in a few hours, then the dry ice would have kept the liquids from leaking out (would freeze the water portion).

On April 9, 1998 I collected the contact names and numbers for Trident Trucking Company to help me answer some questions.

On June 4, 1998 I was able to finally reach Mr. Bobby Senna (510) 783-2881 of Trident Trucking Company. Upon providing Mr. Senna an overview of the incident, Mr. Senna's response was that it was not his responsibility for the leaking tank. Mr. Senna stated that the Contractor should have emptied it out and wrapped it properly. Mr. Senna could not explain why the truck was kept at his facility for 9 days instead of taking the UST directly to Erickson, Inc. He stated that he didn't know and felt he hadn't broken any laws so he didn't need to spend the time trying to find out why they held it.

On June 9, 1998 Mr. Hugh Murphy of the Fremont Fire Department informed me that the Alameda County Fire Department had recently written a letter to Trident Trucking Company to notify they that their conditional use permit didn't allow hazardous cargo and essentially ordered Trident to cease storage of hazardous waste on their property. Mr. Hugh Murphy faxed me a copy of the letters (Attachment S). Mr. Hugh stated that Miles (510) 583-4926 of

Inspection Report

the Hayward Fire Department was planning to do an inspection of the facility.

On July 5, 1998 I contacted Ms. Hugo of the County Department of Health Services and asked if Trident had violated any of their regulations. She stated that should we get back to me. I informed her of the Fire Department's discovery that Trident was violating zoning ordinances, and I facsimiled her a set of copies of the letters sent to Trident Trucking.

On July 29, 1998 I called Mr. Robert Bohman, of the Alameda County Fire Department who confirmed that Trident had violated County zoning ordinances. Without a permit, Trident Trucking Company was not allowed to store any UST's. I next called Ms. Hugo of the County to confirm whether Trident needed any type of permit from the County at all.

On September 30, 1998 I left a message for Miles of the Hayward Fire Department to see if he had inspected Trident Trucking. I was relayed the message that no UST's were observed at the facility. I called Ms. Hugo and Mr. Peacock at the County again to see if I could get some confirmation on any permit requirements by the facility. Ms. Hugo stated that she would contact her permit department and would get back to me.

On October 1, 1998 I spoke with Ms. Hugo and decided to leave a message for Mr. Robert Weston directly who was in charge of the UST permit removal/installation. In the meanwhile, I spoke with Mr. Peacock who explained that there was no reference to any retention period limitations in their permits. It appears that Trident's violation is based solely on zoning restriction governed by the County of Alameda.

IV. VIOLATIONS

No state violations. See Attachment S for Alameda County violations.

V. CONCLUSIONS

On September 30, I contacted Mr. Bobby Senna and asked him if he was intending to follow the Alameda Fire Department's directions to cease all storage of hazardous cargo, including UST's. He stated that he would comply in the future. In addition, I left a message for Mr. Dan McNevin of Emery Lofts Development Company to inform him that as a generator of hazardous waste on the manifest, Emery Lofts Development Company is held responsible for the safe disposal or treatment of the UST. I informed him of the conclusion of the report and that he would be provided a copy of the inspection report.

VI. ATTACHMENTS

- O: DTSC's Complaint Report.
- P: Photos of leaking UST on flatbed and signs of spilling during transportation shown on mudflaps.
- Q: Manifest used for the transport of UST from Trident to Erickson showing 9 days of storage at Trident.
- R: Alameda County, Department of Environmental Health Services UST inspection Form.
- S: Alameda County Fire Department's letter to Trident Trucking Company instructing to discontinue storage of UST's.

Susan Ann Fisk
Hazardous Substances Scientist

10/1/98
Date

Rick Robinson
Unit Chief

10/2/98
Date

ACTUAL ATTACHMENTS
O, P, Q, R & S ARE INCLUDED
IN ORIGINAL REPORT

O
P
R
S





Department of Toxic Substances Control

Jesse R. Huff, Director
700 Heinz Avenue, Bldg. F, Suite 200
Berkeley, California 94710-2721

ENVIRONMENTAL
PROTECTION

98 OCT -7 PM 3:35



Pete Wilson
Governor

Peter M. Rooney
Secretary for
Environmental
Protection

October 6, 1998

CERTIFIED MAIL

Mr. Bobbie Senna, Co-owner
Trident Trucking Company
23420 Clawiter Road
Hayward, CA 94545

Dear Mr. Senna:

On December 31, 1997 the California Environmental Protection Agency, Department of Toxic Substances Control (DTSC), observed mishandling of an underground storage tank excavated from an Emery Lofts Development owned site in Emeryville to Erickson, Inc. in Richmond, CA. The purpose of this letter is to acknowledge that you have come into compliance with the local zoning ordinance to not hold any hazardous cargo at the address 23831 Saklan Road in Hayward and to summarize discussions with the Department of Toxic Substances Control (DTSC).

Ms. JunFish first contacted you on June 4, 1997 regarding the excavated underground storage tank (UST) which was being hauled, leaking, into the Erickson Facility in Richmond on December 30, 1997 during her inspection. At the time, Ms. JunFish informed you that although Trident was in compliance with state transfer facility regulations for holding hazardous waste in an industrial area for 10 days or less, she was still concerned about the leaking condition of the tanks during transportation. She had expressed the oily-water mixture as a road hazard. Upon contacting the California Highway Patrol, the leaking tanks would be in violation of transportation codes. Please assure that no fluids, particularly oily fluids, would leak during transportation of excavated UST for the safety of other drivers.

The enclosed report describes the findings of this inspection, including any violations and any actions that should be taken by the facility to correct the violations.

The issuance of this letter does not preclude DTSC from taking administrative, civil, or criminal action as a result of the violations noted in the report.

Mr. Bobbie Senna
October 6, 1998
Page 3

If you have any questions regarding this letter, or if you wish to discuss any questions or concerns you have with the inspection, the report, the violations, or the proposed corrective action, please contact Susan JunFish at (510) 540-3896. Thank you for your assistance in conducting this inspection.

Sincerely,



Rick Robison
Unit Chief
Statewide Compliance Division

Certified Mail No.: P 454 656 522

cc: Mr. Don McNevin
Emery Lofts Development Company
100 Bush Street
San Francisco CA 94105

Mr. Robert T. Bohman
Alameda County Fire Department
22341 Redwood Road
Castro Valley, CA 94546

✓ Ms. Susan Hugo
Department of Health Services, Alameda County
1131 Harbor Bay Parkway
Alameda, CA 94502

STID 2228

Fax Transmittal Sheet

STATE OF CALIFORNIA-ENVIRONMENTAL PROTECTION AGENCY
Department of Toxic Substances Control, Region 2
Hazardous Waste Management Program
700 Heinz Avenue, Suite 200, Berkeley, CA 94710
(510)540-3856

Date: 7/15/98 Number of Pages Including Cover 6

Deliver To:
Name: Susan Hugo
Phone: _____
Fax #: 337-9335

From:
Name: Susan JuaFish
Phone: _____

Comments: pls find faxed copies of Fire Dept's
correspondence re = Trident Trucking.
I will be closing this case and with
the county agencies following up.

Thank you, SJF

This Fax came from Region 2 Office Fax # (510)540-3891. If you have had any problems with this transmission, or if you have not received all of the pages, please call the sender at the above number.

JUN- 9-98 TUE 15:12

P. 03
P. 02

JUN-04-1998 16:24

ALSO FIRE PREVENTION



William J. McCammon, Fire Chief

Alameda County Fire Department

*Proudly serving the Unincorporated Area of Alameda County
and the communities of San Leandro and Dublin*

ADMINISTRATION
835 E. 14th Street, Suite 200
San Leandro, CA 94577
(510) 618-3400
(510) 618-3445 Fax

EMS DIVISION
1426 164th Avenue
San Leandro, CA 94578
(510) 618-3485
(510) 276-5915 Fax

TRAINING DIVISION
2033B San Miguel
Castro Valley, CA 94546
(510) 670-5884
(510) 338-3975 Fax

FIRE PREVENTION OFFICES

ALAMEDA COUNTY
22341 Redwood Road
Castro Valley, CA 94546
(510) 670-5853
(510) 582-4347 Fax

CITY OF SAN LEANDRO
835 E. 14th Street, Suite 200
San Leandro, CA 94577
(510) 577-3319
(510) 618-3445 Fax

CITY OF DUBLIN
100 Civic Plaza
Dublin, CA 94568
(510) 233-8006
(510) 233-6628 Fax

March 31, 1998

Trident Trucking
23420 Clawiter Rd.
Hayward, CA 94545

RE: Complaint of UST storage

Today at 1100 hours I, Nick V. Chimento, made a site visit to check on a complaint that Trident Trucking was storing UST's on site. I did not see any UST's on site.

When I arrived I was met by Bob Senna Jr.. He explained to me that sometimes when they receive a tank late in the day they keep the tank overnight. Senna stated the tanks are stored at the far corner of the lot if necessary and under Federal Law he had up to 10 days to store the tank on site. He stated to me that the tanks are transported the next morning to Erickson (in Richmond) for disposal and rarely are they stored longer than that. He did show me a dispatch ticket for a tank that went out prior to my arrival. He also stated that he only transports tanks when Erickson is unable to transport the tanks themselves.

I explained that if tanks are stored over night, they would have to be monitored, the area posted as "NO SMOKING", and it's in his best interest to get rid of the tanks that same day. I also explained to him the storage of UST's is not allowed without a permit from the Fire Department and as a policy we do not issue any permits for UST storage. I also informed him a permit would be required from County Environmental Health Department and as far as I knew, they also do not issue permits for storage.

