

# Morton, Lulofs & Allen

ROGER F. ALLEN  
MICHAEL CHARLES COMYNS  
LARRY E. LULOFS  
KAREN D. MARCUS  
WILLIAM R. MORTON  
G. GEOFFREY WOOD

ATTORNEYS AND COUNSELORS AT LAW  
ONE KAISER PLAZA, SUITE 750  
OAKLAND, CALIFORNIA 94612

TELEPHONE  
(415) 444-5521  
FACSIMILE  
(415) 444-8263

August 28, 1991

Scott O. Seery, CHMM  
Hazardous Materials Specialist  
ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY  
DEPARTMENT OF ENVIRONMENTAL HEALTH  
80 Swan Way, Room 200  
Oakland, California 94621

RE: DALE SOBEK, 6000 S CORPORATION  
Foundry Sand Sampling Proposal  
Our File: 042.1el

Dear Mr. Seery:

This will acknowledge receipt of your letter of August 23, 1991 to Dale Sobek. We regret that we could not provide the work plan by the August 23rd deadline. Mr. Sobek had secured services of two consultants who had provided proposals. Immediately after we received the agreement for funding of the study, we contacted Mike Tietze of Lowney & Associates to engage his company to provide the foundry sand sampling and analysis work plan. He requested additional information, it was supplied, and thereafter he informed me that his company was not interested in doing the work. He also informed me that he would call you and advise of this development, and that he would inform you that Mr. Sobek would be engaging another consultant to prepare the work plan.

Since your letter makes no mention of conversations with Mr. Tietze and his company's declination to participate, I can only conclude that he did not speak with you. I trust this letter completes the picture. In the meantime, Mr. Sobek has engaged another consultant, and we expect to have a work plan in the next few days. The Environmental Protection Agency has also contacted Mr. Sobek, and will be conducting a site inspection in the near future.

While you may believe that Mr. Sobek is delaying the process of site characterization, I assure you that this is not the case. Mr. Sobek could hardly anticipate that the consultant whom he had chosen to provide the work plan would decide not to do the work.

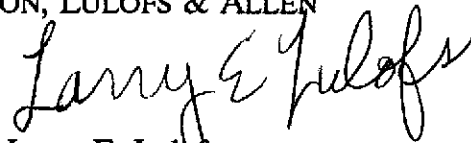
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Scott O. Seery, CHMM  
ALAMEDA CO. HEALTH CARE SERVICES AGENCY  
August 28, 1991  
Page 2

If you any questions about any aspect of this letter, please feel free to call me to discuss this situation. We look forward to seeing you on August 28th to discuss this matter further.

Very truly yours,

MORTON, LULOFS & ALLEN



Larry E. Lulofs

LEL:pcl

cc: Rafat A. Shahid, Ass't Agency Director, Environmental Health  
Edgar Howell, Chief, Hazardous Materials Division  
Gil Jensen, Alameda Co. District Attorney's Office  
Howard Hatayama, DHS  
Lester Feldman, RWQCB  
Jill Duerig, ACWD  
Paulette Garcia, City of Fremont Attorney's Office  
Elizabeth Stowe, City of Fremont Environmental Protection  
Bob Eppstein, City of Fremont Building & Safety Dept.  
Ann Draper, City of Fremont Planning Dept.  
Janet Harbin, City of Fremont Planning Dept.  
Gary DiMercurio, City of Fremont Planning Commission  
Dale Sobek  
Philip B. Bass, Esq.

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August 30, 1991

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Hazardous Materials Specialist  
ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY  
DEPARTMENT OF ENVIRONMENTAL HEALTH  
80 Swan Way, Room 200  
Oakland, California 94621

RE: DALE SOBEEK, 6000 S CORPORATION  
Foundry Sand Sampling Proposal  
Our File: 042.1el

Dear Mr. Seery:

Enclosed please find a copy of the soil sampling plan for the foundry sand at 6000 Stevenson Boulevard. This plan was received by Mr. Sobek on the 28th of August, in time for the settlement meeting in the Superior Court. Unfortunately, the judge had to cancel the meeting, so there was no opportunity to discuss or distribute the plan.

Please review this plan, and direct any questions to ETIC or to this writer.