Nick V. Chimento #59
Fire Inspector

TOTAL P.02

JUN- 9-98 TUE 15:13

JUN-04-1998 10:47

ALCO FIRE PREVENTION

P. 05
P. 02



William J. McCannan, Fire Chief

Alameda County Fire Department

*Proudly serving the Unincorporated Areas of Alameda County
and the communities of San Leandro and Dublin*

ADMINISTRATION
835 E. 14th Street, Suite 200
San Leandro, CA 94577
(510) 618-3490
(510) 618-3445 Fax

EMS DIVISION
1426 164th Avenue
San Leandro, CA 94578
(510) 618-3415
(510) 276-3915 Fax

TRAINING DIVISION
20336 San Miguel
Castro Valley, CA 94546
(510) 670-5884
(510) 358-3955 Fax

FIRE PREVENTION
OFFICES

ALAMEDA COUNTY
22341 Redwood Road
Castro Valley, CA 94546
(510) 670-5833
(510) 502-4367 Fax

CITY OF SAN LEANDRO
835 E. 14th Street, Suite 200
San Leandro, CA 94577
(510) 577-0319
(510) 618-3443 Fax

CITY OF DUBLIN
100 Civic Plaza
Dublin, CA 94568
(510) 833-6606
(510) 833-6628 Fax

June 4, 1998

Marcus & Rene' Senna
4791 Whitworth Road
Gustine, CA 95322

Subject: 23831 Saklan Road, Hayward

Our office has been informed that the occupants of this site, Trident Truck Line, is a licensed hazardous waste hauler, and that they often haul underground fuel storage tanks that are manifested as hazardous.

It has been reported to us that these tanks are routinely transported to the property at 23831 Saklan Road and stored on site until they are transported to the final destination.

The Conditional Use Permit does not allow the storage of hazardous cargo. The permit only permits the storage of trucks, recreational vehicles, and temporary, non-hazardous cargo.

In addition to the provisions of the Conditional Use Permit which must be abided by, Section 105, §3 #5&6 of the Fire Code would require that a Fire Permit be issued for the temporary storage of these tanks.

It is necessary that if this activity is occurring that such be discontinued immediately. Since the City of Hayward Fire Department is contracted by us to provide fire protection services to this property, I will be notifying them of this and request that they provide monitoring and inspection of the site.

If you have any questions or comments, please contact me.

Sincerely,

Robert T. Bohman
Deputy Fire Marshal

**RESOLUTION NO. Z-9028 OF
THE ZONING ADMINISTRATOR OF ALAMEDA COUNTY
ADOPTED AT THE HEARING OF APRIL 22, 1998, CONCERNING C-7227**

WHEREAS MANUEL AND RENE SENNA have filed for CONDITIONAL USE PERMIT, C-7227, to allow continued operation of a truck terminal and offices in a PD (Planned Development) District, located at 23831 Saklan Road, west side, southwest corner with Middle Lane, Hayward, Assessor's No: 441-90-1-2.

WHEREAS the Zoning Administrator did hold a public hearing on said application at the hour of 1:30 p.m. on the 22nd day of April, 1998, in the Alameda County Public Works Building, Auditorium, 399 Elmhurst Street, Hayward, California; and

WHEREAS it satisfactorily appears from affidavits on file that proper notice of said public hearing was given in all respects as required by law; and

WHEREAS this application has been reviewed in accordance with the provisions of the California Environmental Quality Act and has been found to be categorically exempt; class 5, example i; and

WHEREAS a Pre-Hearing Analysis was submitted recommending the application be conditionally approved; and

WHEREAS a representative appeared at said public hearing to offer testimony in support of the application; and

WHEREAS the Zoning Administrator did hear and consider all said reports, recommendations and testimony as hereinabove set forth; Now Therefore

BE IT RESOLVED that the Zoning Administrator finds that:

- (a) The use is required by the public need as there is a demand for storage space for trucks and recreational vehicles.
- (b) The use will be properly related to other land uses and transportation and service facilities in the vicinity as similar vehicle storage and light industrial uses are located on adjacent properties. Adequate service and transportation facilities are available, subject to the limitations regarding access contained herein.

RESOLUTION NO. Z-9028
APRIL 22, 1998
PAGE 2

- (c) The use, if permitted, under all the circumstances and conditions of this particular case, will not materially affect adversely the health or safety of persons residing or working in the vicinity, or be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood as there have been minimal detrimental effects resulting from this use during its operation for the past several years, and none of significance are anticipated.
- (d) The use will not be contrary to the specific intent clauses or performance standards established for the District in which it is to be considered as it is consistent with standards established by the PD District and the Alameda County General Plan Industrial land use policies.

BE IT FURTHER RESOLVED that the Zoning Administrator does hereby conditionally approve said application as shown by materials labeled Exhibit "A" on file with the Alameda County Planning Department, subject to the following conditions:

1. All requirements of the PD (Planned Development, 1780th Zoning Unit) District, Site Development Review, and Conditional Use Permit shall be met. These permits are attached hereto and made a part of this permit by reference.
2. Areas of the yard to be used for storage of trucks, recreational vehicles, and temporary, non-hazardous cargo shall be maintained in a dust-free condition with not less than a crushed rock and oiled surface.
3. Collection corridors and on-site circulation within the yard, including the ingress egress driveway on Saklan Road, shall be paved with asphalt.
4. The existing 6' high perimeter, wood slat chain-link fence shall be adequately maintained to screen the storage yard use.
5. Existing landscape improvements along the north and east property frontage shall be satisfactorily maintained, including the proper removal and replacement of dead plants.
6. All requirements of the following County agencies shall be met:
 - a) Public Works Agency
 - b) Environmental Health Services
 - c) Building Inspection

RESOLUTION NO. Z-9028
APRIL 22, 1998
PAGE 3

7. Applicant shall not oppose to the annexation to the City or participation in an assessment district for public improvements.
8. The Saklan Road entrance may only be used for trips to the applicant's other truck yard on the east side of the road, and for ingress and egress to the subject truck yard during the hours of 4:00 p.m. to 6:00 p.m. weekdays.
9. All debris along the Saklan Road frontage shall be removed within 30 days.

Pursuant to Section 17-52.050 of the Alameda County Zoning Ordinance said Conditional Use Permit shall be implemented within a term of three (3) years of its issuance or it shall be of no force or effect.

Said Conditional Use Permit shall terminate on April 22, 2001, and shall remain revocable for cause in accordance with Section 17-54.030 of the Alameda County Zoning Ordinance.

STEPHEN F. RICHARDS - ZONING ADMINISTRATOR
ALAMEDA COUNTY PLANNING DEPARTMENT

Fax Transmittal Sheet

STATE OF CALIFORNIA-ENVIRONMENTAL PROTECTION AGENCY
Department of Toxic Substances Control, Region 2
Hazardous Waste Management Program
700 Heinz Avenue, Suite 200, Berkeley, CA 94710
(510)540-3856

Date: 2/9/98 Number of Pages Including Cover 3

Deliver To:
Name: Susan Hugo
Phone: _____
Fax #: _____

From:
Name: Susan Junfish
Phone: _____

Comments: Please find the formal complaint referral
and ~~the~~ a copy of the manifest.
Thank you! Susan

This Fax came from Region 2 Office Fax # (510)540-3891. If you have had any problems with this transmission, or if you have not received all of the pages, please call the sender at the above number.

DEPARTMENT OF ENVIRONMENTAL HEALTH
Environmental Protection Division
1131 Harbor Bay Parkway, #250
Alameda, CA 94502-6577
(510) 567-6700

RAFAT A. SHAHID, Director



ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
DAVID J. KEARS, Agency Director

(Use ball-point pen)

INFORMANT	ALLEGED RESPONSIBLE PARTY
Name: <u>Susan Jun Fish</u>	Name: <u>Emergy Lofts Development Co.</u>
Address: <u>700 Hemo Ave</u>	Firm: <u>2 and Trident Transportation Co</u>
City: <u>Berkeley</u> ZIP: <u>94710</u>	Address: <u>100 Bush St.</u>
Phone: <u>510, 540-3876</u>	City: <u>S.F.</u> ZIP: <u>94104</u>
<input type="checkbox"/> Confidential <input type="checkbox"/> OR <input type="checkbox"/> Anonymous: (Check one)	County Code: <u>38</u> Phone: <u>(415) 896-6100</u>

COMPLAINT DATA

Is this an emergency? Yes No If yes, call the Office of Emergency Services (OES): 800-852-7660
 Log Number: 02-0198-0153 Date Complaint Received: 12/31/97 Time: 3 pm Received By: Susan Jun Fish

Notifications made (Yes/No) Prop. 65 _____ Local Agency _____ Who? _____

Date of Incident: 12/31/97 Allegation Code: D, L Quantity: 100 mls +

Type/Condition of Containers Visible: UST leaking oil and rinseate onto ground from top of truck.

Source of Complaint/Code: D If Code A, Specify: _____

Other Comments: On Dec. 31st, during a CEI inspection at Enclison, Inc. at 255 Parr Street in Richmond, I observed a leaking empty UST on top of a flatbed truck. At least 100 mls of fuel oil was being absorbed with materials on the ground. About 500 mls was on the flatbed itself, most of it being rinse water. The UST, lying on its side did not appear to have a containment in case of ~~residual~~ leaks. May have been leaking during transportation as well. They should have better containment.

COMPLAINT COORDINATORS ONLY Please see copy of manifest, # 96839980

Response Code: I Region/Agency Referred To: ROBISON

Response Date: _____ Investigator: JUN FISH Date Assigned: 2/3/98

Note: Information to be transferred to complainant is highlighted in bold italic print. Attach an addendum if necessary.

See code on reverse side
 White - Regional Office
 Pink - Investigations
 Green - Informant

DEPARTMENT OF ENVIRONMENTAL HEALTH
 1131 Harbor Bay Parkway, Berkeley, CA 94709
 (510) 567-6700



ALAMEDA COUNTY
 HEALTH CARE SERVICES
 AGENCY
 DAVID J. KEARS, Agency Director

ALAMEDA COUNTY

Instructions on back of page 6: 971410

Department of Toxic Substances Control
Sacramento, California

Form designed for use by generators of hazardous waste.