Very truly yours,

MORTON, LULOFS & ALLEN

  
Larry E. Lulofs

LEL:ks

Enclosures

cc: Rafat A. Shahid, Ass't Agency Director, Environmental Health  
Edgar Howell, Chief, Hazardous Materials Division  
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Gary DiMercurio, City of Fremont Planning Commission  
Dale Sobek  
Philip B. Bass, Esq.

**SOIL SAMPLING PLAN FOR FOUNDRY SAND****INTRODUCTION**

There is an estimated 4,000 cubic yards of foundry sand stockpiled at the 6000 S Corporation property, located at 6000 Stevenson Boulevard, in Fremont. The Alameda County Department of Environmental Health, Hazardous Materials Program (ACDEH), has directed Mr. Dale Sobek, president of 6000 S Corporation to "submit for review a proposal that clearly outlines plans..." to test the soil according to the guidelines in Title 22 and EPA sampling protocol SW-846.

This document is the requested Site Soil Sampling Plan. It has been prepared based on documents and relevant sections of documents provided to ETIC by Mr. Sobek; a May 22, 1991 telephone conversation between Mr. Seery and Costas Orountiotis; and a site visit carried out on August 21, 1991.

**CONTACT PERSONS**

Site Owner: 6000 S Corporation  
42080 Osgood Road  
Fremont, CA 94539  
Attention: Dale Sobek  
(415) 657-7633

Consultant: ETIC  
3275 Stevens Creek Blvd, Suite 315  
San Jose, CA 95117  
Attention: Costas Orountiotis  
(408) 244-7202

Lead Agency: Alameda County Dept. of Environmental Health  
Hazardous Materials Program  
80 Swan Way, Room 200  
Oakland, CA 94621  
Attention: Scott Seery  
(415) 271-4320

TO: ETIC FROM: ACDEH

**BACKGROUND**

The 4,000 cubic yards of foundry sand reportedly was brought to the site by The American Brass and Iron Foundry in 1985 and 1986, for the express purpose of being used as fill material.

The material, referred to as "slag", was sampled on June 16, 1985 and analyzed for Total Threshold Limit Concentration levels of Title 22 CAM metals. The results were reported as TLC on January 14, 1986. The laboratory report and accompanying correspondence are attached as Appendix A. No chain of custody documentation exists.

On May 15, 1986 the foundry sand was sampled and analyzed for STLC values of the same metals. The laboratory report indicated that STLC values for the soil sample were considerably less than values given for hazardous materials in CCR Title 22, Section 66699 "List of Inorganic Persistent and Bioaccumulative Toxic Substances...". The laboratory report and accompanying correspondence are attached as Appendix B. No chain of custody documentation exists.

On May 17, 1991 Mr. Seery generated a letter identifying for Mr. Sobek the target contaminants and the sampling protocol required by the ACDEH. The target contaminants are:

Title 22 Metals  
PolyAromatic Hydrocarbons (PAH)  
Dibenzodioxins (PCDD)/Dibenzofurans (PCDF)

Sampling protocol and laboratory analyses were defined as per CCR, Title 22 and EPA SW-846. Mr. Seery's letter is attached as Appendix C.

On July 23, 1991 Mr. Seery directed the 6000 S Corporation to submit a Soil Sampling Plan in compliance with his earlier request. This directive is attached as Appendix D.

ETIC has prepared the required Soil Sampling Workplan in compliance to the July 23, 1991 directive by the ACDEH.

#### PROPOSED SCOPE OF WORK

The foundry sand was brought to the site over a period of months. The loads contained differing waste streams mixed at the foundry. The sand was then further mixed on site during volume consolidation and in moving the soil in its present position. For sampling purposes, therefore, we will assume that the sand is of a homogeneous composition and that potential contaminants are distributed uniformly throughout the stockpile.

#### 1.0 REGULATORY OVERVIEW

##### 1.1 SOURCES

Several sources will be consulted to determine sampling methodology and whether detected target constituents exceed standards established by Federal, State and Local regulatory agencies. These sources include:

California Code of Regulations, Title 22, Article 11  
(Title 22)

The Designated Level Methodology for Waste Classification and Cleanup Level Determination RWQCB (John D. Marshack),  
June 1989 edition

### 3.1 STOCKPILE SAMPLES

In order to minimize sampling and analyses costs, ETIC proposes to separate the stockpile into 40 "cells", each cell containing approximately 100 cubic yards of soil. A single discrete soil sample will be collected at random from each cell. This method will combine the "authoritative" with the "random" sampling approach described in SW-846.

Each cell will be designated on a map. Analyte concentrations in a sample exceeding the regulatory levels (TTLIC or 10 times the STLC) for any target constituent will be cause for that cell to "fail" and require a detailed evaluation. All cells that fail this initial sampling episode will be resampled, as follows. Four random samples will be collected from the cell and composited by the laboratory of record into two samples for analysis. Laboratory analysis will be conducted for the STLC values only for the specific contaminant(s) that originally exceeded regulatory limits.

The mean, standard deviation and confidence interval will be calculated and if the upper interval of the confidence interval (CI) is less than the regulatory limit (RL) for that constituent, the cell will have "passed" and the soil will be characterized as non-hazardous.

If the upper interval of the CI is higher than the RL then the cell has "failed" again and the soil will be considered a potentially hazardous waste. At that time a series of considerations designed by John Marshack of the RWQCB Central Valley will be utilized by ETIC to determine site specific Designated Levels for each contaminant identified. These considerations include a determination of:

- Identification of affected water systems
- Water Quality goals
- Environmental attenuation
- Leachability

If, following these considerations, the sample contaminant concentrations still exceed the Site Designated level Concentrations, the cell will be removed from the stockpile using a front loader and segregated, pending final disposition.

### 3.2 NATIVE SOIL SAMPLES

In his May 17, 1991 directive, Mr. Seery indicated that "Should elevated levels of target compounds be identified following chemical analyses of the foundry sand, native soil in the area where this sand was historically stockpiled may require additional testing at the discretion of the oversight agencies".

ETIC proposes that if less than 25% of the cells tested are "failed", that no native soil sampling program be initiated. It is our understanding that the entire graded area will be covered with concrete, thus preventing potential leaching from causing vertical contaminant migration through the underlying native soil. In a sense the construction will create a cap that will act as a barrier to rainfall infiltration and potential leaching.

If more than 25% of the cells are "failed" then the native soil will be sampled. A composite soil sample will be collected from four sampling points for every 900 square feet (30 by 30 foot square) of native soil surface. These samples will be collected from one foot below grade; they will be analyzed only for the constituent that exceeded the regulatory limit.

In the event that a native soil sampling program is initiated, then background soil samples will be collected for comparison purposes. All soil samples will be collected from a depth of one foot. The designated level methodology will be utilized again, to determine the status of the native soil for samples that are higher than background levels.

### 3.3 SAMPLING METHODOLOGY

All soil samples will be collected using an impact-driven Shelby tube sampler and stainless steel or aluminum tubes. Prior to use, the tubes will be decontaminated using a three stage process. This process consists of cleansing with a TSP solution followed by two deionized water rinses. Between sample points, the impact sampler will be decontaminated using the same method. Care will be taken to ensure that sufficient sample volume is collected to minimize container headspace. Aluminum foil and end caps will be used to seal each sample tube. Each sample will be labeled by recording the location, time and date of collection and the name of the person collecting the sample, on a label firmly affixed to the tube. Sample data will be entered onto a standard chain-of-custody document in the field. Following collection, the samples will be placed on ice in a cooler pending transport to a State-certified Analytical Laboratory the same day.

A total of forty (40) soil samples, plus 40 duplicates will be collected from the foundry sand stockpile for PAH, PCDF and metals analysis. Considering the high cost of analysis for Dioxins, ETIC proposes that portions of the 40 discreet samples be composited into two composite samples and analyzed for Dioxins. If the presence of Dioxins is detected, the duplicate soil samples will be discretely analyzed.

4. HEALTH AND SAFETY

Sampling personnel will use Level D Health and Safety protection equipment. This will include white Tyvek suits with hoods, safety glasses, HEPA respirator or better, Nitrile gloves and rubber boots. These clothes will be disposed in the municipal waste collection bin at the end of the sample collection. Rubber boots will be decontaminated by thoroughly washing with a TSP solution.

Personnel will be oriented in dangers associated with all target contaminants prior to initiating work. All sampling personnel will have completed the 40 hour SARA course prior to initiating work.