UNIFORM HAZARDOUS WASTE MANIFEST

AGENCY: Director
Manifest Document No. 00001578176000011

2. Page 1
Information in the shaded areas is not required by Federal law.
RAFAT A. SHAHID, Director

3. Generator's Name and Mailing Address
EMERY LOTT'S DEVELOPMENT CO.
100 BUSH ST. SAN FRANCISCO, CA, 94104

4. Generator's Phone (415) 896-6100

5. Transporter 1 Company Name TAILOX

7. Transporter 2 Company Name

9. Designated Facility Name and Site Address
ERICKSON, INC.
255 FARR BLVD.
RICHMOND, CA. 94801

11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)

DEPT OF ENVIRONMENTAL AFFAIRS
113
Ala
D. Transporter's Facility No.
E. State Transporter's License No.
F. State Facility ID No.
G. State Facility Name

11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)	12. Containers		13. Total Quantity	14. Unit Wt/Vol
	No.	Type		
a. NON-RCRA Hazardous Waste Solid Waste Empty Storage Tank. Was leaking	01011	TB	0115020	P
b.				
c.				
d.				

15. Special Handling Instructions and Additional Information
Keep away from sources of ignition. Always wear handhats when working around U.G.S.T.'s 24 Hr. Contact Name, San McNeilis & Phone (415) 896-6100

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this commitment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations.
If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.

Printed/Typed Name: TIM LUYMA FOR OWNER Signature: [Signature] Month: 1 Day: 22 Year: 1997

17. Transporter 1 Acknowledgement of Receipt of Materials
Printed/Typed Name: BOB SPINA Signature: [Signature] Month: 1 Day: 22 Year: 1997

18. Transporter 2 Acknowledgement of Receipt of Materials
Printed/Typed Name: Signature: Month: Day: Year:

19. Discrepancy Indication Space

20. Facility Owner or Operator Certification of receipt of hazardous materials covered by this manifest except as noted in item 19.
Printed/Typed Name: DAVID SAID Signature: [Signature] Month: 1 Day: 23 Year: 1997

DO NOT WRITE BELOW THIS LINE.

IN CASE OF EMERGENCY OR SPILL, CALL THE NATIONAL RESPONSE CENTER 1-800-424-8802, WITHIN CALIFORNIA, CALL 1-800-852-7550

96839980

white -env.health
 yellow -facility
 pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

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

Hazardous Materials Inspection Form

II, III

Site ID # 798 Site Name Emery Softs Development Today's Date 12, 22, 97
 Site Address 1500 Park Ave.
 City Emeryville Zip 94608 Phone _____

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

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

Comments: On site for removal of Tank #2 Bunker C
 - 1500 gallons of Bunker C pumped out. Tank (approximately 1500 gal in capacity) full of Bunker C. Emeryville Fire Dept (George Warren) requested County to oversee that the tank was properly inerted. LEL = 0% & O2 = 9%.
 Tank # 2 (steel tank) appeared to be buried deeper than tank #1 removed on 12/18/97. West end of the UST is near the wall of the building. Holes were found at the bottom east end of the tank. Strong staining present around tank excavation. Soil appeared to be bay mud / thick clay. On the West end of the tank - sample was not collected because of the wall. Fill material next to the wall will be removed. Total of 3 soil samples were collected - East bottom sample & north & south wall samples. Groundwater sample was also collected. Stockpiled soil - per Brad Job; analytical results showed soil as clean; was allowed to be used as backfill material. However, clean fill ^{from tank} will be placed at the bottom of the excavation & stockpiled soil will be placed on top. Only clean fill material was used to backfill Tank #1 excavation. Tank was hauled by Trident to Erickson. Tank was hauled to Erickson under manifest # 96839980.

Contact _____
 Title _____
 Signature _____
 Inspector _____
 Signature Susan F. Hugo

II, III

white -env.health
yellow -facility
pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

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

Hazardous Materials Inspection Form

II, III

Site ID # 798 Site Name Emery Lofis Development Co. Today's Date 12/18/97

Site Address 1500 Park Avenue

City Emeryville Zip 94608 Phone _____

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

Inspection Categories:

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

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

Comments:

on site for the removal of 2 ^{USTs} tanks (mineral spirits & bunker C). George Warren from City of Emeryville Fire was present to oversee that the USTs are properly inserted.
Tank #1 - (500g mineral spirits) steel, corroded & gaging hole present at the bottom - middle & north end. Tank was previously filled w/ water. VCL = 40 O2 = 40
Strong staining was present around excavation. Tank located next to bldg (former loading dock).
Ground water was pumped out from the bottom of pit, when top of water was pumped out. Three soil samples were collected. 2 bottom samples (north & south ends) & one sidewall sample next to bldg. Tank back-fill material was removed. Pit was allowed to be filled with clean fill at bottom (up to 3ft from bottom) & Visqueen placed on top of clean fill prior to putting stockpiled soil. Stockpiled soil was characterized.
The second tank was ^{still} filled with bunker C which was being pumped out. It will be steamed cleaned tomorrow & scheduled to be pulled on Monday, 12/22/97.

II, III

Contact _____

Title _____

Signature _____

Inspector _____

Signature Susan J. Hays

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
DEPARTMENT OF ENVIRONMENTAL HEALTH
ENVIRONMENTAL PROTECTION DIVISION
1131 HARBOR BAY PARKWAY, RM 250
ALAMEDA, CA 94502-6577
PHONE # 510/567-6700
FAX # 510/337-9335

SUSAN L. HUGHES
Project Specialist

1510 567-6786

This check is an add-on to the tank removal address listed below.
Alyse
12/9/97

97 DEC -8 PH10:29
ENVIRONMENTAL PROTECTION

UNDERGROUND TANK CLOSURE PLAN

*** Complete according to attached instructions ***

- Name of Business Emery/lofts Development Co.
Business Owner or Contact Person (PRINT) MR. DAN McNEVIN
- Site Address 1500 PARK ST
City Emeryville zip 94608 Phone 415-896-6100
- Mailing Address 100 Bush st. 26th Floor
City SAN FRANCISCO zip 94104 Phone 415 896-6100
- Property Owner Emery/lofts Development Co.
Business Name (if applicable) _____
Address 100 Bush st. 26th Floor
City, State SAN FRANCISCO, CA zip 94104
- Generator name under which tank will be manifested
Emery/lofts Development Co.
EPA ID# under which tank will be manifested CAC001245184
CAC001398176

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
DEPARTMENT OF ENVIRONMENTAL HEALTH
ENVIRONMENTAL PROTECTION DIVISION
1131 HARBOR BAY PARKWAY, RM 250
ALAMEDA, CA 94502-6577

STID 79 SUSAN K. HUGO
Project Specialist

ACCEPTED

Underground Storage Tank Closure Permit Application
Alameda County Division of Hazardous Materials
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

These closure/removal plans have been received and found to be acceptable and essentially meet the requirements of State and Local Health Laws. Changes to your closure plans indicated by this Department are to assure compliance with State and local laws. The project proposed herein is now released for issuance of any required building permits for construction/destruction.
Care copy of the accepted plans must be on the job and available to all contractors and craftsmen involved with the removal.

Any changes or alterations of these plans and specifications must be submitted to this Department and to the Environmental and Building Inspections Department to determine if changes meet the requirements of State and local laws. Notify the Department at least 72 hours prior to the date of required inspections:

- Removal of Tank(s) and Piping
- Sampling
- Final Inspection

Issuance of a) permit to operate, b) permit to close, is dependent on compliance with accepted plans and all applicable laws and regulations.

THERE IS A FINANCIAL PENALTY FOR NOT OBTAINING THESE INSPECTIONS.

Contact Specialist: *SH*

These 4 pages (1, 2, 4 & 5) and revised site map with location of 2 tanks must be attached to original closure plan approved 6/2/97

*Susan K. Hugo
12/19/97 Hugo*

Need check for 830122 add on

AMENDED (2 US'S REMOVAL)
UNDERGROUND TANK CLOSURE PLAN

*** Complete according to attached instructions ***

1. Name of Business Emery/lofts Development Co.
Business Owner or Contact Person (PRINT) MR. DAN MCNEVIN
2. Site Address 1500 PARK ST
City Emeryville zip 94608 Phone 415-896-6100
3. Mailing Address 100 Bush st. 26th Floor
City SAN FRANCISCO zip 94104 Phone 415 896-6100
4. Property Owner Emery/lofts Development Co.
Business Name (if applicable) _____
Address 100 Bush st. 26th Floor
City, State SAN FRANCISCO, CA zip 94104
5. Generator name under which tank will be manifested
Emery/lofts Development Co.
EPA ID# under which tank will be manifested CAC001245L84
CAC001398176

6. Contractor T. TRUMPP BROS. INC.
 Address 1540 Industrial AVE.
 City SAN Jose, CA. 95112 Phone 408 292-0820
 License Type A - HAZ ID# 646168

*Effective January 1, 1992, Business and Professional Code Section 7058.7 requires prime contractors to also hold Hazardous Waste Certification issued by the State Contractors License Board.

7. Consultant (if applicable) Geomatix
 Address 100 Pine St. 10th Floor
 City, State SAN Francisco, CA. Phone 415-434-9400

8. Main Contact Person for Investigation (if applicable)
 Name DAN Del Grande Title _____
 Company Geomatix
 Phone 415 434-9400

9. Number of underground tanks being closed with this plan 12
 Length of piping being removed under this plan 15'
 Total number of underground tanks at this facility (**confirmed with owner or operator) 2

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

** Underground storage tanks must be handled as hazardous waste **

a) Product/Residual Sludge/Rinsate Transporter
 Name Evergreen EPA I.D. No. CAD 982413262
 Hauler License No. 0242 License Exp. Date 7-31-97
 Address 7200 Central AVE
 City Newark State CA. zip 94560

b) Product/Residual Sludge/Rinsate Disposal Site
 Name Evergreen Oil EPA ID# CAD980882418
 Address 6880 Smith AVE.
 City Newark State CA. zip 94560

14. Describe methods to be used for rendering tank(s) inert:

Pump completely + Dry Flood

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

The Bay Area Air Quality Management District, 415/771-6000, along with local Fire and Building Departments, must also be contacted for tank removal permits. Fire departments typically require the use of a combustible gas indicator to verify tank inertness. It is the contractor's responsibility to bring a working combustible gas indicator on-site to verify that the tank is inert.