Decontamination will be effected using soap and water for the hands and face and TSP for the sampling equipment.

5. TECHNICAL REPORT

A technical report will be issued at the conclusion of the sampling events containing a Site Proximity Map, Site Plan, Copies of all laboratory analyses, the sampling results in table format, a discussion of the results and our recommendations. The report will be issued within one month of receiving the laboratory analyses.

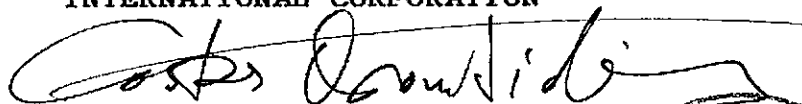
**SCHEDULE**

ETIC expects to mobilize staff to perform the sampling within one week of Sampling Plan approval. All field work will be completed within one week. Laboratory results will be due within two weeks of submitting the samples. The Technical Report will be issued within one month of receiving these results. Maximum time interval from Plan approval to the presentation of the Technical Report is estimated to be two months.

Should you have any questions regarding this Workplan please call the undersigned at (408) 244-7202.

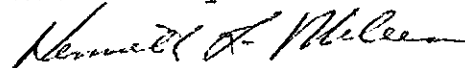
Sincerely,

**ENVIRONMENTAL TECHNOLOGY  
INTERNATIONAL CORPORATION**

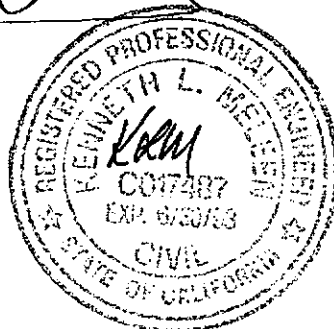


Costas Orountiotis  
Project Engineer  
Compliance and Engineering

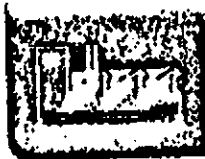
Reviewed by:



Kenneth L. Meleen  
Senior Engineer  
License No. C17487  
Expires: 6/30/93







# FREDERIKSEN ENGINEERING

CONSULTING  
ENGINEERS  
ARCHITECTS

OAKLAND

LONG BEACH

## LABORATORY REPORT

File: J-59-31  
P.O. #: 5-00864

Client: AMERICAN BRASS & IRON FOUNDRY  
Address: Mr. George Meyer  
7825 San Leandro Street  
Oakland, CA 94621  
Sample: Slag  
Date of Sampling: 6-16-85  
Date of Report: 1-14-86

<u>ANALYSIS</u>	<u>TTL Wet Weight</u> <u>mg/kg</u>	<u>Slag Wet Weight</u> <u>mg/kg</u>
Antimony	500	0.6
Arsenic	500	1.0
Barium	10,000	3,000
Beryllium	75	<0.1
Cadmium	100	2.9
Chromium (IV)	500	<0.1
Chromium	2,500	150
Cobalt	8,000	17
Copper	2,500	24
Lead	1,000	52
Mercury	20	0.14
Molybdenum	3,500	<0.1
Nickel	2,000	16
Selenium	100	<0.1
Silver	500	4.9
Thallium	700	<0.4
Vanadium	2,400	<0.5
Zinc	5,000	27

Conclusion: This is a non hazardous material.

These analyses were performed in accordance with the recommended procedures in the California Administrative Code, Title 22, Division 4, Section 66699.

*Arnold B. Menar*  
Arnold B. Menar, Ph.D.  
Laboratory Director

ABM/amh  
Enclosure

**FREDERIKSEN  
ENGINEERING**CONSULTING  
ENGINEERS  
ARCHITECTS

OAKLAND

LONG BEACH

January 14, 1986

Mr. George Meyer  
The American Brass & Iron Foundry  
7825 San Leandro Street  
Oakland, CA 94621

File: J-59-31  
Laboratory Analysis

Dear Mr. Meyer:

Enclosed you will find our laboratory report with the results of the analysis of the slag sample. This material was tested and found to be non hazardous.

If you have any questions, please feel free to call us.

Very truly yours,  
FREDERIKSEN ENGINEERING CO., INC.