15. Tank History and Sampling Information *** (see instructions) ***

Tank		Material to be sampled (tank contents, soil, groundwater)	Location and Depth of Samples
Capacity	Use History include date last used (estimated)		
1500 gal	1970	Soil	Under TANK
1500 gal	1970	Soil	Under TANK
* One soil sample must be collected from each end of the tank no deeper than 2 ft into native soil.			
* see notes on original closure plan (pg 4) approved 6/2/97			

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

<p>Stockpiled Soil Volume (estimated) 10 YARD EACH</p>	<p>Sampling Plan: ONE SAMPLE EACH</p>
--	---

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

Will the excavated soil be returned to the excavation immediately after tank removal? [] yes [] no [X] unknown

If yes, explain reasoning _____

If unknown at this point in time, please be aware that excavated soil may not be returned to the excavation without prior approval from Alameda County. This means that the contractor, consultant, or responsible party must communicate with the Specialist IN ADVANCE of backfilling operations.

16. Chemical methods and associated detection limits to be used for analyzing samples:
 The Tri-Regional Board recommended minimum verification analyses and practical quantitation reporting limits should be followed.
 See attached Table 2.

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

Contaminant Sought	EPA or Other Sample Preparation Method Number	EPA or Other Analysis Method Number	Method Detection Limit
TPHD	3550		Standard
BTEX	8020		Standard
TPH AS mineral Spirits			Standard
* all notes on original closure plan approved 6/2/97			

Subject EMERYVILLE WAREHOUSE - USA MARKINGS

Project No. 3095

By BMY

Checked By _____

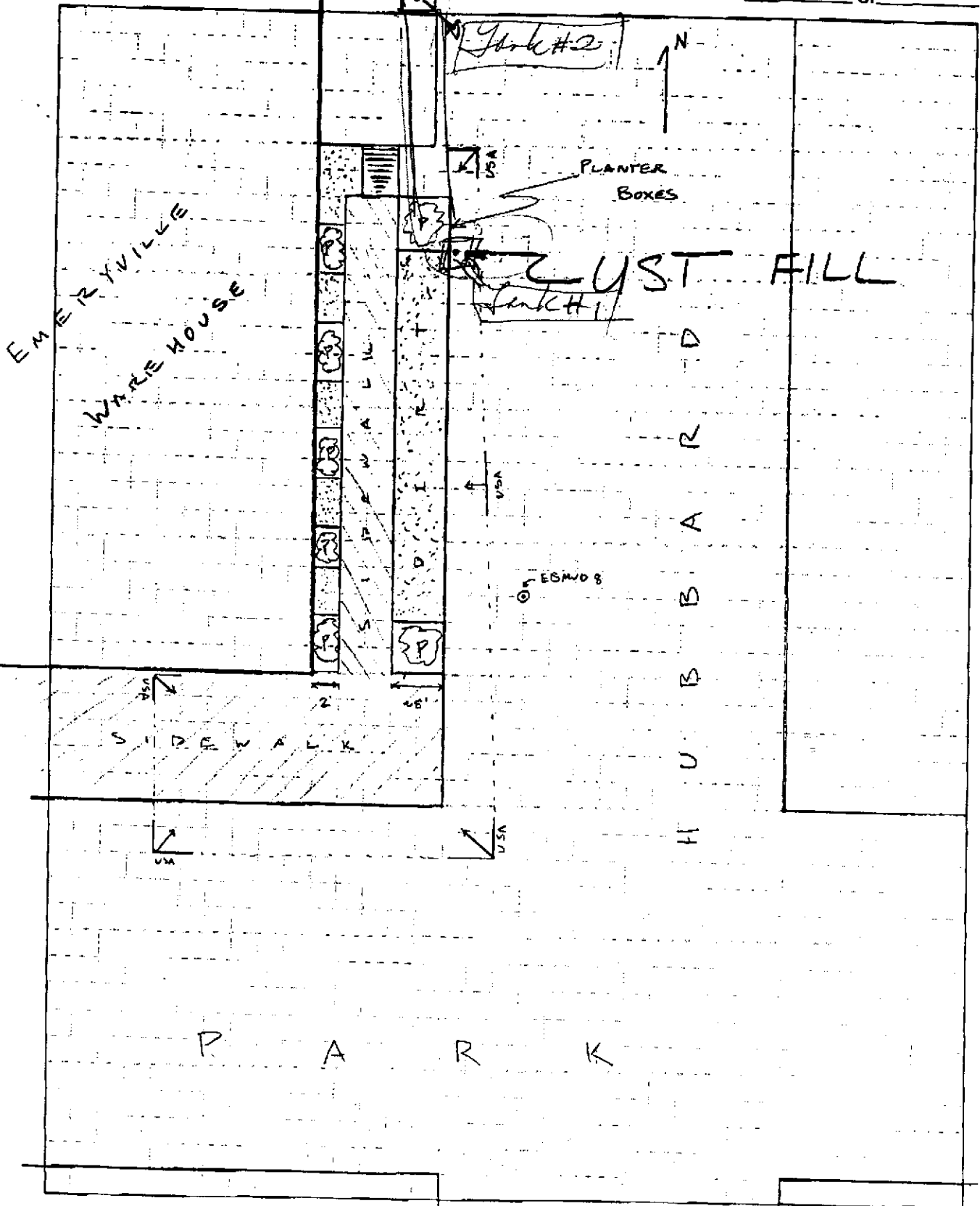
Task No. _____

Date 2/12/97

Date _____

File No. _____

Sheet 1 of 1



ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
DEPARTMENT OF ENVIRONMENTAL HEALTH
ENVIRONMENTAL PROTECTION DIVISION
1131 HARBOR BAY PARKWAY, RM 250

ALAMEDA, CA 94502-6577

PHONE # 510/567-6700

FAX # 510/337-4335

ACCEPTED

Underground Storage Tank Closure Permit Application
Alameda County Division of Hazardous Materials
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577

These closure/removal plans have been received and found to be acceptable and essentially meet the requirements of State and Local Health Laws. Changes to your closure plans indicated by this Department are to assure compliance with State and local laws. This project proposed herein is now released for issuance of any required building permits for construction/structure.
One copy of the accepted plans must be on the job and available to all contractors and craftsmen involved with the removal.
Any changes or alterations of these plans and specifications must be submitted to this Department and to the Fire and Building Inspections Departments to determine if such changes meet the requirements of State and local laws. Notify this Department at least 72 hours prior to the following required inspections:

- Removal of Tank(s) and Piping
- Sampling
- Final Inspection

Issuance of a) permit to operate, b) permanent site closure, is dependent on compliance with accepted plans and all applicable laws and regulations.

THERE IS A FINANCIAL PENALTY FOR NOT OBTAINING THESE INSPECTIONS.

Contact Specialist:

Please note changes made on pages 4 & 5.

*Susan J. Hays
6/2/97*

UNDERGROUND TANK CLOSURE PLAN

*** Complete according to attached instructions ***

1. Name of Business Emery/lofts Development Co.
Business Owner or Contact Person (PRINT) MR. DAN MCNEVIN
2. Site Address 1500 PARK ST
City Emeryville zip 94608 Phone 415-896-6100
3. Mailing Address 100 Bush st. 26th Floor
City SAN FRANCISCO zip 94104 Phone 415 896-6100
4. Property Owner Emery/lofts Development Co.
Business Name (if applicable) _____
Address 100 Bush st. 26th Floor
City, State SAN FRANCISCO, CA zip 94104
5. Generator name under which tank will be manifested
Emery/lofts Development Co.
EPA ID# under which tank will be manifested CA C 0 0 L 2 4 5 L 8 4

STID 798 - 55224

SUSAN K. HAYES

Project Specialist

6. Contractor T. PUMPP. BROS. INC.
 Address 1540 Industrial AVE.
 City SAN Jose, CA. Phone 408 292-0820
 License Type A - HAZ ID# 646168 74157198

*Effective January 1, 1992, Business and Professional Code Section 7058.7 requires prime contractors to also hold Hazardous Waste Certification issued by the State Contractors License Board.

7. Consultant (if applicable) Geomatix
 Address 100 Pine St. 10th Floor
 City, State SAN Francisco, CA. Phone 415-434-9400

8. Main Contact Person for Investigation (if applicable)
 Name DAN Del Grande Title _____
 Company Geomatix
 Phone 415-434-9400

9. Number of underground tanks being closed with this plan 1
 Length of piping being removed under this plan 15'
 Total number of underground tanks at this facility (**confirmed with owner or operator) 1

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

** Underground storage tanks must be handled as hazardous waste **

a) Product/Residual Sludge/Rinsate Transporter

Name Evergreen EPA I.D. No. CAD 980413262
 Hauler License No. 0242 License Exp. Date 7-31-97
 Address 7200 Central AVE
 City Newark State CA zip 94560

b) Product/Residual Sludge/Rinsate Disposal Site

Name Evergreen Oil EPA ID# CAD 980882418
 Address 6880 Smith AVE.
 City Newark State CA zip 94560

c) Tank and Piping Transporter

Name Ericksen INC DEXANNA EPA I.D. No. CAD 982438 566
 Hauler License No. 0079 2883 License Exp. Date 5-31-98
 Address 255 Parr Blvd. 3104 Athens Court
 City Richmond Concord State CA Zip 94801
94579

d) Tank and Piping Disposal Site

Name Ericksen INC EPA I.D. No. CAD009466392
 Address 255 Parr Blvd.
 City Richmond State CA Zip 94801

11. Sample Collector

Name PAN Del Grande
 Company Geometric
 Address 100 Pine St.
 City SAN FRANCISCO state CA Zip 94111 Phone 415-434-9400

12. Laboratory

Name AMERICAN ENVIRONMENTAL Network
 Address 3440 Vincent Road
 City Pleasant Hill State CA Zip 94523
 State Certification No. 1172

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

If yes, describe. _____

14. Describe methods to be used for rendering tank(s) inert:

Pump completely + Dry Flood

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

The Bay Area Air Quality Management District, 415/771-6000, along with local Fire and Building Departments, must also be contacted for tank removal permits. Fire departments typically require the use of a combustible gas indicator to verify tank inertness. It is the contractor's responsibility to bring a working combustible gas indicator on-site to verify that the tank is inert.

15. Tank History and Sampling Information *** (see instructions) ***

Tank		Material to be sampled (tank contents, soil, groundwater)	Location and Depth of Samples
Capacity	Use History include date last used (estimated)		
1500 gal	1970	Soil Groundwater sample must be collected if present	Under TANK One soil sample must be collected from each end of the tank no deeper than 2 ft into natural soil.
* All piping associated with the tank must be removed and/or permanently capped.			

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

<p>Stockpiled Soil Volume (estimated)</p> <p>10 YARD</p> <p>* Stockpiled Soil mixture characterized for proper disposal.</p>	<p>Sampling Plan:</p> <p>ONE Sample</p>
---	--

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

Will the excavated soil be returned to the excavation immediately after tank removal? yes no unknown

If yes, explain reasoning _____

If unknown at this point in time, please be aware that excavated soil may not be returned to the excavation without prior approval from Alameda County. This means that the contractor, consultant, or responsible party must communicate with the Specialist IN ADVANCE of backfilling operations.

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

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

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

Contaminant Sought	EPA or Other Sample Preparation Method Number	EPA or Other Analysis Method Number	Method Detection Limit
TPHD	3550	GC-FID	Standard
BTEX/E	8020	(See insert)	Standard
<p>PAH's number 8270 analyzed if TPH diesel is present.</p>			

- 18. Submit Worker's Compensation Certificate copy
Name of Insurer Calif. Indemnity/Pleasanton
- 19. Submit Plot Plan ***** (See Instructions) *****
- 20. Enclose Deposit (See Instructions)
- 21. Report any leaks or contamination to this office within 5 days of discovery.
The written report shall be made on an Underground Storage Tank Unauthorized Leak/Contamination Site Report (ULR) form.
- 22. Submit a closure report to this office within 60 days of the tank removal. The report must contain all information listed in item 22 of the instructions.
- 23. Submit State (Underground Storage Tank Permit Application) Forms A and B (one B form for each UST to be removed) (mark box B for "tank removed" in the upper right hand corner)

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

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

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

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

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

CONTRACTOR INFORMATION

Name of Business TRUMPP BROS. INC.
 Name of Individual MARY TRUMPP
 Signature [Signature] Date 5-9-97

PROPERTY OWNER OR MOST RECENT TANK OPERATOR (Circle one)

Name of Business EMERSONS DEVELOPMENT COMPANY LLC
 Name of Individual ROBERT M. HOLLIDAY
 Signature [Signature] Date 5/12/97

Subject EMERYVILLE WAREHOUSE - USA MARKINGS

Project No. 3095

By BSM

Checked By _____

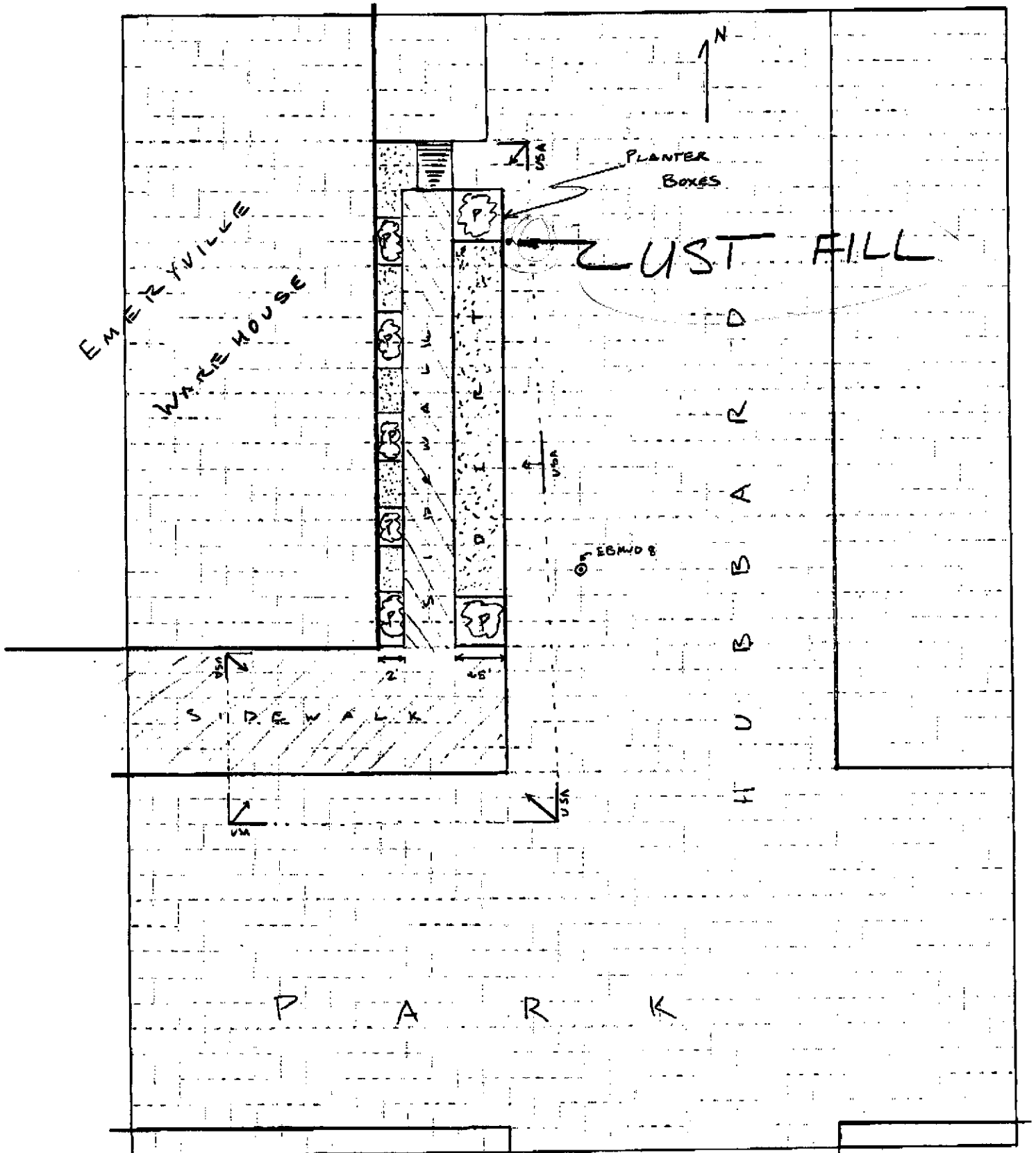
Task No. _____

Date 2/12/97

Date _____

File No. _____

Sheet 1 of 1



ACORD. CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY)

1/16/97

PRODUCER

Winn & Co. Insurance Brokers
 P. O. Box 220
 Hollister, CA. 95024-0220

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

COMPANIES AFFORDING COVERAGE

- COMPANY LETTER **A** Transcontinental/CNA (SF)
- COMPANY LETTER **B** Transportation/CNA (SF)
- COMPANY LETTER **C**
- COMPANY LETTER **D** Calif. Indemnity/Pleasanton
- COMPANY LETTER **E** Transcontinental/CNA (SF)

INSURED

Trumpp Brothers, Inc.
 General Engineering & Construction
 1540 Industrial Avenue
 San Jose CA 95112

COVERAGES

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

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY	CO1030741692	7/01/96	7/01/97	GENERAL AGGREGATE \$ 2000000
X	COMMERCIAL GENERAL LIABILITY CLAIMS MADE X OCCUR. OWNER'S & CONTRACTOR'S PROT.				PRODUCTS-COMP/OP AGG. \$ 1000000 PERSONAL & ADV. INJURY \$ 1000000 EACH OCCURRENCE \$ 1000000 FIRE DAMAGE (Any one fire) \$ 50000 MED. EXPENSE (Any one person) \$ 5000
B	AUTOMOBILE LIABILITY	BUA1030741708	7/01/96	7/01/97	COMBINED SINGLE LIMIT \$ 1000000
X	ANY AUTO				BODILY INJURY (Per person) \$
	ALL OWNED AUTOS				
	SCHEDULED AUTOS				
X	HIRED AUTOS				BODILY INJURY (Per accident) \$
X	NON-OWNED AUTOS				
	GARAGE LIABILITY				PROPERTY DAMAGE \$
	EXCESS LIABILITY				EACH OCCURRENCE \$
	UMBRELLA FORM				AGGREGATE \$
	OTHER THAN UMBRELLA FORM				
D	WORKER'S COMPENSATION AND EMPLOYERS' LIABILITY	N2043036A	7/01/96	7/01/97	X STATUTORY LIMITS EACH ACCIDENT \$ 1000000 DISEASE-POLICY LIMIT \$ 1000000 DISEASE-EACH EMPLOYEE \$ 1000000
E	OTHER Contractor's Equipment *All Risk	CO1030741692	7/01/96	7/01/97	Sched. Equip. - \$426,300 \$1000 Ded. Leased/Rented/ Borrowed - \$125,000; \$1000 Ded

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

RE: PERMITS 1500 Park St. Emeryville, CA.

*All Risk Subject to Policy Exclusions, Limits, Rates and Endorsements.