*Arnold B. Menar*

Arnold B. Menar, Ph.D.  
Laboratory Director

ABM/amh

Enclosure

JAN 28 1986 *DS*

**APPENDIX**

**B**



# FREDERIKSEN ENGINEERING

CONSULTING  
ENGINEERS  
ARCHITECTS  
OAKLAND  
LONG BEACH

## LABORATORY REPORT

File: J-59-84

Client: AMERICAN BRASS & IRON FOUNDRY

Address: Mr. George Meyer  
7825 San Leandro Street  
Oakland, CA. 94621

Sample: Foundry Sand

Date of Sampling: 5-15-86

Date of Report: 7-9-86

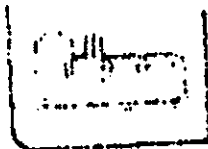
METALS	mg/l	STLC* mg/l
Antimony	<1.0	15
Arsenic	<1.0	5.0
Barium	<5.0	100
Beryllium	<0.10	0.75
Cadmium	<0.10	1.0
Chromium	<0.50	560
Cobalt	<1.0	80
Copper	0.98	25
Lead	<0.50	5.0
Mercury	<0.010	0.2
Molybdenum	<1.0	350
Nickel	<0.50	20
Selenium	<0.10	1.0
Silver	<0.10	5
Thallium	<1.0	7.0
Vanadium	<1.0	24
Zinc	<0.50	250

\*STLC = Soluble Threshold Limit Concentration,  
22CA66693 (CA Title 22)

The Foundry Sand was found to be non hazardous material

Arnold B. Menar

Arnold B. Menar, Ph.D.  
Laboratory Director

**FREDERIKSEN  
ENGINEERING**CONSULTING  
ENGINEERS  
ARCHITECTS  
LONG BEACH

OAKLAND

July 9, 1986

Mr. George Meyer  
The American Brass & Iron Foundry  
7825 San Leandro Street  
Oakland, CA. 94621

File: J-59-34  
Laboratory Analysis

Dear Mr. Meyer:

Enclosed you will find our laboratory report with the results of the Waste Extraction Test (WET) and the analysis for metals (17) in accordance with title 22, section 66693 of the California Administrative Code. The Foundry sand was found to be NON HAZARDOUS.

If you have any questions please feel free to call us.

Very truly yours,  
FREDERIKSEN ENGINEERING CO., INC.

*Arnold B. Menar*

Arnold B. Menar, Ph.D.  
Laboratory Director

ABM/amh  
enclosure

JAN 28 1988

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



Certified Mailer # P 367 604 364

May 17, 1991

Mr. Dale Sobek  
6000 S Corporation  
42080 Osgood Road  
Fremont, CA 94539

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Program  
80 Swan Way, Rm. 200  
Oakland, CA 94621  
(415)

NOTICE OF REQUEST FOR SAMPLING PROPOSAL

6000 S CORPORATION PROPERTY, 6000 STEVENSON BOULEVARD, FREMONT

Dear Mr. Sobek:

The Alameda County Department of Environmental Health, Hazardous Materials Division, has completed review of the reported facts associated with the placement of an estimated 2000-3500 cubic yards of foundry sands at the subject site. The review of the noted facts follows the January 31, 1991 correspondence from this Department that notified you of our role as lead agency in the foundry sand issue.

Following this discovery period, the Department has determined that additional sampling and tests of the subject foundry sand are necessary to adequately characterize the waste, and to determine appropriate standards for its treatment or disposal. The reasons supporting this determination are presented in greater detail in this letter. However, in summary, we are basing this requirement upon: 1) our review of reports cited in this letter that document limited sampling and analysis of foundry sand at the site; 2) our knowledge of operations and waste management practices at the source foundry; 3) the limitations of the source foundry's air pollution abatement equipment; and, 4) the potential for contaminants other than metals to be present in the waste foundry sand.

The discovery period entailed, in part: 1) review of the range of regulatory standards, law, and policy, and applicable exemptions to these standards, law, and policy, which govern the generation, treatment, and disposal of iron foundry waste streams, including waste foundry sands; 2) inspection of the source foundry, American Brass and Iron Foundry Company of Oakland; 3) review of the air emission permit standards and compliance history of the source foundry; 4) interviews with industry and regulatory professionals acquainted with the chemistry of iron foundry waste streams; 5) review of correspondence pertaining to the subject site from a variety of sources covering approximately the last three years; and, 6) review of sampling and contaminant analysis data presented in formal reports from consultants, as well as those data attached to correspondence submitted under 6000 S Corporation cover.