CERTIFICATE HOLDER

ALAMEDA COUNTY HEALTH CARE
 DEPT. OF ENVIRONMENTAL HEALTH
 1131 HARBOR BAY PKWY., 2nd FLOD
 ALAMEDA, CA 94502

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Donald Wain

State of California
Contractors State License Board

Pursuant to Chapter 9 of Division 3 of the Business and Professions Code
and the Rules and Regulations of the Contractors State License Board,
the Registrar of Contractors does hereby issue this license to:

TRUMPP BROS INC



to engage in the business or act in the capacity of a contractor
in the following classification(s):

A - GENERAL ENGINEERING CONTRACTOR
HAZ - HAZARDOUS SUBSTANCES REMOVAL



Witness my hand and seal this day,
May 28, 1992

Walter C. Trumpp

Signature of Licensee

Issued May 26, 1992

David R. Phillips

Registrar of Contractors

Signature of License Qualifier

This license is the property of the Registrar of Contractors, is not
transferable, and shall be returned to the Registrar upon demand
when suspended, revoked, or invalidated for any reason. It becomes
void if not renewed.

646168

License Number

- 18. Submit Worker's Compensation Certificate copy
Name of Insurer CALIF. Indemnity / Pleasanton
- 19. Submit Plot Plan ***** (See Instructions) *****
- 20. Enclose Deposit (See Instructions)
- 21. Report any leaks or contamination to this office within 5 days of discovery.
The written report shall be made on an Underground Storage Tank Unauthorized Leak/Contamination Site Report (ULR) form.
- 22. Submit a closure report to this office within 60 days of the tank removal. The report must contain all information listed in item 22 of the instructions.
- 23. Submit State (Underground Storage Tank Permit Application) Forms A and B (one B form for each UST to be removed) (mark box 8 for "tank removed" in the upper right hand corner)

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

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

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

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

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

CONTRACTOR INFORMATION

Name of Business TRUMPP BROS. INC.
 Name of Individual MARY TRUMPP
 Signature [Signature] Date 5-9-97

PROPERTY OWNER OR MOST RECENT TANK OPERATOR (Circle one)

Name of Business EMERLOYS DEVELOPMENT COMPANY LLC
 Name of Individual RICHARD M. HOLLIDAY
 Signature [Signature] Date 5/12/97

7 October 1997

DRAFT

Mr. Dan McNevin
Emerylofts Development Company
100 Bush Street, 26th Floor
San Francisco, CA 94104

RE: Extension of Removal Plan for Two Underground Storage Tanks
Emeryville Warehouse Site, 1500 Park Street, Emeryville, California 94608

Dear Mr. McNevin:

This letter confirms our telephone conversation this morning with Tom Graf of Geomatrix Consultants, Inc. regarding a request for extension of permit approval for removal of underground storage tanks (USTs) at the subject site. During this conversation, Mr. Graf indicated that a second approximately 1500-gallon capacity underground tank containing water with dissolved mineral spirits was recently discovered during site due diligence activities.

In our April 2, 1997 letter to you we approved removal of one UST (containing Bunker C oil) during site construction activities. In June, 1997 we received the \$630 permit fee for removal of the tank. We understand that approximately three additional months will be required to initiate site construction and complete the removal of the two USTs at the site. This office approves a three-month extension for UST removals during site construction. Please submit a revised permit for removal of the second UST. A total of \$936 in permitting fees will be required to cover the removal of the second tank. Please submit the additional fees and revised UST closure plan to this office prior to initiating tank removal activities.

If you have any questions or require additional information, please call me at (510) 567-6780.

Sincerely,



GEOMATRIX CONSULTANTS

100 Pine Street, 10th Floor
San Francisco, California 94111
Tel: (415)434-9400 Fax: (415)434-1365

FAX TRANSMITTAL

TO: SUSAN Hugo
ACHCSA

FAX: 510-337-9335

FROM: Tom GRAF

PROJECT NO: 3095

DATE: 10/7/97

TIME: _____

COMMENTS:

DRAFT APPEAL LETTER -
Jen

PAGES INCLUDING THIS TRANSMITTAL: 2

Note: If any problems arise during transmission, please call (415) 434-9400.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARRS, Agency Director



October 7, 1997

Mr. Dan McNevin
Emerylofts Development Company
100 Bush Street, 26th Floor
San Francisco, CA 94104

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

**Subject: Extension of Removal Plan for Two Underground Storage Tanks at
Emeryville Warehouse Site, 1500 Park Street, Emeryville, CA 94608 (STID# 798)**

Dear Mr. McNevin:

This letter confirms the telephone conversation I had this morning with Mr. Tom Graf of Geomatrix Consultants, Inc. regarding a request for extension of permit approval for the removal of underground storage tanks (USTs) at the subject site. During this conversation, Mr. Graf indicated that a second tank, approximately 1500-gallon capacity containing water with dissolved mineral spirits was recently discovered during site due diligence activities.

This agency issued a letter on April 2, 1997, stating that the removal of the Bunker C oil tank at the site during construction activities is acceptable. On May 12, 1997, we received the UST closure plan for one tank with the \$630 permit fee. The closure plan was approved on June 2, 1997. We understand that approximately three additional months will be required to initiate site construction and complete the removal of the two USTs at the site. This office approves a three-month extension (no later than 1/7/98) for the removal of the two USTs. Please submit the revised UST closure plan for the two tanks. A total of \$ 936 in permitting fees will be required to cover the removal of the second tank. The following items must be submitted to this office: additional fees, revised UST closure plan and Underground Storage Tank Permit Application - Form B (for the second tank). The revised UST closure plan must be approved by this office prior to initiating tank removal activities at the site. Enclosed are copies of our UST closure plan and Form B for your use.

If you have any questions or required additional information, please call me at (510) 567-6780.

Sincerely,

Susan L. Hugo, Hazardous Materials Specialist

enclosures

c: Mee Ling Tung, Director, Environmental Health
Gordon Coleman, Chief, Environmental Protection Division
Tom Graf, Geomatrix, 100 Pine St., 10th Fl. San Francisco, CA 94111
George Warren, Emeryville Fire Dept., 2333 Powell St., Emeryville, CA 94608
SH / files

Tank Removal SH

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
UNDERGROUND STORAGE TANK PERMIT APPLICATION - FORM A
COMPLETE THIS FORM FOR EACH FACILITY/SITE



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

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

DBA OR FACILITY NAME Emerylofts Development Co.		NAME OF OPERATOR DAN McNEVIN		
ADDRESS 1500 Park St.		NEAREST CROSS STREET		PARCEL # (OPTIONAL)
CITY NAME Emeryville		STATE CA	ZIP CODE 94608	SITE PHONE # WITH AREA CODE
<input checked="" type="checkbox"/> BOX TO INDICATE <input type="checkbox"/> CORPORATION <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> LOCAL-AGENCY DISTRICTS <input type="checkbox"/> COUNTY-AGENCY* <input type="checkbox"/> STATE-AGENCY* <input type="checkbox"/> FEDERAL-AGENCY*				
* If owner of UST is a public agency, complete the following: name of supervisor of division, section or office which operates the UST _____				
TYPE OF BUSINESS		# OF TANKS AT SITE		E. P. A. I. D. # (optional)
<input type="checkbox"/> 1 GAS STATION <input type="checkbox"/> 2 DISTRIBUTOR <input type="checkbox"/> 3 FARM <input type="checkbox"/> 4 PROCESSOR <input checked="" type="checkbox"/> 5 OTHER		<input type="checkbox"/> IF INDIAN RESERVATION OR TRUST LANDS		1 CAC 001245184

EMERGENCY CONTACT PERSON (PRIMARY)

EMERGENCY CONTACT PERSON (SECONDARY) - optional

DAYS: NAME (LAST, FIRST) McNEVIN DAN	PHONE # WITH AREA CODE 415 332-8573	DAYS: NAME (LAST, FIRST)	PHONE # WITH AREA CODE
NIGHTS: NAME (LAST, FIRST) McNEVIN DAN	PHONE # WITH AREA CODE 415-332-8573	NIGHTS: NAME (LAST, FIRST)	PHONE # WITH AREA CODE

II. PROPERTY OWNER INFORMATION - (MUST BE COMPLETED)

NAME EMERYLOFTS DEVELOPMENT CO. LLC.	CARE OF ADDRESS INFORMATION RICE HOLLIDAY MANAGER		
MAILING OR STREET ADDRESS 100 BUSH ST 26th Fl	<input checked="" type="checkbox"/> box to indicate <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> LOCAL-AGENCY <input type="checkbox"/> STATE-AGENCY <input checked="" type="checkbox"/> CORPORATION <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> COUNTY-AGENCY <input type="checkbox"/> FEDERAL-AGENCY		
CITY NAME SE CA	STATE CA	ZIP CODE 94604	PHONE # WITH AREA CODE 415-896-6100

III. TANK OWNER INFORMATION - (MUST BE COMPLETED)

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

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

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

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

<input checked="" type="checkbox"/> box to indicate	<input type="checkbox"/> 1 SELF-INSURED	<input type="checkbox"/> 2 GUARANTEE	<input type="checkbox"/> 3 INSURANCE	<input type="checkbox"/> 4 SURETY BOND	<input type="checkbox"/> 5 LETTER OF CREDIT	<input type="checkbox"/> 6 EXEMPTION	<input type="checkbox"/> 7 STATE FUND
	<input type="checkbox"/> 8 STATE FUND & CHIEF FINANCIAL OFFICER LETTER	<input type="checkbox"/> 9 STATE FUND & CERTIFICATE OF DEPOSIT	<input type="checkbox"/> 10 LOCAL GOVT. MECHANISM	<input checked="" type="checkbox"/> 99 OTHER			

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

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

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

TANK OWNER'S NAME (PRINTED & SIGNATURE) RICHARD M. HOLLIDAY	TANK OWNER'S TITLE MANAGER	DATE 5/15/97
---	--------------------------------------	------------------------

LOCAL AGENCY USE ONLY

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

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

TANK REMOVED 12/22/98



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

COMPLETE A SEPARATE FORM FOR EACH TANK SYSTEM.

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

DBA OR FACILITY NAME WHERE TANK IS INSTALLED: Emery Lofts Development Co.

I. TANK DESCRIPTION COMPLETE ALL ITEMS - SPECIFY IF UNKNOWN

A. OWNER'S TANK I.D.# 1 B. MANUFACTURED BY: C. DATE INSTALLED (MO/DAY/YEAR) UNKNOWN D. TANK CAPACITY IN GALLONS: 1500

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

A. 1 MOTOR VEHICLE FUEL, 2 PETROLEUM, 3 CHEMICAL PRODUCT, 4 OIL, 80 EMPTY, 95 UNKNOWN, B. 1 PRODUCT, 2 WASTE, C. 1a REGULAR UNLEADED, 1b PREMIUM UNLEADED, 1c MIDGRADE UNLEADED, 2 LEADED, 3 DIESEL, 4 GASAHOL, 5 JET FUEL, 99 OTHER, 6 AVIATION GAS, 7 METHANOL, 8 M85, D. IF (A.1) IS NOT MARKED, ENTER NAME OF SUBSTANCE STORED Fuel oil #6 C. A. S. #: 68553004

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

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

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

A. SYSTEM TYPE: A U 1 SUCTION, A U 2 PRESSURE, A U 3 GRAVITY, A U 4 FLEXIBLE PIPING, A U 99 OTHER, B. CONSTRUCTION: A U 1 SINGLE WALL, A U 2 DOUBLE WALL, A U 3 LINED TRENCH, A U 95 UNKNOWN, A U 99 OTHER, C. MATERIAL AND CORROSION PROTECTION: A U 1 BARE STEEL, A U 2 STAINLESS STEEL, A U 3 POLYVINYL CHLORIDE (PVC), A U 4 FIBERGLASS PIPE, A U 5 ALUMINUM, A U 6 CONCRETE, A U 7 STEEL W/ COATING, A U 8 100% METHANOL COMPATIBLE W/FRP, A U 9 GALVANIZED STEEL, A U 10 CATHODIC PROTECTION, A U 95 UNKNOWN, A U 99 OTHER, D. LEAK DETECTION: 1 MECHANICAL LINE LEAK DETECTOR, 2 LINE TIGHTNESS TESTING, 3 CONTINUOUS INTERSTITIAL MONITORING, 4 ELECTRONIC LINE LEAK DETECTOR, 5 AUTOMATIC PUMP SHUTDOWN, 99 OTHER NONE

V. TANK LEAK DETECTION

1 VISUAL CHECK, 2 MANUAL INVENTORY RECONCILIATION, 3 VADOZE MONITORING, 4 AUTOMATIC TANK GAUGING, 5 GROUND WATER MONITORING, 6 ANNUAL TANK TESTING, 7 CONTINUOUS INTERSTITIAL MONITORING, 8 SIR, 9 WEEKLY MANUAL TANK GAUGING, 10 MONTHLY TANK TESTING, 95 UNKNOWN, 99 OTHER

VI. TANK CLOSURE INFORMATION (PERMANENT CLOSURE IN-PLACE)

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

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

TANK OWNER'S NAME (PRINTED & SIGNATURE) RICHARD M HOLLIAM Richard M Holliam DATE 5/15/97

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

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

THIS FORM MUST BE ACCOMPANIED BY A PERMIT APPLICATION - FORM A, UNLESS A CURRENT FORM A HAS BEEN FILED. FORM C MUST BE COMPLETED FOR INSTALLATIONS. THIS FORM SHOULD BE ACCOMPANIED BY A PLOT PLAN. FILE THIS FORM WITH THE LOCAL AGENCY IMPLEMENTING THE UNDERGROUND STORAGE TANK REGULATIONS

TANK REMOVED 12/18/98 SA

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



COMPLETE A SEPARATE FORM FOR EACH TANK SYSTEM.

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

DBA OR FACILITY NAME WHERE TANK IS INSTALLED:

I. TANK DESCRIPTION COMPLETE ALL ITEMS -- SPECIFY IF UNKNOWN
A. OWNER'S TANK I. D. # 2
B. MANUFACTURED BY:
C. DATE INSTALLED (MO/DAY/YEAR) UNKNOWN
D. TANK CAPACITY IN GALLONS: 1500

II. TANK CONTENTS IF A-1 IS MARKED, COMPLETE ITEM C.
A. 1 MOTOR VEHICLE FUEL, 2 PETROLEUM, 3 CHEMICAL PRODUCT, 4 OIL, 80 EMPTY, 95 UNKNOWN
B. 1 PRODUCT, 2 WASTE
C. 1a REGULAR UNLEADED, 1b PREMIUM UNLEADED, 1c MIDGRADE UNLEADED, 2 LEADED, 3 DIESEL, 4 GASAHOL, 5 JET FUEL, 99 OTHER (DESCRIBE IN ITEM D. BELOW)
D. IF (A.1) IS NOT MARKED, ENTER NAME OF SUBSTANCE STORED: Mineral Spirits C. A. S. #:

III. TANK CONSTRUCTION MARK ONE ITEM ONLY IN BOXES A, B, AND C, AND ALL THAT APPLIES IN BOX D AND E
A. TYPE OF SYSTEM: 1 DOUBLE WALL, 2 SINGLE WALL, 3 SINGLE WALL WITH EXTERIOR LINER, 4 SINGLE WALL IN A VAULT, 5 INTERNAL BLADDER SYSTEM, 95 UNKNOWN, 99 OTHER
B. TANK MATERIAL (Primary Tank): 1 BARE STEEL, 2 STAINLESS STEEL, 3 FIBERGLASS, 4 STEEL CLAD W/ FIBERGLASS REINFORCED PLASTIC, 5 CONCRETE, 6 POLYVINYL CHLORIDE, 7 ALUMINUM, 8 100% METHANOL COMPATIBLE WFRP, 9 BRONZE, 10 GALVANIZED STEEL, 95 UNKNOWN, 99 OTHER
C. INTERIOR LINING OR COATING: 1 RUBBER LINED, 2 ALKYD LINING, 3 EPOXY LINING, 4 PHENOLIC LINING, 5 GLASS LINING, 6 UNLINED, 95 UNKNOWN, 99 OTHER
IS LINING MATERIAL COMPATIBLE WITH 100% METHANOL? YES NO
D. EXTERIOR CORROSION PROTECTION: 1 POLYETHYLENE WRAP, 2 COATING, 3 VINYL WRAP, 4 FIBERGLASS REINFORCED PLASTIC, 5 CATHODIC PROTECTION, 91 NONE, 95 UNKNOWN, 99 OTHER
E. SPILL AND OVERFILL, etc. SPILL CONTAINMENT INSTALLED (YEAR) NONE OVERFILL PREVENTION EQUIPMENT INSTALLED (YEAR) NONE
DROP TUBE YES NO STRIKER PLATE YES NO DISPENSER CONTAINMENT YES NO

IV. PIPING INFORMATION CIRCLE A IF ABOVE GROUND OR U IF UNDERGROUND, BOTH IF APPLICABLE
A. SYSTEM TYPE: A U 1 SUCTION, A U 2 PRESSURE, A U 3 GRAVITY, A U 4 FLEXIBLE PIPING, A U 99 OTHER
B. CONSTRUCTION: A U 1 SINGLE WALL, A U 2 DOUBLE WALL, A U 3 LINED TRENCH, A U 95 UNKNOWN, A U 99 OTHER
C. MATERIAL AND CORROSION PROTECTION: A U 1 BARE STEEL, A U 2 STAINLESS STEEL, A U 3 POLYVINYL CHLORIDE (PVC), A U 4 FIBERGLASS PIPE, A U 5 ALUMINUM, A U 6 CONCRETE, A U 7 STEEL W/ COATING, A U 8 100% METHANOL COMPATIBLE WFRP, A U 9 GALVANIZED STEEL, A U 10 CATHODIC PROTECTION, A U 95 UNKNOWN, A U 99 OTHER
D. LEAK DETECTION: 1 MECHANICAL LINE LEAK DETECTOR, 2 LINE TIGHTNESS TESTING, 3 CONTINUOUS INTERSTITIAL MONITORING, 4 ELECTRONIC LINE LEAK DETECTOR, 5 AUTOMATIC PUMP SHUTDOWN, 99 OTHER NONE

V. TANK LEAK DETECTION
 1 VISUAL CHECK, 2 MANUAL INVENTORY RECONCILIATION, 3 VADOZE MONITORING, 4 AUTOMATIC TANK GAUGING, 5 GROUND WATER MONITORING, 6 ANNUAL TANK TESTING, 7 CONTINUOUS INTERSTITIAL MONITORING, 8 SIR, 9 WEEKLY MANUAL TANK GAUGING, 10 MONTHLY TANK TESTING, 95 UNKNOWN, 99 OTHER

VI. TANK CLOSURE INFORMATION (PERMANENT CLOSURE IN-PLACE)
1. ESTIMATED DATE LAST USED (MO/DAY/YR)
2. ESTIMATED QUANTITY OF SUBSTANCE REMAINING _____ GALLONS
3. WAS TANK FILLED WITH INERT MATERIAL? YES NO

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

TANK OWNER'S NAME (PRINTED & SIGNATURE) RICHARD HOLLIDAY DATE

LOCAL AGENCY USE ONLY THE STATE I.D. NUMBER IS COMPOSED OF THE FOUR NUMBERS BELOW
STATE I.D.# COUNTY # JURISDICTION # FACILITY # TANK #
PERMIT NUMBER PERMIT APPROVED BY/DATE PERMIT EXPIRATION DATE

DECLARATION OF SITE ACCOUNT REFUND RECIPIENT

There may be excess funds remaining in the Site Account at the completion of this project. The PAYOR (person or company that issues the check) will use this form to predesignate another party to receive any funds refunded at the completion of this project. In the absence of this form, the PAYOR will receive the refund.

SITE INFORMATION:

Site ID Number
(if known)

Emery Knotts

Name of site

1500 Park St.

Street Address

Emeryville CA 94608

City, State & Zip Code

I designate the following person or business to receive any refund due at the completion of all deposit/refund projects:

TRUMPP BROS. INC.