Mr. Dale Sobek  
RE: 6000 S Corp., 6000 Stevenson Blvd.  
May 17, 1991  
Page 2 of 6

Other contaminants, in addition to certain target metals, may be present in the foundry sands generated by the subject foundry. American Brass and Iron Foundry Company (ABI) uses a coke-fired cupola furnace in their smelting process. Emissions from the cupola furnace are routed through an afterburner, designed to combust and, hence, remove organics from the furnace exhaust, and then through a multi-chamber baghouse to collect remaining particulates. Afterburners are often inefficient at removing organic compounds, as proper afterburner temperatures are difficult to maintain without strict temperature monitoring; in addition, equipment breakdowns occur frequently.

Compliance records retained by the Bay Area Air Quality Management District (BAAQMD) present a history of such afterburner malfunctions, which resulted in residual organics inundating the baghouse. ABI has been cited repeatedly by the BAAQMD for air emission violations following such afterburner malfunctions. ABI has also been the subject of both administrative and civil actions as a result of these and other violations. The potential for residual organics to adsorb onto particulates collected in the baghouse because of afterburner inefficiency is high; during afterburner malfunctions, the potential is particularly high.

BAAQMD engineers identified another iron foundry in southern Alameda County which uses similar source iron, fuel (coke), smelting processes, and air pollution abatement technology to that of ABI. Air emission source tests performed at this foundry during October 1990, in response to requirements of AB 2588, the "Air Toxics Hot Spots Information and Assessment Act of 1987," identified 12 metals, hydrogen chloride, and organic compounds (specifically, polyaromatic hydrocarbons (PAH), dibenzodioxins, and dibenzofurans) being emitted. These tests were conducted by collecting exhaust gasses that had passed through the cupola afterburner and baghouse.

Among the many dibenzodioxins identified during these tests was 2,3,7,8-tetrachlorodibenzodioxin, or 2,3,7,8-TCDD, which is recognized as the most toxic of the 75 dioxins known to man. Oral-rat and -mouse LD<sub>50</sub> values published in Volume 2 of the 1981-82 Registry of Toxic Effects of Chemical Substances are as low as 22500 ng/kg and 114 ug/kg for this compound, respectively; oral-rat LD<sub>50</sub> values published in Volume III of Sax and Lewis' Dangerous Properties of Industrial Chemicals, 7th Edition, are as low as 20 ug/kg. Such compounds exhibit long residency times in soils and are bioaccumulative in animals. Many of the other organic compounds identified in this source test are toxic and known or suspected carcinogens, mutagens, and teratogens. An assessment of the risks for the surrounding community, associated with exposure to these emissions, is pending.

Mr. Dale Sobek  
RE: 6000 S Corp., 6000 Stevenson Blvd.  
May 17, 1991  
Page 3 of 6

ABI, in response to AB 2588, performed their own air emission test. We understand that this test, however, was conducted without concurrence from BAAQMD as to its scope, which was limited solely to analyzing for metals. We further understand that as a consequence of the outcome of tests performed at the foundry in southern Alameda County during 1990, BAAQMD will be requiring additional emissions tests for dibenzodioxins, -furans, and PAHs, among others, at ABI in the near future.

During a recent inspection of ABI, there was an enormous accumulation of foundry sands and slag at the site, with a wide variation of material color, consistency, and apparent composition. Information gathered during this inspection indicated that, up until just "recently," it was the policy of ABI to mix all solid waste streams together before transporting them off-site. Such solid wastes may include a range of foundry sand types (e.g., "green" sands with clay binders, core sands with resin binders, etc.), slag, and baghouse waste, among other potential solid wastes.

Several consultant reports and other data pertaining to the sampling and analysis of waste foundry sands at the subject site, as well as recommended options for the treatment or disposal of this waste, were reviewed, including, but not limited to, the following:

- o June 27, 1991 Levine-Fricke "Draft" report entitled, Sampling of Foundry Sands, 6000 Stevenson Boulevard, Fremont, California (this report also incorporates the sampling and analysis data from a cited January 1990 ENSCO report, and the July 9, 1986 Frederikson Engineering laboratory analysis report).
- o January 12, 1988 Earth Metrics Inc. report, as revised February 1, 1988, entitled, Site Contaminant Characterization History at the Fremont, California Site of 6000 S Corporation (this report incorporates the July 9, 1986 Frederikson Engineering laboratory analysis report, among others).