Name

1540 Industrial AVE

Street Address

SAN JOSE, CA 95112

City, State & Zip Code

[Signature]

Signature of Payor

5-9-97

Date

GARY TRUMPP

Name of Payor

(PLEASE PRINT CLEARLY)

TRUMPP BROS. INC

Company Name of Payor

RETURN FORM TO:

County of Alameda, Environmental Protection
1131 Harbor Bay Parkway, Rm 250
Alameda CA 94502-6577
Phone#(510) 567-6700

white -env.health
yellow -facility
pink -files

ALAMEDA COUNTY, DEPARTMENT OF ENVIRONMENTAL HEALTH

Hazardous Materials Inspection Form

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

II, III

Site ID # 2228 Site Name TRIDENT TRUCK LINES Today's Date 5/9/97
Site Address 23724 SAKLAN RD.
City HAYWARD Zip 94545 Phone _____

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

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

Comments:

4/16/97 COMPLAINT- REMOVED UNDERGROUND TANKS STORED ON TRAILERS STAY IN YARD FOR EXTENDED PERIODS- HEALTH + SAFETY HAZARD

HAZARDOUS WASTE HAULER # 2773 6/30/97
P.O. BOX 17, GUSTINE, CA. 95322

6 REMOVED TANKS ON TRAILERS.
LONGEST ONSITE SINCE 5/7 REST 5/8

NO ODORS BY TANKS EXCEPT NEAR 2 TANKS
THERE WAS A SLIGHT ODOR

NO LEL METER ONSITE
BOB SENNA STATED THAT METER WAS TAKEN TO
A JOB SITE + LEL IS CHECKED FOR TANKS KEPT
MORE THAN 1 DAY THERE'S NO RECORD OF
READINGS.

Contact _____
Title _____
Signature [Signature]
Inspector _____
Signature [Signature]

II, III

TO PREVENT LEL FROM RISING TO EXPLOSIVE RANGE HAVE METER AVAILABLE + CHECK
KEEP RECORDS

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

April 2, 1997

Mr. Dan McNevin
Emerylofts Development Company
100 Bush Street, 26th Floor
San Francisco, California 94104

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

**RE: Underground Storage Tank Located at Emeryville Warehouse Site
1500 Park Street, Emeryville, California 94608**

Dear Mr. McNevin:

This office has received the letter (with attachment) dated February 27, 1997, prepared and submitted by Geomatrix Consultants, Inc. requesting the removal of the above referenced underground storage tank (UST) during the redevelopment of the subject site late this year. The analytical results by "fingerprint" characterization of the sample collected from the tank indicated that the product was a crude oil (Bunker C).

It is my understanding that the City of Emeryville requires the approval of our agency for the removal of the tank to be conducted during construction before a building permit can be issued. This approach is acceptable to this agency provided the following items are addressed:

- 1) Submit a UST closure plan and associated removal fee.
- 2) Evaluate the integrity of the UST system. Monitor any changes in the product level.
- 3) UST removal plan if approved by this agency is valid for six months.
- 4) Please keep this office apprised of the schedule / progress of the site development.

I have enclosed a copy of our UST closure plan packet for your use.

If you have any questions or require additional information, please call me at (510) 567-6780.

Sincerely,

Susan L. Hugo
Senior Hazardous Materials Specialist

enclosure

c: Mee Ling Tung, Director, Environmental Health
Gordon Coleman, Chief, Environmental Protection Division
Ariu Levi, Hazardous Materials Program Manager
Tom Graf / Daniel Del Grande, Geomatrix, 100 Pine St., 10th Fl., San Francisco, CA 94111
George Warren, Emeryville Fire Dept., 2333 Powell St., Emeryville, CA 94608
SH / files



Susan J. Hugo

FACT SHEET
HAZARDOUS WASTE
TRANSPORTER REQUIREMENTS
California Environmental Protection Agency
DEPARTMENT OF TOXIC SUBSTANCES CONTROL
January 1997

BACKGROUND

In California, statutory requirements governing management of hazardous wastes are contained in Division 20, Chapter 6.5, of the California Health and Safety Code (HSC). Regulations adopted pursuant to these statutes are found in Division 4.5, Chapter 13, of the California Code of Regulations (22 Cal. Code Regs.). An order form is available to assist you in obtaining a copy of the statutes and regulations.

Any person transporting hazardous wastes by highway, water, rail or air within, into, out of, or through the State of California must be registered by the Department of Toxic Substances Control (DTSC). HSC, Section 25163(a) makes it unlawful for any person to carry on, or engage in, the transportation of hazardous wastes without a valid registration. It is likewise unlawful for any person to transfer custody of any hazardous waste to an unregistered transporter (e.g., generators and unregistered subhaulers).

TRANSPORTER REQUIREMENTS

As a registered hazardous waste transporter, you must comply with the California Vehicle Code, California Highway Patrol (CHP) regulations (Title 13, California Code of Regulations), California State Fire Marshal regulations (Title 19, California Code of Regulations), and United States Department of Transportation (DOT) regulations (Title 49, Code of Federal Regulations), in addition to the DTSC requirements summarized below:

1. Any person transporting hazardous waste must be registered annually with DTSC. (HSC, Section 25163(a))
 2. It is unlawful for any person to transfer custody of any hazardous waste to an unregistered transporter. (HSC, Section 25163(a))
 3. All vehicles and containers must be in sound condition and designed or maintained to contain hazardous waste. (22 Cal. Code Regs., Section 66263.13)
 4. The registration certificate shall be carried in a vehicle transporting hazardous waste, and shall be shown upon demand to any DTSC representative, peace officer, local health officer, any public officer designated by DTSC, or any representative of a Certified Unified Program Agency. (HSC, Section 25163(a)(2))
 5. The registered hazardous waste transporter shall notify DTSC in writing within 30 days of the following occurrences:
 - a. Change of majority ownership, name, or location;
 - b. Change in ownership or control of vehicles and containers; and/or
 - c. Vehicle or container involvement in any spill or accident which may have rendered it in noncompliance with DTSC requirements. (22 Cal. Code Regs., Section 66263.15 (a))
 6. Upon loss of insurance, the registered hazardous waste transporter shall cease transporting any hazardous waste and immediately notify DTSC in writing of such loss. (22 Cal. Code Regs., Section 66263.15(b))
 7. Hazardous wastes shall not be accepted for transport without a Uniform Hazardous Waste Manifest that has been properly completed and signed by the generator. (22 Cal. Code Regs., Section 66263.20 (a))
 8. Hazardous waste may be loaded, unloaded, pumped or packaged by a registered hazardous waste transporter ONLY where the hazardous waste was generated. (See definition of "transfer," 22 Cal. Code Regs., Section 66260.10(a))
 9. The manifest shall be in the registered hazardous waste transporter's possession while transporting hazardous waste. (HSC, Section 25160(d); 22 Cal. Code Regs., Section 66263.20(e))
 10. Transporters of any waste for which a manifest is provided shall comply with all hazardous waste transportation regulations. (HSC, Section 25160(d)(2))
 11. Hazardous wastes must be delivered to authorized points only. In the event that the waste cannot be delivered to the facility designated on the manifest, the registered hazardous waste transporter shall contact the generator for instructions. (22 Cal. Code Regs., Section 66263.21(b))
 12. Copies of manifests shall be retained for a period of at least three years from the date the waste was accepted by the initial registered hazardous waste transporter. (22 Cal. Code Regs., Section 66263.22)
 13. Hazardous wastes that are subject to volatilization or wind dispersal shall be transported in covered containers. (22 Cal. Code Regs., Section 66263.23(c))
 14. Vehicles used to transport hazardous wastes shall have the name or trademark of the firm, legible from a distance of 50 feet during daylight, on each side of the vehicle or container. (22 Cal. Code Regs., Section 66263.23(e))
-

3. Routing Requirements:

Hazardous waste transportation is required to be carried out via the most direct route, utilizing state or interstate highways whenever possible (California Vehicle Code, Section 31303). If you need more information regarding these routing requirements, contact your local CHP office.

4. Hazardous Materials/DOT Requirements:

Transporters of hazardous materials (not hazardous waste) should call CHP at (916) 327-3310 for licensing requirements. You should also contact the CHP at this number if you need information about federal DOT requirements for packaging, labeling, marking and placarding for transportation of hazardous materials within California. If operating interstate, you should contact U.S. DOT at (916) 498-5050 (Northern California) or (909) 653-2299 (Southern California) regarding these federal DOT requirements.

5. Oversize/Overweight Vehicles or Loads:

Operation of oversize/overweight vehicles or loads over the state highway system are regulated by the California Department of Transportation (Caltrans). The oversize/overweight permits are only issued for non-reducible loads and can be applied for at any Caltrans District Permit Office. Further information may be obtained by calling (916) 322-4976 for Northern California and (909) 383-4637 for Southern California.

6. Medical Waste Transportation Requirements:

You should contact the Department of Health Services, Medical Waste Management Program (MWMP), regarding operation as a medical waste transporter since the reporting requirements are quite different from those of DTSC. You should contact the Northern California office at (916) 327-6904, or the Southern California office of MWMP at (213) 897-7170.

7. U.S. Environmental Protection Agency (U.S. EPA):

For questions regarding the federal requirements (Title 40, Code of Federal Regulations), contact U.S. EPA at (415) 495-8895, or the U.S. EPA hotline at 1-800-424-9346.

8. Hazardous Waste Transportation:

If you have any questions or require further information regarding hazardous waste transportation, please call DTSC's Transportation Section at (916) 323-6042.

9. U.S. EPA Identification Number/Manifests:

For information about U.S. EPA Identification Numbers or manifests, call the Generator Information Services Section of DTSC at 1-800-61-TOXIC (1-800-618-6942).

10. Generator, Treatment, Storage and Disposal Facilities:

Please contact the DTSC office in your area if you need information about generator or treatment, storage, and disposal facilities requirements. The addresses and telephone numbers of duty officers are listed below.