Pursuant to Section 66694, Article 11 of Title 22, California Code of Regulations (CCR), sampling and sample management must follow those procedures specified in Section One of "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods," SW-846, 2nd edition, U.S. Environmental Protection Agency, 1982. Consistent with SW-846, a waste sampling plan must be responsive to both regulatory and scientific objectives. If chemical information is to be considered reliable, it must be both accurate and sufficiently precise.



Mr. Dale Sobek  
RE: 6000 S Corp., 6000 Stevenson Blvd.  
May 17, 1991  
Page 4 of 6

To accomplish these objectives, such sampling strategies rely heavily upon the science of applied statistics. Sample accuracy is typically achieved by "random" sampling; whether such sampling is to be in the form of simple, stratified, or systematic random sampling depends upon the nature of the waste and how it was produced. Sampling precision is generally accomplished by collecting an appropriate number of samples, determined by employing Equation 8 of Table 1, SW-846. Further, samples must be "representative" of the sampled population, exhibiting average properties of the whole waste. None of the cited reports document how sampling and analysis protocol followed such SW-846 criteria.

You are directed to submit for review a proposal that clearly outlines plans to conduct further testing of the subject waste foundry sands. This proposal is to discuss sampling strategies and analyses in accord with Article 11, 22 CCR, "Criteria for Identification of Hazardous and Extremely Hazardous Wastes," which by reference incorporates the sampling and analyses protocol of EPA SW-846, and which is consistent with the type of waste at this site and the range of potential contaminants.

Sample analyses are to include the following target compounds, using test methods approved for use by the Department of Health Services Hazardous Waste Laboratory Certification Program:

- o Title 22 metals
  - arsenic
  - beryllium
  - cadmium
  - chromium, total
  - chromium, hexavalent
  - copper
  - lead
  - manganese
  - mercury
  - nickel
  - selenium
  - zinc
  
- o polyaromatic hydrocarbons (PAH)
  
- o dibenzodioxins / dibenzofurans

Mr. Dale Sobek  
RE: 6000 S Corp., 6000 Stevenson Blvd.  
May 17, 1991  
Page 5 of 6

samples found to contain total concentrations of any organic or inorganic persistent or bioaccumulative target compounds that exceed published STLC values for those compounds by a factor of 10 or more will require additional waste extraction tests (WET).

Should elevated levels of any target compounds be identified following chemical analyses of the foundry sand, native soil in the area where this sand was historically stockpiled may require additional testing at the discretion of the oversight agencies. The potential for additional sampling of native soil is to be addressed by either: 1) incorporation of a native soil sampling plan in the current proposal; or, 2) by submittal of a supplemental native soil sampling plan should one become necessary following review of the foundry sand analysis results.

You are directed to submit the noted foundry sand sampling proposal within 45 days of the date of this letter, or by the close of business on July 1, 1991. A final report documenting the results of all activities associated with the foundry sand sampling and analysis, and any other tasks that may be required, is to be submitted within 45 days of the close of field sampling activities. This report should provide recommendations for any additional work at the site, and treatment or disposal options applicable to the waste foundry sand.

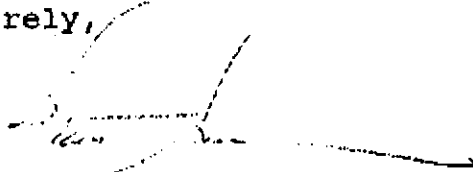
This Department continues to coordinate with the other oversight agencies involved with this case. Therefore, you are further directed to provide copies of this or any supplemental sampling proposal and subsequent reports to the Alameda County Water District (ACWD) and the City of Fremont Environmental Protection Division (EPD). Further, as has been stipulated previously by various authors, copies of all correspondence regarding the subject site are to be provided to the oversight agencies identified at the close of this letter.

Please be advised that until directed otherwise from this Department, you are prohibited from moving, treating, sampling, transporting, or otherwise handling the subject waste foundry sand. Any requests for such activity must be cleared in advance with this Department and the City of Fremont EPD.

Mr. Dale Sobek  
RE: 6000 S Corp., 6000 Stevenson Blvd.  
May 17, 1991  
Page 6 of 6

Please feel free to have your attorney call me at 415/271-4320 should there be any questions regarding the content of this letter.

Sincerely,



Scott O. Seery, CHMM  
Hazardous Materials Specialist

cc: Rafat A. Shahid, Assistant Agency Director, Environmental Health  
Edgar Howell, Chief, Hazardous Materials Division  
Gil Jensen, Alameda County District Attorney's Office  
Howard Hatayama, DHS  
Lester Feldman, RWQCB  
Jill Duerig, ACWD  
Paulette Garcia, City of Fremont Attorney's Office  
Elizabeth Stowe, City of Fremont Environmental Protection  
Bob Eppstein, City of Fremont Building and Safety Department  
Ann Draper, City of Fremont Planning Department  
Janet Harbin, City of Fremont Planning Department  
Gary DiMercurio, City of Fremont Planning Commission  
Larry Luloff, Esq.  
files

ALAMEDA COUNTY  
HEALTH CARE SERVICES

AGENCY  
DAVID J. KEARS, Agency Director



Certified Mailer # P 367 604 439

DEPARTMENT OF ENVIRONMENTAL HEALTH  
Hazardous Materials Program  
80 Swan Way, Rm. 200  
Oakland, CA 94621  
(415)

July 23, 1991

Mr. Dale Sobek  
6000 S Corporation  
42080 Osgood Road  
Fremont, CA 94539

RECEIVED

JUL 25 1991

LAW OFFICES OF  
MORTON, LULOFS & ALLEN

RE: FOUNDRY SAND SAMPLING PROPOSAL; 6000 S CORPORATION, 6000  
STEVENSON BOULEVARD, FREMONT

Dear Mr. Sobek:

On May 17, 1991, you were directed to submit a foundry sand sampling proposal to this Department no later than July 1, 1991. In a response to this Department dated June 24, 1991, your attorney, Larry Lulofs, submitted contract proposals from two environmental consulting firms. Each consultant's contract proposal identified, as one of several tasks, the requirement to prepare a sampling work plan for submittal to this Department and other agencies, should they be hired for this project.

The June 24, 1991 submittal has been rejected for its failure to provide a detailed foundry sand sampling and analysis proposal/work plan as stipulated in the May 17, 1991 directive from this Department.

As stipulated in the May 17 directive, you are required to submit a detailed sampling proposal which clearly and completely satisfies the requirements articulated by both the referenced departmental directive, and Title 22, California Code of Regulations, as such code pertains to sampling protocol and waste analysis, among other elements. Clearly, this Department was not requesting a copy of contract proposals received by you during your negotiations with potential consultants. The Department expected, and continues to expect, the submittal of a bonafide foundry sand sampling and analysis proposal/work plan. The Department feels that this requirement was made abundantly clear in the May 17 directive and in subsequent telephone conversations with your attorney.

You are directed to submit a foundry sand sampling and analysis proposal/work plan by the close of business on August 23, 1991.


Be advised that this Department will not tolerate further delays in submittal of the referenced sampling and analysis proposal/work plan, or future delays initiating work at this site. Should the August 23 deadline not be met to the satisfaction of this Department, this case will be turned over to the Alameda County District Attorney's Office for enforcement action.

Mr. Dale Sobek  
RE: 6000 S Corporation, 6000 Stevenson Blvd.  
July 23, 1991  
Page 2 of 2

Please be further advised that your statement on page 2, paragraph 1, of your July 10, 1991, correspondence to Ms. Jill Duerig of the Alameda County Water District, with regard to submittal of a foundry sand "testing" proposal as directed by the Department on May 17, 1991, is incorrect for the reasons discussed in this letter.

Should there be any questions regarding the content of this letter, please have your attorney contact me at 415/271-4320.

Sincerely,



Scott O. Seery, CHMM  
Hazardous Materials Specialist

cc: Rafat A. Shahid, Assistant Agency Director, Environmental Health  
Edgar Howell, Chief, Hazardous Materials Division  
Gil Jensen, Alameda County District Attorney's Office  
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